


10088-68

09/15/2008

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 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <input type="checkbox"/> Registration <input checked="" type="checkbox"/> Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number:	Date of Issuance:
	10088-68	SEP 15 2008
	Term of Issuance:	
Name of Pesticide Product:		Non-Selective Herbicide #2
Name and Address of Registrant (include ZIP Code): Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p style="text-align: center;">This product is reregistered in accordance with FIFRA section 4(g)(2)(C) provided you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data 2. Make the following changes to the product labeling: <ol style="list-style-type: none"> 1. Under "PPE", revise the first sentence so it reads "Some materials...are barrier laminate, nitrile or neoprene rubber, or viton." 2. Remove the word "flaggers" from the PPE section. 3. Move the User Safety Requirement text "Follow manufacturer's instructions...from other laundry." from the box and place below the PPE section. 4. Change the heading "User Safety Requirements" to "User Safety Recommendations". <p style="text-align: center;">Continued on Page 2</p>		
Signature of Approving Official:		Date:
Joanne I. Miller Product Manager 23 Herbicide Branch Registration Division (7505P)		SEP 15 2008

5. Under "Environmental Hazards" remove the phrase "except as noted on appropriate labels" from the second sentence.
6. Revise the groundwater contamination statement to read "2,4-D has properties..."
7. The mechanical transfer engineering control text "If this container is over one gallon...the probe must be rinsed before removal." is not required and may be deleted.
8. Revise the "Physical or Chemical Hazards" statement to read "**Combustible.** Do not use or store near heat or open flame."
9. Under "Storage and Disposal" revise the first sentence to read "Do not contaminate water, food, or feed by storage or disposal."
10. Move the text "Keep container tightly closed...for proper disposal." Under the heading "Pesticide Storage" and place directly above "Pesticide Disposal".
11. Revise the "Container Disposal" statement in accordance to PR Notice 2007-4.
12. Spray drift text must be added in the "Directions for Use" section (see Spray Drift Management attachment on page 3).
13. Under "Application Restrictions" revise the text to read "Maximum of 2.0 lb 2,4-D ae/acre per application."
14. Under "Postemergence (annual & perennial weeds)" correct the typo from "times" to "timber".
15. The label must be revised to specify a maximum single application rate for annual and perennial weeds of 2.0 lbs ae of 2,4-D per acre per application as specified in the 2,4-D RED. The label currently allows rates that exceed 2.0 lbs ae of 2,4-D per acre per application. The label must be revised.
16. Assure that the required acid equivalents per acre (lbs ae/A) restrictions are expressed as product volume or product weight per unit area and that they are in the same units as the registered application rate already on the label. Assure that the maximum application restrictions are identical to the highest currently registered rate for each appropriate application site.

A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Enclosure

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind directions, wind speed, temperature, relative humidity) and method of application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a coarse or coarser spray, apply only as a coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a medium or more fine spray, apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a medium spray, leave one swath unsprayed at the downwind edge of the treated field.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

For ground boom application:

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

2,4-D esters may volatilize during conditions of low humidity and high temperatures. Do not apply during conditions of low humidity and high temperatures.

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION
 Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE):
 Some materials that are chemical-resistant to this product are barrier-laminate, nitrile rubber, viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators, flaggers, and other handlers must wear: long-sleeved shirt and long pants, shoes and socks, plus chemical resistant gloves, when applying with any hand held nozzle or equipment, mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate, chemical resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

USER SAFETY REQUIREMENTS
 Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

User should wash hands before eating, drinking, chewing gum, tobacco use, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS:
 This pesticide may be toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

If this container is over one gallon and less than five gallons, the person engaged in open pouring of this product must also wear coveralls or a chemical-resistant apron. If this container is five gallons or more in capacity, then a mechanical system (probe and pump) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

PHYSICAL OR CHEMICAL HAZARDS:
 Contains petroleum distillate. Do not use or store near heat or open flame.

NON-SELECTIVE HERBICIDE #2

NON-SELECTIVE PERSISTENT GENERAL HERBICIDE FOR
 USE WHERE CONTROL OF ALL VEGETATION IS DESIRED

SOIL STERILANT

ACTIVE INGREDIENTS

Isocetyl (2-Ethylhexyl ester) of	
2,4-Dichlorophenoxyacetic acid	1.09%
Bromacil (5-Bromo-3-sec-butyl-6-methyluracil)	0.98%
INERT INGREDIENTS	97.93%
TOTAL	100.00%

2,4-dichlorophenoxyacetic acid equivalent 0.63%
 Isomer specific: ADAC Method No. 5, 00 1-5.
 Contains petroleum distillates, xylene, or xylene range aromatic solvent.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID
IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

NOTE TO PHYSICIAN: Contains petroleum distillate - vomiting may cause aspiration pneumonia.

EPA REG. NO. 10088-68
 EPA EST. NO. 10088-WI-1
 Manufactured By:
Athea Laboratories, Inc.
 P.O. Box 240014
 Milwaukee, WI 53224

DIRECTIONS FOR USE
 It is a violation of Federal law to use this product in a manner inconsistent with its label.

Recommended for use on non-crop areas such as fence rows, parking lots, around buildings, loading ramps, storage yards, tank farms, along pipelines, industrial plant sites and other similar areas where grasses and weeds interfere with drainage, create a fire hazard or cause unsightly appearance.

This liquid weed killer is composed of 5-bromo-3-sec-butyl-6-methyluracil (Bromacil) and low volatile 2,4-D Ester. The low volume oil carrier provides rapid penetration and translocation in the plant. The insolubility of the herbicide in water assures full effect regardless of rainfall after application or stage of growth at time of application.

This liquid weed killer may be applied at any time of the year except when the ground is frozen. Best results are obtained after predominant weeds have emerged and developed to a point where they present a problem. The product should be applied as is. No agitation or dilution is necessary and any equipment from sprinker can to large sprayer may be used. Equipment should be calibrated to assure application of the recommended amount of weed killer.

For annual weeds and grasses such as crabgrass, foxtail, barnyard grass, lambquarters and pigweed, use 1 to 2 gallons per 1000 square feet (40 to 80 gallons per acre).

For perennial weeds and grasses such as smooth bromegrass, Canada bluegrass, bromesedge, aster, candidum, goldenrod, plantain, wild carrot and purpletop, use 2 to 4 gallons per 1000 square feet (80 to 160 gallons per acre).

For other hard-to-kill perennial weeds and grasses such as Johnsongrass, siltgrass, Bermudagrass, horsetail, bouncing bet and bracken fern, use 3 to 5 gallons per 1000 square feet (120 to 200 gallons per acre).

Application Restrictions: Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

Not to be used in any recreational areas or in or around homes.

Postemergence (annual & perennial weeds): Limited to 2 applications per year. Maximum of 2.0 lbs. #/acre per application. Minimum of 30 days between applications. Application to non-cropland areas are not applicable to treatment of commercial times or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Entry Restrictions: Do not enter or allow people (or pets) to enter the treated areas until sprays have dried.

Prohibited for aerial applications.

STORAGE AND DISPOSAL

Do not contaminate water, food, feed, or fertilizer by storage or disposal. Keep container tightly closed when not in use. If container is damaged or leaking, contain spill. Soak up spilled material with absorbent and place in closed, labeled container for proper disposal.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA regional office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

0220-022108-2,4-D RED
NET CONTENTS:
 1 5 6 15 20
 30 35 55 GALLONS

ACCEPTED
with COMMENTS
In EPA Letter Dated:

SEP 15 2008

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

10088-68