



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

NOTICE OF PESTICIDE:
Registration
[X] Reregistration
(under FIFRA, as amended)

EPA Reg. Number:
10807-200

Date of Issuance:
8 DEC 2008

Term of Issuance:

Name of Pesticide Product:
Misty Repco Kill IV

Name and Address of Registrant (include ZIP Code):

Amrep Inc.
990 Industrial Park Drive
Marietta, GA 30062

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.

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.

This product is reregistered in accordance with FIFRA provided that you:

- 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) The "If on Skin or Clothing" First Aid statement should appear prior to the other statements. In addition, if the "If Swallowed" statement currently on the label is retained, it must be revised to read as follows: "If Swallowed: Immediately call a doctor or poison control center. 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." Place the First Aid section in a box.

Signature of Approving Official:

Handwritten signature: Joanne I. Miller

Joanne I Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Date:

8 DEC 2008

- 3) A phone number for emergency medical treatment information should be added to the label.
- 4) Revise the PPE section to include the text "Chemical-Resistance Category E" in place of "Category A Waterproof." In addition, add the following PPE: "Chemical-resistant apron when loading, cleaning up spills or equipment, or otherwise exposed to the concentrate."

Finally, remove the PPE reference under the Directions For Use section, as all required PPE is stated under the PPE section.

5) User Safety Requirements must be revised to include the underlined text as follows:
"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."

6) Revise the User Safety Recommendations to include the underlined text as follows:
"User Safety Recommendations
User should wash hands before, eating, drinking, chewing gum, tobacco, 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. As soon as possible, wash thoroughly and change into clean clothing."

7) The Environmental Hazards text currently on the label must be revised to read:
"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."

8) The Storage and Disposal section must be revised to specify storage and disposal instructions for an occupational-use product.

9) With the exception of drift-related text appearing in the Environmental Hazards ("Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas") and General Precautions and Restrictions ("Do not apply this product in a way that will contact workers or other persons, either directly or through drift"), all drift text appearing on the label must be placed together and be located below the following required text. Any conflicting text must be deleted from the label.

Spray drift text must be added to the label and which reads:

"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 apply 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 aerial and 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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10) Revise the General Instructions and Information section to include the following (and delete any conflicting information/rates currently on the label):

“Postemergence (annual and perennial weeds):

Maximum of 7.3 pints of product / 1000 sq. ft. per application
Limited to 2 applications per year
Minimum of 30 days between applications.

Postemergence (woody plants):

Maximum of 14.6 pints of product / 1000 sq. ft. per application.
Limited to 1 application per year.

Applications to non-cropland areas are not applicable to treatment of commercial timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.”

11) Under General Instructions, change “It is recommended” to “It is to be used on”. Change “Recommendations for Use” to “Directions for Use”. Change “such as” to “including”.

12) To the label add “Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, C01-0132C, (W.D. WA).”

13) Change the heading of the First Aid section to “First Aid”.

Submit one copy of the revised final printed label for the record. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Misty Repco Kill IV

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

CAUTION: Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear: Chemical-resistant gloves (Category A waterproof, such as Barrier Laminate, Neoprene Rubber, Nitrile Rubber, and Viton), Long-sleeved shirt and long pants, shoes plus socks.

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

USER SAFETY RECOMMENDATIONS: Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing if pesticide gets inside. Then wash thoroughly and put on clean clothing.

FIRST AID STATEMENT: IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person. **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 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. **NOTE TO PHYSICIAN:** Contains petroleum distillates - vomiting may cause aspiration pneumonia. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ENVIRONMENTAL HAZARDS: This concentrate is toxic to fish and wildlife and aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non-target plants. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

PHYSICAL AND CHEMICAL HAZARDS: Combustible. Do not use or store the product near heat or open flame.

STORAGE & DISPOSAL: DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE AND DISPOSAL. DO NOT STORE CONTAINER ON ITS SIDE. **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: IF EMPTY:** Do not reuse this container. Place in trash or offer for recycling if available. **IF PARTLY FILLED:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

DIRECTIONS FOR USE: It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. A probe and pump must be used for transferring this pesticide if the container is 5 gallons or more. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination. When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. 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.

ENTRY RESTRICTIONS: Do not enter or allow others to enter the treated area until sprays have dried.

Wash hands, face and arms with soap and water as soon as possible after mixing, loading, or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms



MISTY®

Repco Kill IV

Liquid Weed Killer - Contains Drift Reducer

ACTIVE INGREDIENTS:

2,4-Dichlorophenoxyacetic Acid, 2-Ethylhexyl ester*: 1.09%
Bromacil (5-Bromo-3-sec-butyl-6-methyluracil): 0.98%
INERT INGREDIENTS (contains petroleum distillates): 97.93%
TOTAL: 100.00%

*2,4-Dichlorophenoxyacetic Acid equivalent 0.70%

Contains Petroleum Distillate

0.07 lbs. Bromacil per Gallon

ACCEPTED
with COMMENTS
In EPA Letter Dated
8 DEC 2008
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
10807-200

B00580

KEEP OUT OF REACH OF CHILDREN.

CAUTION:

See back panel for additional precautionary statements.

NET CONTENTS 1 GALLON (3.8 LITERS)

before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 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. Follow manufacturer's instruction for cleaning/maintaining PPE. If no such instructions are provided for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

GENERAL INSTRUCTIONS AND INFORMATION: This product is a liquid, non-selective, persistent, general herbicide designed for use where control of all vegetation is desired. It is recommended for 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. Not to be used in any recreational areas or in or around homes. Use this product undiluted. This liquid produces rapid top kill of all succulent vegetation. Translocation and root absorption of component herbicides produce extensive root kill of weeds and provide long term residual control. This liquid weed killer is composed of 5-bromo-3-sec-butyl-6-methyluracil (bromacil) and a low volatile 2,4-D ester in a phytotoxic oil. The oil carrier combines the properties of low volatility with rapid penetration and translocation of the plant. The insolubility of the herbicide in water assures full effect regardless of rainfall after application or stages of growth at the time of application.

RECOMMENDATIONS FOR USE: For annual weeds an grasses such as crabgrass, foxtail, banyard grass, lambsquarter and pigweed: use 1 to 2 gallons per 1000sq. ft. (40 to 80 gallons per acre). Perennial weeds and grasses such as smooth brome, quackgrass, Canada bluegrass, broomsedge, aster, dandelion, goldenrod, plantain, wild carrot and purpletop: use 2 to 4 gallons per 1000 sq. ft. (80 to 160 gallons per acre).

This liquid 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. This product should be applied as is. No agitation or dilution is necessary and any equipment from sprinkler can to complicated sprayer may be used. Equipment should be calibrated so as to assure application of the recommended amount of material.

GENERAL PRECAUTIONS AND RESTRICTIONS: Not to be used in any recreational areas or in or around homes.

Do not enter or allow others to enter the treated areas until sprays have dried. 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. Do not apply this liquid to areas where the roots of desirable plants such as trees or ornamentals will come into contact with it as injury might result. Do not use on lawns, driveways, walks or similar areas. Avoid spray drift to susceptible plants, as this product may injure cotton, beans, peas, etc. Do not contaminate domestic water or irrigation water and keep from contact with fertilizers, insecticides, fungicides and seeds. Vapors from this product may injure susceptible plants in the immediate vicinity. Coarse sprays are less likely to drift. Do not apply where weather conditions favor drift from areas treated. As per the Registration Eligibility Document (RED) the timing of applications and a maximum number of applications must be specified. If more than one application is allowed, the retreatment interval(s) must also be specified. The maximum rate may not exceed 12 lb. a/A per year.

WARRANTY STATEMENT: NOTICE: Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, express or implied, extends to the use of this product contrary to label instructions or under normal conditions, or under conditions not reasonably foreseeable to seller, and buyer assumes the risk of such use. READ DIRECTIONS CAREFULLY BEFORE USING THIS PRODUCT.

EPA REG. NO. 10807-200 EPA EST. NO. 10807-TX-1 07/03p

MADE IN U.S.A. BY: **amrep**
990 Industrial Park Drive
Marletta, Georgia 30062

B00580

NOTE: Areas highlighted in blue are per PR Notice 2001-1 and 2001-6. tlliquids\B00580-LABL(07-03p).doc as of 07/21/03

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