

10807-205

8/17/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Susan Watson
Amrep, Inc.
990 Industrial Park Drive
Marietta, GA 30062

AUG 17 2009

Dear Ms. Watson:

Subject: Label Amendment According to Agency Letter (dated November 14, 2008)
Misty Repco Kill III
EPA Registration Number 10807-205
Your Submission Dated June 17, 2009

The label, referred to above, submitted in connection with the application under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. One copy of the label stamped "Acceptable" is enclosed for your records. This label supersedes all the previously accepted labels for this product. If you have any questions, please contact Tracy White by phone at (703) 308-0042 or via email at white.tracy@epa.gov.

Sincerely,

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

Enclosure

PRECAUTIONARY STATEMENTS: HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

CAUTION: Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Avoid breathing dust.

PERSONAL PROTECTIVE EQUIPMENT (PPE): When mixing, loading, or applying this product, repairing or cleaning equipment used with this product, cleaning up spills, or otherwise exposed to the concentrate; wear eye protection (face shield or safety glasses), chemical resistant gloves (barrier laminate, nitrile rubber, vitron, selection category E), long-sleeved shirt, long pants, chemical resistant apron, socks, and shoes; Wash hands, face and arms with soap and water as soon as possible after mixing, loading, or applying this product. This product may cause skin sensitization reactions in some people.

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 SAFETY RECOMMENDATIONS: • User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. • User should remove clothing/PPE 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. 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. If this container is over one gallon and less than five gallons, then persons 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, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) 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.

ENVIRONMENTAL HAZARDS: This product is 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. Drift or 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.

FIRST AID STATEMENT: 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. **IF SWALLOWED:** Immediately call poison control center or doctor. Do not induce vomiting unless told to 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. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact National Poison Control at 1-800-222-1222 for emergency medical treatment information. (Note: Private labels may use own phone number. [National Poison Control is 1-800-222-1222]).

NOTE TO PHYSICIAN: May pose an aspiration pneumonia hazard. Contains petroleum distillates. **PHYSICAL OR CHEMICAL HAZARDS:** Contains petroleum distillates. Do not use or store near heat or an open flame.

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

This product is a specially formulated non-selective vegetation killer for controlling a wide range of annual and perennial weeds and grasses. Apply undiluted as a spray on non-cropland areas where bare ground is desired. Control will vary with the amount of chemical applied, soil type, rainfall and other conditions. This product is non-corrosive to metal surfaces. Especially compounded for industrial and municipal weed control.

APPLICATION RESTRICTIONS: NOT FOR USE IN AERIAL APPLICATIONS. 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.

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. W.A.). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.



Repco Kill III

ACTIVE INGREDIENT:

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

*2,4-Dichlorophenoxyacetic acid equiv. 0.7%.

Isomer specific AOAC Method No. 6 DO-1-5.

**Contains petroleum distillates.

ACCEPTED

AUG 17 2009

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

10807-205

KEEP OUT OF REACH OF CHILDREN.

CAUTION:

See side panel for additional precautionary statements.

SCIENTIFICALLY FORMULATED FOR INDUSTRIAL and INSTITUTIONAL USE

MADE IN U.S.A. BY:

amrep
990 Industrial Park Drive
Marietta, GA 30062
770.422.2071 • 800.241.7766

B00578

SPRAY DRIFT MANAGEMENT: A var wind speed, temperature, relative humidity (humidity) can influence pesticide drift management. Adjustments when applying this product, the sole active ingredient, or when applying a coarse or coarser spray, or a volume mean diameter of 385 microns or greater for spinning a greater than 15 mph. Only apply this there are not sensitive areas (including habitat for nontarget species, nontarget plants that might be damaged or susceptible crops include, but are not limited to fruit trees (foliage), soybeans (vegetable) other vegetables, or tobacco. Small susceptible broadleaf plants. Other state and local pesticide drift requirements, they must be properly maintained and call may volatilize during conditions of low humidity and high temperatures.

ENTRY RESTRICTIONS: Do not enter treated areas until the spray has dried. **GENERAL WEED CONTROL:** To control fence rows, railroad sidings and storage areas. **ANNUAL and PERENNIAL WEEDS:** 1 D (or 38.5 gallons of product) per acre per application. Minimum of 30 days before planting. **WOODY PLANTS:** Limited to 1 application per acre (1 3/4 gallons or 14 gallons). **DIRECTIONS:** This product may be applied by hand sprayer, compressed air hand spray sprayers, or backpack sprayers. **CAUTION:** Vapors from this product may irritate eyes, nose, throat, and skin. Avoid contact with eyes, nose, throat, and skin. **STORAGE & DISPOSAL:** Store in original container. Do not use or store near heat or an open flame. **PESTICIDE STORAGE:** Keep container tightly closed. Do not use or store near heat or an open flame. **DISPOSAL:** Dispose of excess pesticide, spray container, and equipment in accordance with local, state, and federal regulations. Do not contaminate ground water. If these wastes are not accepted for disposal, contact your State Pesticide or Environmental Control Agency, or your EPA Regional Office for guidance. Triple rinse (or equivalent). Then offer for recycling, or if allowed by state (For 5 to 55 gallon metal containers: conditioning, or puncture and disposal) state and local authorities. **NOTE:** To the extent consistent with applicable law, amount of the purchase price.

NOTE: Changes in blue, to match EPA stamped "accepted" label and comments letter dated 11/14/08.

NET CONTENTS 1 GALLON (3.8 LITERS)

W/n

HUMANS AND DOMESTIC ANIMALS:
Irritation of the skin. Harmful if inhaled. Causes
nausea, vomiting, and diarrhea. Avoid breathing dust.
Avoid eating, drinking, or applying this product,
or getting up spills, or otherwise exposed to
(e.g., chemical resistant gloves (barrier
shirt, long pants, chemical resistant
apron) and water as soon as possible after
use to cause skin sensitization reactions in

Instructions for cleaning/maintaining PPE:
Wash thoroughly with soap and water. Keep and wash PPE separately

Wash hands before eating, drinking, chewing
clothing/PPE immediately if pesticide
contact occurs. Users should remove PPE immediately
after use. As soon as possible, wash
all clothing and shower using soap
(e.g., chemical resistant gloves (barrier
shirt, long pants, chemical resistant
apron) and water as soon as possible after
use to cause skin sensitization reactions in

Do not apply to aquatic invertebrates. Do not apply
to intertidal areas below the mean high
water mark in water adjacent to treated
areas. Wash waters or rinsate.
Do not use chemicals detected in groundwater,
especially where the water table is
shallow around a cistern or well may result in

Remove contaminated clothing. Rinse skin
with water for 15-20 minutes. Remove
contaminated eye. Call a poison control
center or doctor for treatment. Do not give any
food or drink to a conscious person. Have the product
name and/or doctor, or going for treatment. You
may need emergency medical treatment
if necessary. (National Poison Control is 1-800-

1-800-424-9200. Contains petroleum distillates.
Do not use or store near

Do not use this product in a manner inconsistent

with the label for controlling a wide range of
pests on non-cropland areas where
chemical applied, soil type, rainfall and
other factors. Especially compounded for industrial

Label APPLICATIONS. Do not apply this
product either directly or through drift. Only
use in any recreational areas or

This product is subject to the January
1990 litigation, et al. v. EPA, C01-0132C, W.D.
Washington. <http://www.epa.gov/espp>.



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of 2,4-Dichlorophenoxyacetic acid**:	1.09%
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OTHER INGREDIENTS**:	97.93%
TOTAL:	100.00%

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KEEP OUT OF REACH OF CHILDREN

CAUTION:

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MADE IN U.S.A. BY:

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B00578

SPRAY DRIFT MANAGEMENT: A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast, chemigation) 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. 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.

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

GENERAL WEED CONTROL: To control most weeds on non-cropland areas such as parking lots, fence rows, railroad sidings and storage yards.

ANNUAL and PERENNIAL WEEDS: Limited to 2 applications per year. Maximum of 2.0 lbs ae 2,4-D (or 38.5 gallons of product) per acre (7/8 gallon or 7 pints of product for each 1,000 square feet) per application. Minimum of 30 days between applications.

WOODY PLANTS: Limited to 1 application per year. Maximum of 4.0 lbs ae 2,4-D (or 77 gallons of product) per acre (1 3/4 gallons or 14 pints of product for each 1,000 square feet) per year.

DIRECTIONS: This product may be applied at any time of the year, EXCEPT when ground is frozen. Best results are obtained after vegetation has emerged, in late spring or early summer. Use power sprayers, compressed air hand sprayers, or an ordinary sprinkling can. No dilution or agitation is required.

CAUTION: Vapors from this product may injure susceptible plants, as this product may injure cotton, beans, peas, grapes, ornamentals, etc.

STORAGE & DISPOSAL: Do not contaminate water, food, feed or fertilizer by storage or disposal. **PESTICIDE STORAGE:** 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 ground water. 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 your EPA Regional Office for guidance. **CONTAINER DISPOSAL:** (For 1 gallon plastic containers): 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. (For 5 to 55 gallon metal containers): Triple rinse (or equivalent). Then offer for recycling, or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

NOTE: To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, beyond the directions for use as stated on the label. To the extent consistent with applicable law, Seller's liability, failure under the label shall be limited to the amount of the purchase price.

EPA REG. NO. 10807-205 EPA EST. NO. 10807-TX-1

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Opted label and comments letter

NET CONTENTS 1 GALLON (3.8 LITERS)

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