

15265-19

4/19/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Art Flashinski
Wausau Chemical Corporation
P.O. Box 953
Wausau, WI 54402-0953

APR 19 2010

Re: **Registration Review** for Hay Green
EPA Registration 15265-19
Decision Number 419792
Response to EPA/SRRD Email Dated 12/11/08

Dear Mr. Flashinski:

The Agency is in receipt of your revised label submitted September 9, 2009, and has confirmed the specified language with respect to the baling of hay has been added as requested. As previously noted, this change ensures negligible environmental exposure, and therefore, allows the Agency to proceed with a final registration review decision without data call in for the following:

- 850.4100 Seedling Emergence, Tier 1
- 850.4150 Vegetative Vigor, Tier 1
- 830.7050 Ultraviolet/Visible Absorption

The label is acceptable provided the following changes are made:

1. Change the Signal Word from "**DANGER**" to "**DANGER/PELIGRO**"
2. Add the following immediately below the signal word: "Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)"
3. Put the **FIRST AID** instructions into a text box to set them off from the rest of the text.
4. Add the following paragraph below the section **Hazards to Humans and Domestic Animals**: "Follow the 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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them."
5. Add the following text box above the header **Environmental Hazards**:

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USER SAFETY RECOMMENDATIONS

Users 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.

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

6. Put the **Storage and Disposal** instructions into a text box to set them off from the rest of the text.

7. Change the CONTAINER DISPOSAL instructions to read:

“Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Offer rinsed container for recycling or reconditioning if available, or puncture and dispose of in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.”

8. In the section **WARRANTY DISCLAIMERS AND NOTICE** change “Buyer’s or user’s exclusive remedy....” to “To the extent consistent with applicable law, buyer’s or user’s exclusive remedy....”

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One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

The Agency has determined that the registrant may distribute and sell propionic acid products bearing old labels/labeling for 12 months from the date of issuance of this letter. Registrants and persons other than the registrant remain obligated to meet existing stocks requirements applicable to products they sell or distribute.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

Lisa Jones FOR

Shaja B. Joyner
Product Manager (20)
Fungicide Branch
Registration Division (7504P)

Enclosure: Label stamped "Accepted with Comments"

HAY GREEN

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ACTIVE INGREDIENT:	BY WT
Propionic Acid.....	68.00%
OTHER INGREDIENTS:....	<u>32.00%</u>
Ammonium Hydroxide, Water, Citric Acid	
Nonylphenol ethoxylate, Dye	
TOTAL.....	100.00%

1 Gallon - 8.9 lbs

EPA Reg. No. 15265-19 EPA Est. No. 15265-WI-001

KEEP OUT OF REACH OF CHILDREN DANGER

FIRST AID

IF IN EYES - Hold eye open and rinse slowly and gently with water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

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 The poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF INHALED - Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

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 for doctor treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

NOTE TO PHYSICIAN - Probable mucosal damage may contraindicate the use of gastric lavage.

See side panel for additional precautionary statements.

Net Wt: 2400 480 260 130 50

Code:

Manufactured by

WAUSAU CHEMICAL CORPORATION



P O Box 953, Wausau, WI 54402-0953

800-950-6656 715-842-2285

Fax #: 715-842-9059

E-mail: info@wausauchemical.com

www.wausauchemical.com

ACCEPTED
 with COMMENTS
 In EPA Letter Dated
 APR 19 2010
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No. 15265-19

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes. Wear protective eyewear (goggles, face shield, or safety glasses). Harmful if swallowed or absorbed through skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Wear chemical -resistant gloves, chemical-resistant aprons, chemical – resistant footwear, and goggles or face shield when loading application equipment unless a closed loading system is used. Avoid working near high concentrations of spray mist/vapor. Use with adequate ventilation. Wash thoroughly after handling.

Environmental Hazards

For terrestrial uses. 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 cleaning equipment or disposing of equipment wash waters.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Seal tightly. Do not store in direct sunlight. Store above zero degrees Fahrenheit.

PESTICIDE DISPOSAL: Pesticides wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide/ 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 incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Hay Green is a buffered propionic acid for use as a preservative in processing high moisture hay, corn, grain silage, (barley, corn, oat, sorghum, and wheat), haylage, and feed blends. It can be used post-harvest on alfalfa, barley grain, Bermuda grass, bluegrass, brome grass, clover, corn grain, cowpea hay, fescue, lespedeza, lupines, oat grain, orchard grass, peanut hay, peavine hay, rye grass, sorghum grain, soybean hay, sudan grass, timothy, vetch and wheat grain.

This product may only be used during the baling process if appropriate baler equipment is used which prevents exposure of non-target organisms to this pesticide product. Do not apply to pre-harvest hay and straw, cut hay and straw in the field prior to baling, or to hay and straw after it has been baled. Apply product to the hay and straw as it is fed into the baler, using the rates on this label. The baler application equipment must prevent drippage and drift, and must function properly and be used/maintained in accordance with the manufacturer's written operation instructions.

FOR USE ON HAY: Spray **Hay Green** on the hay as it is fed into the bailer using the application rate indicated by the chart below:

Hay Moisture	Small Square/Large Round Bales		Large Square Bales	
	Stem Moisture	Dew Moisture	Stem Moisture	Dew Moisture
16%-22%	4 lb/ton	2 lb/ton	6 lb/ton	3 lb/ton
22%-26%	8 lb/ton	6 lb/ton	10 lb/ton	8 lb/ton
27%-30%	16 lb/ton	12 lb/ton	Do not bale	16 lb/ton
Over 30%	-----Not recommended-----			

1. Avoid baling if the windrow moisture level exceeds 30 percent.
2. Always check the hay moisture level before baling high moisture hay.
3. For rained-on hay or poorly ventilated storage, increase the application rate by 4-5 lb/ton.
4. Make sure that the spray nozzle's openings and placement are such that good coverage is obtained.
5. Make sure that the storage area for the baled hay is well ventilated.
6. Do not store untreated dry hay on top of treated wet hay.

FOR USE ON SILAGE, HAYLAGE, and FEED BLENDS: Spray **Hay Green** on crop at chopper intake or blower intake using the application rate indicated by the chart below:

CROP	MOISTURE	RATE
Corn silage	60-70%	2-3 lb/ton
Small grain silage	60-70%	2.5-3.5 lb/ton
Haylages	50-70%	2.5-3.5 lb/ton
Feed Blend (short term storage)		2-4 lb/ton -increase for greater stability

FOR USE ON CORN: Spray **Hay Green** on ground or cracked corn using the application rate indicated by the chart below. Must double or triple for whole corn.

GRAIN	MOISTURE	RATE
Ear Corn	28-34%	4-5 lb/ton
Shelled Corn	24-30%	4-6 lb/ton

1. Make sure the silo does not have any cracks or holes that will allow air leakage.
2. Harvest at full dent and at the proper moisture level:
 Ground ear corn: 28-34% moisture
 Cracked or rolled corn: 24-30% moisture
3. Ensile rapidly with uniform distribution in the silo and all kernels cracked.
4. Apply at the correct rate based on the moisture content.
5. Pack well for good fermentation. Seal off with plastic sheeting. It is good practice to feed off the top four feet before sealing as good compaction is not possible near the top.

WARRANTY DISCLAIMERS AND NOTICE

It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of registrant, the manufacturer or seller. In no case shall the registrant, the manufacturer, or seller be liable for the consequential, special, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the buyer or user.

Except as expressly provided herein, the Registrant, the Manufacturer, or Seller make no warranties, guarantees, or representations of any kind, either express or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to, merchantability fitness for a particular purpose, use or eligibility of the product for any particular trade usage. Buyer's or user's exclusive remedy, and the registrants, the manufacturer's or seller's total liability, shall be for damages not exceeding the cost of the product. No agent or employee of the registrant or seller shall be able to amend the terms of this label.

Specific Gravity 1.065 to 1.075 @ 70 °F; pH 5.8 to 6.0
Freezes at -30 °F. Freezing does not deteriorate product.
However, citric acid may crystallize out. After warming, mix to get the citric acid back into solution.

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Except as expressly provided herein, the Registrant, the Manufacturer, or Seller make no warranties, guarantees, or representations of any kind, either express or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to, merchantability fitness for a particular purpose, use or eligibility of the product for any particular trade usage. Buyer's or user's exclusive remedy, and the registrants, the manufacturer's or seller's total liability, shall be for damages not exceeding the cost of the product. No agent or employee of the registrant or seller shall be able to amend the terms of this label.

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