

15440-20

2/14/2014

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

February 14, 2014

Nathan Ehresman
Nufarm Limited
4020 Aerial Center Parkway, Suite 101
Morrisville, NC 27560

Subject: Notifications per PR Notices 98-10 & 2007-4
Marks DB Technical Acid EPA Reg. No. 15440-20
Dichlorprop-P Technical Acid EPA Reg. No. 15440-24
Dichlorprop-P DMA 600 EPA Reg. No. 15440-30
Applications Dated February 3, 2014

Dear Mr. Ehresman:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 for the subject products. The Registration Division has conducted a review of this request and finds that the action falls within the scope of PRNs 98-10 and 2007-4. The labels submitted with the application have been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mindy Ondish, for".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

210

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIF	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number Nufarm Limited/ 15440-20	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm Limited/ MARKS DB TECHNICAL ACID	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(1), my product is similar or identical in composition and labeling to: EPA Reg. No.: _____ Product Name: _____

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)	
NOTIFICATION OF LABEL CHANGE Per PR Notice 98-10 & 2007-4 See Attached	
NOTIFICATION FEB 14 2014	

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container <p style="text-align: center;">25KG, 1000 KG</p>		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Nathan P. Ehresman	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 919-379-2515
Certification		6. Date Application Received (Stamped)
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		
2. Signature 	3. Title Director, Regulatory Affairs	
4. Typed Name Nathan P. Ehresman	4. Date February 3, 2014	

ATTACHMENT TO LABEL NOTIFICATION DATED February 3, 2014

ACTION

Updated statement to "For Manufacturing Use Only"

Added Chemtrec & Medical Emergency Hotline# / Revised Hotline# in first aid box

Revised the Container disposal statement to include additional packaging options

Updated Warranty Statement to a new version.

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 98-10 and PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



Nathan P. Ehresman
Director, Regulatory Affairs

February 3, 2014

4/10



NUFARM AMERICAS INC.
4020 Aerial Center Parkway
Morrisville, NC 27560
Phone: 919-379-2515

February 3, 2014

Attn: Kathryn Montague / PM 23
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Subject: Nufarm Limited (Company # 015440) – C/O Nufarm Americas Inc.
MARKS DB TECHNICAL ACID (EPA Reg. No. 15440-20)
NOTIFICATION OF LABEL CHANGE**

Dear Ms. Montague:

Nufarm Limited is submitting the enclosed notification of label change according to PR Notice 98-10 & 2007-4 to make minor revisions to the EPA Master label for 15440-20.

We have updated the label to a revised statement "FOR MANUFACTURING USE ONLY". We have added contact phone #s for Chemtrec & Medical Emergencies. We have revised the container disposal statement to include additional packaging options. Nufarm has updated the Warranty statement to a new version.

In support of this action, please find enclosed:

- Application for Pesticide Registration (8570-1)
- 2 copies of the label containing the revised wording (1 highlighted and 1 clean copy)
- 1 CD containing an electronic copy of the proposed label with the revised wording.

Please contact me at 919-379-2515 (or nathan.ehresman@us.nufarm.com) if you have any questions regarding this action.

Kind regards,

Nathan P. Ehresman
Director, Regulatory Affairs
Nufarm Americas Inc

MARKS DB TECHNICAL ACID

4-(2,4-dichlorophenoxy)butyric acid

FOR MANUFACTURING USE ONLY

NOTIFICATION

FEB 14 2014

ACTIVE INGREDIENT:

4-(2,4-dichlorophenoxy)butyric acid..... 97.0%

OTHER INGREDIENTS: 3.0%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

Corrosive to eyes and skin; wear goggles or face shield and rubber gloves when handling.

SEE BELOW FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300

For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 15440-20

EPA EST. NO. _____

NET WEIGHT: _____ LBS (_____ KG)

Manufactured For
NUFARM LIMITED
4020 Aerial Center Parkway
Morrisville, NC 27560



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly after handling.

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

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

Only for formulation into an herbicide for the following uses: 1) soybeans, peanuts, alfalfa and other legume forages; and 2) uses for which the US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store only in original container separate from other pesticides, fertilizers, food and feed.

PESTICIDE DISPOSAL: Wastes resulting from use of this product may be disposed of on site or at an appropriate waste disposal facility. Pesticides wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency or Hazardous Waste representative at the nearest US EPA Regional Office for guidance.

CONTAINER DISPOSAL:

[Bags: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into manufacturing equipment. Offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.]

[Fiber drums: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping both sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then offer fiber drum and liner for recycling, if available.]

[Plastic Drums: Nonrefillable Container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in an approved sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into manufacturing equipment. Fill the container $\frac{1}{4}$ 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. Empty the rinsate into manufacturing equipment, or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into manufacturing equipment and drain for 10 seconds after the flow begins to drip. Hold container upside down over manufacturing 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.]

WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV020314)

LABEL HISTORY

File Name	Revision Mark	Comment
015440-00020.20140203.DRAFT	RV020314	Added Chemtrec # & medical hotline#. Revised Hotline # in F/A box, Revised Container Disposal Statement, added Warranty Statement