

35935-7

10/9/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

OCT 9 2003

Mr. William M. Mahlborg
Manager, Regulatory Affairs
Nufarm Limited c/o Nufarm Americas, Inc. SJM Div.
2300 Frederick Avenue, Suite 208
St. Joseph, MO 64506

Dear Mr. Mahlborg:

Subject: Nufarm 2,4-D Technical Acid
Registration No. 35935-7
Application and Letter Dated September 29, 2003,
Request to Amend Registration To Add Maximum Use Rates
for Forestry and Non-Crop Sites To Label, and To
Revise First Aid Labeling Required by PR Notice 2001-1

The labeling referred to above, associated with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided that the "implementation paragraph", required under the 2,4-D Exposure Reduction Agreement of 1992, is revised as indicated in **bold** as follows:

"This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf uses after June 15, 1994 must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993 must bear the revised label language below. **All products released for shipment on or after October 1, 2005 must bear revised labeling complying with the maximum application rates for general non-crop sites; tree, brush and woody plant control on rights-of-way; and forestry use patterns other than site preparation, if registered for such uses.**"

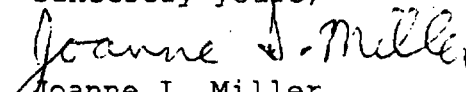
In addition, this label is accepted with the following stipulation: "The Agency is accepting the labeling changes based on your certification that no additional changes, aside from the maximum use rates for forestry and non-crop sites, and First Aid Statements have been made to the label. **Any other labeling changes, except revised First Aid Statements, submitted in connection with this amendment application have not been reviewed or accepted by the Agency.** If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way."

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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 this product under this labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. **When this technical or manufacturing use product is released for shipment on or after August 1, 2004, it must bear this revised labeling.** Please submit one copy of the final printed label before you release the product for shipment.

Sincerely yours,



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

Enclosure

ACCEPTED
with COMMENTS
In EPA Letter Dated
OCT 9 2000

First Aid, Maximum Use Rates for Forestry and Non-Crop Sites 09/03 - Proposed



Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
35935-7

2,4-D Technical Acid

FOR FORMULATION OF HERBICIDES ONLY.

ACTIVE INGREDIENT:

2,4-Dichlorophenoxyacetic acid 95%

INERT INGREDIENTS: 5%

TOTAL: 100%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

See Below For Additional Precautionary Statements

EPA REG. NO. 35935-7

EPA EST. NO. _____

NET WEIGHT ____ LBS. (____ KG)

EXP09/03

For Chemical Emergency, Spill, Leak, Fire, Exposure or
Accident, Call CHEMTREC Day or Night 1-800-424-9300

FIRST AID

If In Eyes:

- 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 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 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.

**If on Skin
or Clothing:**

- 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.

HOT LINE NUMBER

Have the container or label with you when calling a poison control center or doctor or going for treatment. You may also call 877-325-1840 for emergency medical treatment information.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

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

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing dust. Avoid contact with skin. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other 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 EPA.

PHYSICAL AND CHEMICAL HAZARDS

Do not use the same equipment for handling or manufacturing other agricultural chemicals.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

STORAGE: Do not store near fertilizers, insecticides, fungicides or seeds. Do not reuse container. Do not ship with or store near foodstuffs.

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 the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of bags in a sanitary landfill or by incineration if allowed by State and local authorities.

Only for formulation into a herbicide for the following uses: Small Grains (oats, barley, wheat, rye), Corn, Rice, Sorghum, Sugarcane, Ornamental Turf, Grass Seed Crops, Fallow Land, Established Pastures and Rangelands, and for General Weed Control (airfields, roadsides, vacant lots, drainage ditchbanks, fencerows, industrial sites and similar areas), Woody Plant Control, Conifer Release, Herbaceous Weed Control, Site Preparation, Rights-of-Way, Tree Injection, Weeds and Brush on Irrigation Canal Ditchbanks, and Aquatic Weeds in Lakes, Ponds, Drainage Ditches and Marshes.

This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf uses after June 15, 1994 must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993 must bear the revised label language below.

GENERAL REQUIREMENTS FOR END-USE PRODUCT LABELING

1. Containers over 1 gallon and less than 5 gallons in capacity must bear the following statement: "Persons engaged in open pouring of this product must also wear coveralls or a chemical-resistant apron."
2. Containers of 5 gallons or more in capacity must also bear the following statement: "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."

SPECIFIC REQUIREMENTS FOR END-USE PRODUCT LABELING

1. FOR AGRICULTURAL USES

- a. Clothing Requirement Statements: "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical-resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."
- b. Personal Hygiene Statements: "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 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. Remove saturated clothing as soon as possible and shower."

c. The maximum application rate to pasture and rangeland is the lower of (1) existing application rate on currently registered label or (2) 2 pounds 2,4-D acid equivalent per acre per application site.

d. The maximum application rate to forestry site preparation is the lower of (1) existing application rate on currently registered label or (2) 4 pounds 2,4-D acid equivalent per acre per application site. The maximum application rate to all forestry sites is the lower of (1) existing application rate on currently registered label or (2) 4 pounds 2,4-D acid equivalent per acre per application site.

e. A reentry interval is required and should be in accordance with the Worker Protection Standard, 40 CFR Parts 156 and 170.

2. FOR INDUSTRIAL, NON-CROP AND AQUATIC USES

a. Clothing Requirement Statements: "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical-resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."

b. Personal Hygiene Statements: "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 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. Remove saturated clothing as soon as possible and shower."

c. The maximum application rate to general non-crop sites is the lower of (1) existing application rate on currently registered label or (2) 2 pounds 2,4-D acid equivalent per acre per application site. The maximum non-crop application rate for tree, brush and woody plant control on rights-of-way is the lower of (1) existing application rate on currently registered label or (2) 4 pounds 2,4-D acid equivalent per acre per application site. The maximum seasonal application rate to non-crop sites is 4 pounds 2,4-D acid equivalent per acre per application site.

3. FOR RESIDENTIAL AND TURF SITES (Not including Sod Farms):

a. Clothing Requirement Statements: (1) For All Granular Products: "When using this product, wear long-sleeved shirt, long pants, socks and shoes." (2) For Amino Liquid Products carrying "CAUTION" signal word: "When using this product, wear long-sleeved shirt, long pants, socks and shoes and rubber gloves." (3) For Amino Liquid Products carrying "WARNING" or "DANGER" signal word: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, rubber gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection." (4) For Acid, Sodium Salt and Ester Liquid Products carrying "CAUTION" signal word: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves." (5) For Acid, Sodium Salt and Ester Liquid

Products carrying "WARNING" or "DANGER" signal word: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection."

b. Personal Hygiene Statements: (1) For All Granular Products: "After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water." (2) For All Liquid Products: "After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower."

c. The maximum application rate to turf is the lower of (1) existing application rate on currently registered label or (2) 2 pounds 2,4-D acid equivalent per acre per application per site. The maximum number of broadcast applications per treatment site is 2 per year.

d. The following reentry statement must be included: "Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried or dust has settled."

WARRANTY STATEMENT

BUYER ASSUMES ALL RISKS FOR USE, STORAGE AND HANDLING OF THIS MATERIAL NOT IN STRICT ACCORDANCE WITH DIRECTIONS GIVEN HEREWITH.

Manufactured by
Nufarm Limited
2300 Frederick Avenue, Suite 208
St. Joseph, MO 64506

Made in Austria

