

35935-7

3/4/2011

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

William M. Mahlborg
NuFarm Limited
P.O. Box 13499
RTP NC 27709

MAR-4-2011

Subject: Notification: Per PR-Notice 2007-4
2,4-D Acid Technical
EPA Reg. No. 35935-7

Dear Mr. Mahlborg:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated January 5, 2011 for the product referenced above. The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-2007-4. The label has 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 nonrefillable 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 regarding this letter, please contact Jasmine Branch at (703) 347-0351 or branch.jasmine@epa.gov.


Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Montague".

Kathryn Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form.

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

| | | | |
|--|---|--|-----------------------|
|  | United States Environmental Protection Agency Washington, DC 20460 | <input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: | OPP Identifier Number |
|--|---|--|-----------------------|

Application for Pesticide - Section I

| | | |
|---|---|--|
| 1. Company/Product Number <div style="text-align: center;">35935-7</div> | 2. EPA Product Manager <div style="text-align: center;">Kathryn Montague</div> | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Nufarm Limited / 2,4-D Acid Technical | PM# <div style="text-align: center;">23</div> | |
| 5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited P O Box 13499 RTP NC 27709 <input type="checkbox"/> Check if this is a new address | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. : _____ Product Name : _____ NOTIFICATION <div style="text-align: right; font-weight: bold;">MAR 04 2011</div> | |

Section - II

| | |
|---|--|
| <input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input checked="" type="checkbox"/> Other - Explain below |
|---|--|

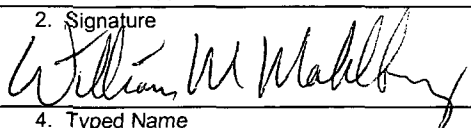
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

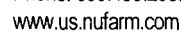
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement 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.

Section - III

| | | | |
|--|---|---|--|
| 1. Material This Product Will Be Packaged In: | | | |
| Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container | 2. Type of Container <input type="checkbox"/> Metal <input 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 type="checkbox"/> Label or <input type="checkbox"/> Container | 4. Size(s) Retail Container <div style="text-align: center;">50-250 gallons, BULK</div> | 5. Location of Label Directions <input type="checkbox"/> On Label or <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 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 William M. Mahlburg | Title Agent | Telephone No. (Include Area Code) 630-455-2015 | |
| 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. | | | 6. Date Application Received (Stamped) |
| 2. Signature  | 3. Title Agent | | (Stamp area) |
| 4. Typed Name William M. Mahlburg | 4. Date <div style="text-align: center;">1/5/11</div> | | |



William M. Mahlborg
Agent

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2,4-D ACID TECHNICAL

NOTIFICATION

MAR 04 2011

FOR MANUFACTURING OF HERBICIDES ONLY

ACTIVE INGREDIENT:

2,4-Dichlorophenoxyacetic acid 97.5%

OTHER INGREDIENTS: 2.5%

TOTAL: 100.0%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

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

Made in Austria

EPA REG. NO. 35935-7
EPA EST. NO. 35935-AUT-1

Manufactured For
NUFARM LIMITED
P.O. Box 13439
RTP, NC 27709



NET WEIGHT: 1984 Lbs. (900Kg)

035935-00007.20110105.EPA.PRN2007-4

**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 and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

| FIRST AID | |
|---|--|
| 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 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| 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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice. |
| 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. |
| 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 | |
| For eye irritation, examination by an ophthalmologist may be indicated. If swallowed, probable mucosal damage may contraindicate the use of gastric lavage. Product contains a phenoxy herbicide chemical. There is no specific antidote. | |

ENVIRONMENTAL HAZARDS

This chemical is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or to 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.

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 a herbicide for the following uses:

1. **AGRICULTURAL CROPS:** Corn (Field, Pop and Sweet), Cereal Grains (Barley, Millet, Oats, Rye and Wheat), Rice, Sorghum (Grain and Forage), Soybeans (preplant), Sugarcane, Grasses Grown for Seed or Sod, Rangeland, Fallow Cropland, Crop Stubble, Pasture, Annual Grasses, Perennial grasses, Asparagus, Blueberries, Cranberries, Grapes (only in California), Hops, Orchard Floors (Pome Fruits, Stone Fruit, Nut Orchards, Filberts, Pistachios), Potatoes (fresh market only), and Strawberries.
TERRESTRIAL NONFOOD CROPS: Ornamental trees, shrubs and vines; Ornamental Turf (including golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas); Uncultivated agricultural areas; Uncultivated nonagricultural areas (including fencerows, hedgerows, roadsides, ditches, rights-of-way, utility power lines, railroads, airports, and industrial sites; General soil treatment; Recreation areas; Industrial sites; Paved areas and Outdoor areas.
AQUATIC SITES: Agricultural irrigation water and ditches; Agricultural drainage water and ditches; Lakes, ponds, and impounded water; streams, rivers, and canals; Industrial ponds; Swamps, marshes, wetlands; Estuaries, tidal marshes; and Commercial and sport fish bearing waters.
FORESTRY SITES: Forest Site Preparation, Forest Roadsides, Tree and Brush Control, Established Conifer Release, Christmas trees, reforestation areas, tree injection treatments,
2. Uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.
3. Uses for experimental purposes that are in compliance with U.S. EPA requirements.

This product may be used to formulate products for any additional uses 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 uses.

Wettable powder formulations must be packaged in water-soluble packages.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always use original container to store pesticides in a cool, dry secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, clean up all spilled material. Place in closed labeled container. 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: Nonrefillable container. Do not reuse or refill this container. Completely empty bag by shaking and tapping sides and bottom to loosen clinging material. Empty residue into formulating equipment. Offer for recycling if available. Then dispose of bag in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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 the 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.

(RV122210)