

35935-20

07/14/2003

Accepted
1/6



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

JUL 14 2003

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Theodore D. Head
Product Registration Manager
Nufarm Agriculture USA
1333 Burr Ridge Parkway, Suite 125
Burr Ridge, IL 60527

Subject: First Aid Revisions Per PR Notice 2001-1
SEE MCPA® Ester Herbicide
EPA Reg. No. 35935-20
Your amendment dated 5/13/03

Dear Mr. Head:

The labeling referred to above, associated with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, **provided** the following revisions are made:

1. Put the First Aid statements into a box to set them off from the rest of the text. Please see PR Notice 2001-1 for an example of a box format.
2. Include the following statement in the First Aid box: "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."

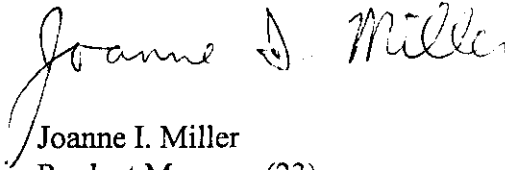
In addition, this label is accepted with the following stipulation. The Agency has accepted the labeling changes that are necessary to comply with the first aid labeling requirements described in PR Notice 2001-1. **Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the first aid revisions 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.

A copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label, **incorporating the revisions noted** above, before you release the product for shipment.

SEE MCPA® Ester Herbicide
Page 2 of 2

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

Sincerely,



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

Enclosure



SEE MOBA® Ester Herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated
JUL 14 2003

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

39535-20

**For Selective Control Of Certain Weeds In Wheat, Oats, Barley, Rye, Grassland And In Non-Crop Areas.
Contains No Solvent**

ACTIVE INGREDIENT:

2-Ethylhexyl Ester of 2-Methyl-4-Chlorophenoxyacetic Acid 66.5%*

INERT INGREDIENTS: 33.5%

TOTAL: 100.0%

*Equivalent to 42.6% of 2-Methyl-4-chlorophenoxyacetic acid isomer specific or not less than 3.7 pounds of 2-Methyl-4-chlorophenoxyacetic acid isomer specific per gallon at 68° F. Isomer specific by AOAC Method.

EPA Reg. No. 35935-20

EPA Est. No. 228-IL-1

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUCION AL USUARIO: 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.)

SEE INSIDE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND STATEMENT OF PRACTICAL TREATMENT

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

For Medical Emergencies Only, Call 877-325-1840.

Manufactured For:
Nufarm, Inc.
Burr Ridge, IL
035935-00020.20030513.firstaid.pdf

NET CONTENTS 2.5 GALLONS (9.46L)

FIRST AID

IF SWALLOWED: Call poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by the poison control center or doctor. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.

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 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 treatment advice.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION - CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear: Long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and protective eyewear. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. After each day of use, clothing or PPE must not be reused until it has been cleaned.

When handlers use enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protections Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Do not apply when weather conditions favor drift from target area. Spray equipment used in applying this product should be thoroughly cleaned before using for any other purposes. Use repeated flushing with soap and warm water or suitable chemical cleaner. It is best to use a separate sprayer for application of insecticides and fungicides. This product will kill or seriously injure many desirable forms of vegetation. Do not apply directly to flowers, fruits, vegetables, grapes, ornamentals, cotton or other desirable plants. Do not use when there is a hazard from drifting mists. (Coarse sprays are less likely to drift.) Vapors from this product may injure susceptible plants in the immediate vicinity. Avoid contamination of water used for domestic purposes and irrigation purposes. Excessive amounts of this product in the soil may temporarily inhibit seed germination and plant growth. When cleaning equipment, do not pour washwater on the ground. Spray or drain over a large area away from wells or other water sources.

Most cases of groundwater contamination involving phenoxy herbicides such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCPA pesticides as such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

DIRECTIONS FOR USE

It Is A Violation Of Federal Law To Use This Product In A Manner Inconsistent With Its Labeling. Do not apply this product through any type of irrigation system.

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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls, waterproof gloves, shoes plus socks and protective eyewear.

STORAGE AND DISPOSAL

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

Storage: Store in a dry location away from children, animals, foods, feeds, seeds and other agricultural chemicals. Keep container closed when not using. Handle in accordance with information given under "Precautionary Statements". Keep storage area locked when not in use. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust or other absorbent material. Scrape up and dispose of in accordance with information given under "Pesticide Disposal". Repackage and re-label usable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.

Note: This product freezes when stored below -5°C. After thawing, all physical properties are restored.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Do not reuse empty container.

Metal Containers: Triple rinse (or equivalent) adding rinsate to spray tank. 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.

Plastic Containers: Triple rinse (or equivalent) adding rinsate to spray tank. 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.

GENERAL INFORMATION

Local conditions may affect the use of this chemical. Consult State Agricultural Extension or Experiment Station weed specialists for specific recommendations for local weed problems, and for information on possible lower dosages.

Follow directions carefully. Timing and method of application, weather and crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of Seller. Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

CONTROLS THESE AND OTHER WEEDS

Susceptible Weeds (Most Areas):

annual sowthistle
beggarticks
cocklebur
dragon head mint
field pepper grass
goats beard
hempenettle
lambsquarters (goosefoot)
marsh elder
mustard (annual)

poison hemlock
puncturevine
ragweed
shepherdspurse
stinkweed
(pennycress, fanweed)
wild radish
yellow rocket (wintercress)

Less Susceptible:

buttercups
Canada thistle
chervil
dandelions
kochia
miner's lettuce
perennial sowthistle

plantains
purslane
Russian pigweed
sunflower
stinging nettle
vetch
white top or hoary cress

PREPARATION OF THE SPRAY

Fill the spray tank with half the required amount of water, then add the recommended amount of this product and continue filling the spray tank with the balance of water. Keep agitator running when filling spray tank and during spray operation. For crop uses, do not mix with oil, surfactant or other adjuvants as this may reduce selectivity to crops resulting in crop damage or kill. When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources.

USE IN LIQUID NITROGEN FERTILIZER

This product is specially formulated to be combined with liquid nitrogen fertilizer suitable for foliar application in one operation. Use this herbicide according to directions on this label. Use liquid fertilizer at rates recommended by supplier or extension service specialist. Mix this product and fertilizer according to the following instructions.

Fill the tank approximately 1/2 full with the liquid fertilizer. Add this product while agitating the tank. Add the remainder of the liquid fertilizer while continuing to agitate. Application should be made immediately, maintaining agitation until spray tank is empty. **DO NOT APPLY DURING COLD (NEAR FREEZING) WEATHER.** Spray mixture may not be stored.

AMOUNT OF SPRAY TO APPLY

Apply 5 to 15 gallons of total spray per acre when making applications with ground equipment, and 1 to 5 gallons of total spray per acre when making applications by aircraft unless directed otherwise under specific directions. Do not apply this herbicide by aerial application in the vicinity of sugar beets. Carefully read the Environmental Hazards section of the Precautionary Statements for additional restrictions on the use of this product.

SELECTIVE SPRAYING

WHEAT, OATS, BARLEY AND RYE: Apply as a water mix spray by ground sprayer or airplane. Use 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Use up to 3 pints per acre for the less susceptible weeds after crop has tillered and up to early boot stage. Do not spray from boot to dough stage. Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

FLAX: Use 1/4 to 1/2 pint per acre. Apply by ground sprayer or by airplane. Apply only when weeds are up and when flax is 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada thistle is present, it may be necessary to go as high as 3/4 pint per acre to prevent seed head production. Some injury to the flax may result. Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

GRASS AND NON-CROP USES

Note: For weed control in grasses, repeated treatment may be needed for less susceptible weeds. In some areas, bent, buffalo, carpet and St. Augustine grasses may also be injured by treatment.

GRASSES GROWN FOR SEED: Aerial and surface applications: Use 1 to 2 pints per acre, the higher rate where weed stands are heavy. In established grasses, apply in spring before head comes into boot and on seedling grass after grass has tillered.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements of this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses. Do not enter treated areas without protective clothing until sprays have dried.

ESTABLISHED GRASSLAND: Use 1 to 3 pints per acre in sufficient water (up to 10 gallons by airplane or up to 100 gallons by ground sprayer application) to give thorough coverage. Use higher rate for white top, Canada thistle and other less susceptible weeds. Spray perennials in early bud to full bloom stage and regrowth in fall; other weeds in spring or fall, when actively growing. Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

6/6

NON-CROP SPRAYING ALONG FENCE ROWS AND ROADSIDES: Canada thistle, white top and meadow buttercup: Use 3 quarts of product in sufficient water for good coverage. Spray to the point of runoff to thoroughly wet weeds when in bud to early bloom, and again on fall regrowth. For spot treatment, use 1/4 pint in 3 to 4 gallons of water.

WARRANTY LIMITATIONS AND DISCLAIMER

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the DIRECTIONS FOR USE when used under normal conditions. THIS IS THE ONLY WARRANTY MADE ON THIS PRODUCT. NO OTHER EXPRESS AND NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS MADE OUTSIDE OF THIS LABEL. Therefore, neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), under abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes, etc.) or under conditions not reasonable foreseeable to or beyond the control of seller.

When buyer or user suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), buyer or user must promptly notify seller, in writing, of any claims to be eligible to receive either remedy given below. The EXCLUSIVE REMEDY OF THE BUYER OR USER and the LIMIT OF LIABILITY of seller will be one of the following, at the election of seller:

1. Refund of purchase price paid by buyer or user for product bought or
2. Replacement of amount of product used.

The seller will not be liable for consequential or incidental damages or losses.

The terms of this Warranty Limitations and Disclaimer cannot be varied by any written or verbal statements or agreements. Any employee or sales agent of the seller is not authorized to vary or exceed the terms of this Warranty Limitations and Disclaimer in any manner.

**Manufactured For:
Nufarm, Inc.
St. Joseph, MO 64504**

SEE MCPA® is a registered trademark of Nufarm Americas, Inc.