



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

December 21, 2022

Alexis Bromley  
Regulatory Manager  
Nufarm Limited c/o Nufarm Americas Inc.  
4020 Aerial Center Parkway  
Morrisville, NC 27560

Subject: Registration Review Label Amendments Incorporating Mitigation from the  
National Marine Fisheries Services (NMFS) Biological Opinion on the Effects of  
Bromoxynil on Pacific Salmonids  
*Product Name:* BROMOXYNIL OCTANOATE TECHNICAL  
*EPA Registration Number:* 35935-22  
*Application Date:* 11/16/2022  
*Decision Number:* 589092

Dear Alexis Bromley:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the NMFS' Biological Opinion on the effects of Bromoxynil on Pacific salmonids. The Agency has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently

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approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact Quinn Gavin at [gavin.quinn@epa.gov](mailto:gavin.quinn@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Linda Arrington', with a stylized flourish at the end.

Linda Arrington, Branch Chief  
Risk Management and Implementation Branch 4  
Pesticide Re-Evaluation Division  
Office of Pesticide Programs

Enclosure

# BROMOXYNIL OCTANOATE TECHNICAL

FOR MANUFACTURING USE ONLY

**ACTIVE INGREDIENT:**

Octanoic acid ester of bromoxynil (3,5-dibromo-4-hydrobenzonitrile) ..... 97.9%

**OTHER INGREDIENTS:** ..... 2.1%

**TOTAL:** ..... 100.0%

**KEEP OUT OF REACH OF CHILDREN**

## WARNING

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 [BACK PANEL] [INSIDE BOOKLET] [BELOW] FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

**For Medical Emergencies, Call (877) 325-1840**  
**For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300**

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
IF IN EYES	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
IF INHALED	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
<b>HOT LINE NUMBER</b>	
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 (USA) for emergency medical treatment information.	

**[CALIFORNIA PROPOSITION 65 NOTICE:**



**WARNING:** This product can expose you to chemicals including bromoxynil octanoate, which is known to the State of California to cause birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov)

EPA REG. NO. 35935-22  
EPA EST. NO.

NET WEIGHT: \_\_\_\_ LBS \_\_\_\_ (KG)

035935-00022.20221116.EPA AMENDMENT BIOP

**MANUFACTURED FOR  
NUFARM LIMITED  
4020 AERIAL CENTER PARKWAY  
MORRISVILLE, NC 27560**



**ACCEPTED**

Dec 21, 2022

Under the Federal Insecticide, Fungicide  
and Rodenticide Act as amended, for the  
pesticide registered under  
EPA Reg. No. 35935-22

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

May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Causes moderate eye irritation. Prolonged or frequent repeated skin contact may cause allergic reactions in some individuals. Avoid breathing dust, vapor or spray mist. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash 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 the discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority.  
For guidance contact your State Water Board or Regional Office of the EPA.

**PHYSICAL OR CHEMICAL HAZARDS**

Do not mix or allow coming in contact with oxidizing agent. Hazardous Chemical reaction may occur.

**DIRECTIONS FOR USE**

This product may only be formulated into end-use products that contain the following language on their labeling when they are released for shipment:

**ENDANGERED SPECIES PROTECTION REQUIREMENTS**

It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species, and certain threatened species, under the Endangered Species Act Section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813, or email [ESPP@epa.gov](mailto:ESPP@epa.gov). You must use the Bulletin valid for the month in which you will apply the product.

This product may only be formulated into end-use products that contain the following language on their labeling when they are released for shipment: Reporting Ecological Incidents (to be placed in the Environmental Hazards section of all end-use product labels):

To report ecological incidents, including mortality, injury, or harm to plants and animals, call 708.377.1330.

Read entire label before using.

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

Use only for manufacturing in the formulation of herbicides. Formulators using this product are responsible for obtaining EPA registration of their formulated products. Only for formulation into herbicides for:

1) The Following Uses: Corn (Field and Pop), Non-Residential Turf, Mint, Garlic, Onions, Small Grains (Wheat, Barley, Oats, Rye, Triticale), Seedling Alfalfa, Sorghum (including Sudangrass), Flax, Grasses Grown for Seed or Sod Production, Conservation Reserve Program Areas, Fallowland, and Non-Crop use sites and areas (Rights-of-ways, Utility, Pipelines, Railroads and Roadsides, Industrial Sites, Fence Rows, Non-irrigation Ditch Banks).

2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and

3) Uses for experimental purposes that are in compliance with US EPA requirements.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Do not store near fertilizers or seeds. Open dumping is prohibited.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of onsite or at an approved waste disposal facility. If these wastes cannot be disposed of by use according to the label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### **CONTAINER HANDLING AND DISPOSAL:**

**[Metal Drum:]** Nonrefillable container. Do not reuse or refill this container. Completely empty residue into formulation equipment by shaking and tapping on sides and bottom of drum to loosen clinging particles. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into formulation equipment. Fill the container 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 over onto its other end and tip back and forth several times. Empty the rinsate into formulation equipment, store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling if available, or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

**DO NOT** cut or weld metal containers.

### 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.**

(RV)