

35935-85

4/16/2014

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Nathan P. Ehresman  
Nufarm Ltd.  
C/O Nufarm Americas Inc.  
4020 Aerial Center Parkway  
Morrisville, NC 27560

**NOTIFICATION**

**APR 16 2014**

Subject: Label Notification  
Product Name: Tri-Power Optical MC  
EPA Registration Number: 35935-85  
Application Dated: February 14, 2014  
Decision Number: 488749

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 for the subject product. Our review finds that the action falls within the scope of PRNs 98-10 and 2007-4. The label submitted with the application has been date-stamped "Notification" and 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 Sarah Meadows at (703)347-0505 or at meadows.sarah@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Beth Benbow".

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

Please read instructions on reverse before completing form.

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

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

1. Company/Product Number <b>Nufarm Ltd/ 35935-85</b>	2. EPA Product Manager <b>Kathryn Montague</b>	3. Proposed Classification  <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Nufarm, Ltd/ TRIPower OPTICAL MC</b>	PM# <b>23</b>	
5. Name and Address of Applicant (Include ZIP Code) <b>Nufarm Limited C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560</b> <input type="checkbox"/> Check if this is a new address		6. <b>Expedited Review.</b> 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: _____

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<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 & PR Notice 2007-4**  
See Attached

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <b>50 Gallons, 260 Gallons</b>		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 <b>Nathan P. Ehresman</b>	Title <b>Director, Regulatory Affairs</b>	Telephone No. (Include Area Code) <b>919-379-2515</b>
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 <b>(Stamped)</b> _____ _____ _____
2. Signature 	3. Title <b>Director, Regulatory Affairs</b>	
4. Typed Name <b>Nathan P. Ehresman</b>	4. Date <b>February 14, 2014</b>	



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

February 14, 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 Ltd (Company # 35935) – C/O Nufarm Americas Inc.  
TRIPOWER OPTICAL MC (EPA Reg. No. 35935-85)  
NOTIFICATION OF LABEL CHANGE**

Dear Ms. Montague:

Nufarm Limited is submitting the enclosed notification of label change according to PRN 98-10 & 2007-4 to make minor revisions to the EPA Master label for 35935-85. We have revised how the measure of contents is expressed to comply with 40 CFR 156.10(d)(2). We reformatted the first aid section by placing the statements in a box and bullet pointing the treatment recommendations. In addition we have revised the container disposal statements to remove unnecessary disposal instructions. We have revised the Warranty statement to a new more abbreviated 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](mailto:nathan.ehresman@us.nufarm.com)) if you have any questions regarding this action.

Kind regards,

Nathan P. Ehresman  
Director, Regulatory Affairs  
Nufarm USA Inc

cc: [illegible]

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# TRI-POWER OPTICAL MC

## FOR MANUFACTURING USE ONLY

### ACTIVE INGREDIENT:

Dimethylamine Salt of 2-Methyl-4-Chlorophenoxyacetic Acid*	56.34%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid**‡	11.13%
Dimethylamine Salt of Dicamba (3,6-Dichloro-o-Anisic Acid)***	5.54%

<b>OTHER INGREDIENTS:</b>	<b>26.99%</b>
<b>TOTAL:</b>	<b>100.00%</b>

By Isomer Specific AOAC Method, Equivalent to:

* 2-Methyl-4-Chlorophenoxyacetic Acid	46.0%	(4.51 lbs./gal.)
** (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid	9.2%	(0.90 lbs./gal.)
*** 3,6-Dichloro-o-Anisic Acid	4.6%	(0.45 lbs./gal.)

‡ Contains the single isomer of Mecoprop-p

**NOTIFICATION**

**APR 16 2014**

**KEEP OUT OF REACH OF CHILDREN**  
**DANGER**  
**SEE INSIDE BOOKLET 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. 35935-85

EPA EST. NO. \_\_\_\_\_

NET CONTENTS: \_\_\_\_\_ GALLONS (\_\_\_\_ LITERS)

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

Manufactured For  
 NUFARM LTD.  
 4020 Aerial Center Parkway  
 Morrisville, NC 27560



**NOTIFICATION**

**APR 16 2014**

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

Corrosive causes irreversible eye damage. Harmful if swallowed. Avoid contact with skin. Do not get in eyes or on clothing. Wear face shield, goggles, or safety glasses and long pants, long sleeves shirt, socks shoes and rubber gloves when mixing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

<b>FIRST AID</b>	
<b>IF IN EYES</b>	<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>
<b>IF SWALLOWED</b>	<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>
<b>IF ON SKIN OR CLOTHING</b>	<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>
<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 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lake, 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.

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## DIRECTIONS FOR USE

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

This material requires further mixing before use. For formulation into end use products for the following uses: terrestrial non-food crop, residential and commercial outdoors, such as lawns, established turfgrasses, sod nurseries, landscape ornamentals, parks, airports, roadsides, schools, picnic grounds, athletic fields, house of worship, cemeteries and golf courses.

This product may be used to formulate products for specific uses not listed on the MP label, if the formulator, user group or grower has complied with USEPA data and/or citations of data requirements regarding support of such uses.

Uses for experimental purposes that are in compliance with U.S. EPA regulations.

Only for formulation into end use products with directions for use that prohibit aerial application.

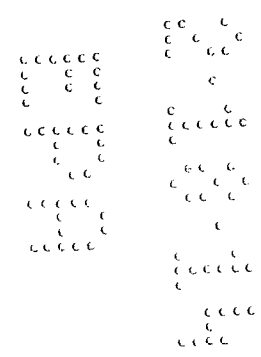
Only for formulation into end use products with directions for use that prohibit broadcast applications greater than 0.75 lb ae MCPP-p per acre.

Only for formulation into end use products with directions for use that prohibit spot treatment applications greater than 1.2 lbs ae MCPP-p per acre.

If formulating into ready-to-use spray products, the ready-to-use spray containers must produce droplets that are medium or coarse in size according to the ASAE (S572) definition for standard nozzles.

Each formulator is responsible for obtaining the EPA registration of his formulated product(s).

For specific information relating to composition, toxicity, methods of formulation and the product's effectiveness, please contact your Nufarm representative.



### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Always use original container to store pesticides in a secured warehouse or storage building. Store at temperatures above 32°F. If allowed to freeze, remix before using. This does not alter the product. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed, labeled container for proper disposal. Improper disposal of excess pesticide, spray mixtures, or rinsate is a violation of Federal law and may contaminate groundwater. 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:**

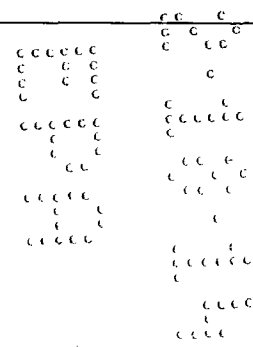
**Nonrefillable Container.** Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in an approved sanitary landfill, or by incineration, or, if allowed by state and local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

**Triple rinse as follows:** Empty the remaining contents into manufacturing equipment. Fill the container ¼ 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.]

**[CONTAINER HANDLING:**

**Refillable container.** Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available or dispose of in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.]



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### WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY

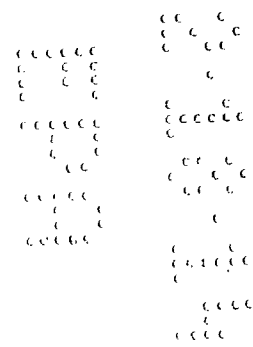
DECLARED

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.**

(RV021114)

Tri-Power is a trademark of Nufarm Americas Inc





**LABEL HISTORY**

<b>File Name</b>	<b>Revision Mark</b>	<b>Comment</b>
035935-00085.20110630.MASTER	RV063011	EPA Acceptance
035935-00085.20140211.DRAFT	RV021114	Revised Label: Updated measure of contents to comply with 40 CFR 156.10(d)(2) reformatted first aid statement (placed in box), updated container disposal statement,, revised Warranty statement
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