35935-89



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

4/15/2014

NOTIFICATION

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

APR 1 5 2014

Nathan P. Ehresman Nufram Limited c/o Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560

Subject:

Notification per PR Notice 98-10 and PR Notice 2007-4: Minor Label Change Tri-Power Optical NY MC Application Dated – February 14, 2014 EPA Reg. No. 35935-89 Decision No. 488652

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 and PRN 2007 for the subject product.

The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and PRN 2007 and finds that the action requested falls within the scope of both PRN 98-10 and PRN 2007. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please feel free to contact Shanta Adeeb at (703) 347-0502 or adeeb.shanta@epa.gov.

Sincerely,

Both Benbon



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

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e read instructions on reverse ber	ore completing fr)rm		ed OMB No. 2070)-0060, Approval expires 05-31-98
United States EPA Environmental Protection A Washington, DC 20460			Cy 🖸 Amen	tration dment	OPP Identifier Number
<u>م </u>			esticide - Sectio		
:	~^				0. Developed Observices
1. Company/Product Number Nufarm Ltd/ 35935-89			A Product Manager thryn Montague		3. Proposed Classification
 Company/Product (Name) Nufarm Ltd/ TRI-POWER OPTICAL, NY N 	AC	PM#			None Restricted
5. Name and Address of Applicant Nufarm Limited C/O Nufarm Americas 4020 Aerial Center Parl Morrisville, NC 27560	nc. (way	3(c)(and EPA		t is similar or ic	with FIFRA Section lentical in composition
		Sect	ion - II		
Resubmission in response to Notification - Explain below. Explanation: Use addition IOTIFICATION OF LABEL See Attached	nal page(s) if	necessary. (For S	1	n below n II.)	
		Sect	ion - III		
1. Material This Product Will Be I			Mater Caluble Day		0. Trace of Constrainer
Child-Resistant Packaging Yes* No	Unit Packag	No. per	Water Soluble Packaging Ves No If "Yes" No. per		2. Type of Container Metal Plastic
*Certification must be submitted	Unit Packag		Package wgt.	container	Glass Paper Other (Specifiy)
3. Location of Net Contents Infor	nation ontainer	4. Size(s) Retail Conti 50 Gallons,	ainer 260 Gallons	On Labe	of Label Directions
6. Manner in Which Label is Affix	ed to Product	Lithograph Z Paper glued Stenciled	Other		
			on - IV		<u>τη τη τ</u>
1. Contact Point (Complete items	directly below fo	r identification of indivi	dual to be contacted, if n		
Name Title					hone No. (Include Area Code) 92515
I certify that the statements I have acknowledge that any knowingly f under applicable law.	made on this fo	ng statement may be p			6. Date Application Reccived (Stampod)
2. Signature		3. Title Director, R	egulatory Affairs		
4. Typed Name Nathan P. Ehresman	4. Date February 1	4, 2014			

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EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete

White- EPA File Copy (original) Yellow- Applicant Copy

Nufarm

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. TRI-POWER OPTICAL NY MC (EPA Reg. No. 35935-89) 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 35935-89. 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

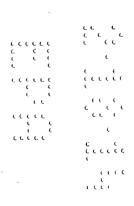
In support of this action, please find enclosed:

- 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) if you have any questions regarding this action.

Kind regards,

Nathan P. Ehresman Director, Regulatory Affairs Nufarm USA Inc



TRI-POWER OPTICAL NY MC

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

Dimethylamine Salt of 2-Methyl-4-Chlorophenoxyacetic Acid *	56.35%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid**‡	11.13%
Dicamba (3,6-Dichloro-o-Anisic Acid)***	4.03%
OTHER INGREDIENTS:	28.49%
TOTAL:	

By Isomer Specific AOAC Method, Equivalent to:		
* 2-Methyl-4-Chlorophenoxyacetic Acid	46.00%	(4.51 lbs./gal.)
** (+)-R-2-(2-Methyl-4-Chlorophenoxy)propioni	c Acid 9.20%	(0.90 lbs./gal.)
*** 3,6-Dichloro-o-Anisic Acid	4.03%	(0.40 lbs./gal.)

‡ Contains the single isomer form of Mecoprop-p

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. 35935-89 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 1 5 2014

035935-00089.20140211.DRAFT

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive, this concentrate causes irreversible eye damage. Harmful if swallowed or absorbed through the skin. Do not get in eyes, on skin 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, and chewing gum, using tobacco or using the toilet. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Remove and wash contaminated clothing before reuse.

FIRST AID .
 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.
 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.
 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
ntainer or label with you when calling a poison control center or doctor, or going for also contact 1-877-325-1840 for emergency medical treatment information.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

ENVIRONMENTAL HAZARDS

This product may adversely affect non-target plants. Do not discharge effluent containing this product into lake, streams, ponds, estuaries, oceans, or other waters, unless in accordance with the ້າຍໍ່ຕູ້ພໍ່irements 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 cover systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. ιιςςςς ς ε ς τ ιςτις

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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: Residential and Commercial Turf and Lawns (including golf courses, parks, athletic fields, cemeteries, school grounds, roadsides) and Sod Farms.

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 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 formulated 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.

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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°F⁴ 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 toxio. 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 ringate fine 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 offer authorities, by burning. If burned, stay out of smoke.]

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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 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.

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Tri-Power is a trademark of Nufarm Americas Inc

LABEL HISTORY

File Name	Revision Mark	Comment
035935-00089.20110802.MASTER	RV080211	EPA Acceptance
035935-00089.20140211.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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