

35935-90

08-01-2011

1/7



U.S. ENVIRONMENTAL PROTECTION AGENCY  
 Office of Pesticide Programs  
 Registration Division (7505P)  
 Ariel Rios Building  
 1200 Pennsylvania Ave., NW  
 Washington, D.C. 20460

A Reg. Number:  35935-90	Date of Issuance:  AUG - 1 2011
Term of Issuance:  Unconditional	
Name of Pesticide Product:  Escalade W&F MC	

**NOTICE OF PESTICIDE:**  
 Registration  
 Reregistration  
 (under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):  
 Nufarm Limited  
 150 Harvester Drive, Suite 200  
 Burr Ridge, IL 60527

**Note:** Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

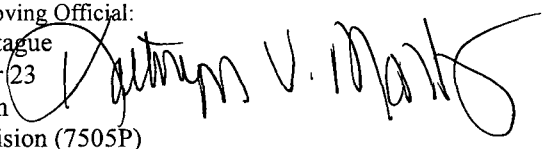
- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data. If required, failure to submit acceptable data to fulfill these requirements may result in registration cancellation in accordance with FIFRA section 6(e).
- 2) Replace "EPA Reg. No. 35935-ON" with "EPA Reg. No. 35935-90" and assure that the EPA Establishment Number and Net Contents are also on the label.
- 3) Per the Acute Toxicity Review, the order of the First Aid statements must be changed to
  - If swallowed.....
  - If in eyes.....
  - If on skin.....

NOTE: The "If on skin" section is not required for this product. The "If on skin" text may remain on the label as additional safety information, or it may be removed from the label. If you choose to include this information on the product label, it must be listed after the "If in eyes" statement.

NOTE: Because of its importance, the Agency recommends the First Aid information be in a box.

**SEE NEXT PAGE FOR ADDITIONAL COMMENTS**

Signature of Approving Official:  
 Kathryn V. Montague  
 Product Manager 23  
 Herbicide Branch  
 Registration Division (7505P)



Date:  
  
AUG - 1 2011

- 4) Per the combined Reregistration Eligibility Document (RED) label table, the second sentence in the first full paragraph under the DIRECTIONS FOR USE header, must read “Only for formulation into an *herbicide or plant growth regulator* for the following use(s): terrestrial non-food crop, residential and commercial outdoors, such as lawns, established turfgrass.....”
- 5) Per the combined RED label table, add the statement “Wettable powder formulations must be packaged in water-soluble packages.” to the product label.
- 6) Generate one-year Storage Stability (830.6317) and Corrosion Characteristics (830.6320) data on the product. The observations should be made at 0, 3, 6, 9, and 12 month intervals. The results must be submitted to the Agency in electronic and hard copy format within 15 months of the date on this notice.
- 7) The text in the Container Handling section for Nonrefillable plastic containers must be changed to read as follows:

Container Handling:

For Nonrefillable Containers 5 gallons or less, the text must read “Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Then offer for recycling if available or puncture and 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.”

Nonrefillable Containers larger than 5 Gallons, the text must read “Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Then offer for recycling if available or puncture and 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.”

- 8) The text in the Container Handling section for the plastic refillable container must read as follows:

Refillable Containers (Larger than 5 Gallons): 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 tank mix. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 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 puncture and 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.”

- 9) NOTE: The Basic Confidential Statement of Formula (CSF) and Alternate CSFs #1, #2, #3, #4, #5, and #6 all dated May 31, 2011 are acceptable and will remain on file with the Agency.

Page 3 of 3  
EPA Registration #: 35935-90  
Product: Escalade W&F MC  
Decision Number: 444398

10) NOTE: While no additional data is being requested at this time, all marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed from the product label.

11) NOTE: 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.

12) Submit one (1) copy of the revised final printed label before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

# Escalade W&F MC

FOR MANUFACTURING USE ONLY

**ACTIVE INGREDIENTS:**

Isooctyl (2-ethylhexyl) Ester of 2,4-Dichlorophenoxyacetic Acid*	69.75%
1-Methylheptyl Ester of Fluroxypyr: [(4-amino-3,5-dichloro-6-fluoro-2-pyridinyl)oxy]acetic Acid, 1-methylheptyl Ester **	16.64%
Dicamba (3,6-Dichloro-o-Anisic Acid)***	5.78%

**OTHER INGREDIENTS**

**TOTAL** ..... 100.00%

By Isomer Specific AOAC Method, Equivalent to:

* 2,4-Dichlorophenoxyacetic Acid.....	46.25%, 4.55 lbs./gal.
** [(4-amino-3,5-dichloro-6-fluoro-2-pyridinyl)oxy]acetic Acid	11.56%, 1.14 lbs./gal.
*** 3,6-Dichloro-o-Anisic Acid	5.78%, 0.59 lbs./gal.

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**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-ON  
EPA EST. NO.

MANUFACTURED FOR  
NUFARM LIMITED  
BURR RIDGE, IL 60527

035935.00xxx.20110531.EPA NEW  
NUP-09144

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**AUG - 1 2011**  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

35935-90

5  
7

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

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear face shield, goggles, or safety glasses when mixing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

**FIRST AID**

**IF IN EYES:** 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:** 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.

**IF ON SKIN:** 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 you call a poison control center, or going for treatment. You may contact 1-877-325-1840 for emergency medical treatment information.

**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.

**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.

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 or 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 Containers 5 Gallons or Less:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

**Nonrefillable containers larger than 5 gallons:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling or reconditioning is not available, puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. 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 on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank 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.

**Refillable containers larger than 5 gallons:** 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.

**Or**

Refillable Container: Refill this container with pesticide only. Do not reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

7  
7

**WARRANTY DISCLAIMER**

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. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

**LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. 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.**

(xxxxxxx)

Escalade is a trademark of Nufarm Americas Inc.