

35935-90

3/25/2014

1/9



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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

March 25, 2014

Nathan Ehresman
Nufarm Limited
4020 Aerial Center Parkway, Suite 103
Morrisville, NC 27560

Subject: Notification per PR Notices 98-10 & 2007-4
Escalade W&F MC
EPA Reg. No. 35935-90
Application Dated February 14, 2014

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 Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mindy Ondish, 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

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

1. Company/Product Number Nufarm Ltd/ 35935-90	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm Ltd/ ESCALADE W&F MC	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. 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

NOTIFICATION
MAR 25 2014

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	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Metal
*Certification must be submitted							<input checked="" type="checkbox"/> Plastic
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 Gallons, 260 Gallons		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product			<input type="checkbox"/> Glass
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Other					<input type="checkbox"/> Paper
		<input checked="" type="checkbox"/> Paper glued					<input type="checkbox"/> Other (Specify)
		<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 Nathan P. Ehresman	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 919-379-2515
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 (Stamped)
2. Signature 	3. Title Director, Regulatory Affairs	
4. Typed Name Nathan P. Ehresman	4. Date February 14, 2014	



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.
ESCALADE W&F MC (EPA Reg. No. 35935-90)
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 35935-90. 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

cc: [illegible]

ESCALADE W&F MC

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

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:	7.83%
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 BELOW 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

NOTIFICATION

MAR 25 2014

EPA REG. NO. 35935-90

EPA EST. NO. _____

NET CONTENTS: _____ GALLONS (_____ LITERS)

Equivalent NET WEIGHT _____ LBS (_____ KG)

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



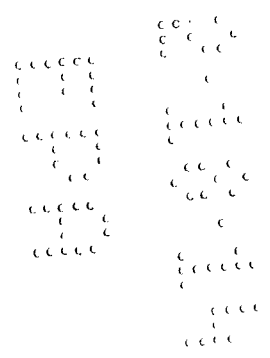
**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

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 SWALLOWED	<ul style="list-style-type: none"> • 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 IN EYES	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
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.	

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.



6/9

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. Only for formulation into an herbicide or plant growth regulator 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.

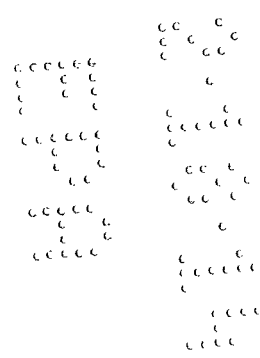
Wettable powder formulations must be packaged in water-soluble packages.

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 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:

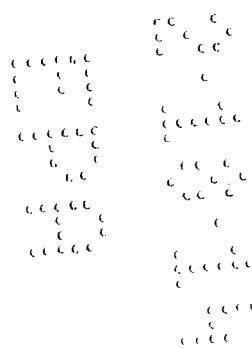
Nonrefillable Container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in an approved sanitary landfill, or by incineration, or, if allowed by state and local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



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.

(RV021114)

Dissolve is a trademark of Nufarm Americas Inc

