



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 Measures from the Interim Decision for Bromoxynil and the National Marine Fisheries Services' (NMFS) Biological Opinion on the Effects of Bromoxynil on Pacific Salmonids
Product Name: Bromoxynil Heptanoate Technical
EPA Registration Number: 35935-105
Application Date: 3/6/2020 and 11/16/2022
Decision Number: 560524 and 589093

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 Bromoxynil Interim Decision. The Agency has concluded that your submission is acceptable.

This letter also addresses the label mitigation resulting from the NMFS' Biological Opinion on the effects of Bromoxynil on Pacific salmonids. The Agency has concluded that your submission is also 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 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.

Sincerely,

A handwritten signature in blue ink, appearing to be "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

GROUP

6

HERBICIDE

BROMOXYNIL HEPTANOATE TECHNICAL

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

Heptanoic acid ester of bromoxynil (3,5-dibromo-4-hydrobenzonitrile) 97.13%

OTHER INGREDIENTS: 2.87%

TOTAL: 100.00%

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] 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

ACCEPTED

Dec 21, 2022

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 35935-105

EPA REG. NO. 35935-105
EPA EST. NO.

NET CONTENTS:

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



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

May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco or using the toilet. Wear long-sleeved shirt and long pants, socks, shoes, and gloves. Remove and wash contaminated clothing before reuse. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

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 ON SKIN OR CLOTHING	<ul style="list-style-type: none">• 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.
IF INHALED	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.• Call a poison control center or doctor for further 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 (USA) for emergency medical treatment information.	

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.

NON-TARGET ORGANISM ADVISORY STATEMENT: This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated site. Protect the forage and habitat of non-target organisms by following label directions intended to minimize spray drift.

DIRECTIONS FOR USE

Read entire label before using.

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

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" (to be placed at the beginning of the Directions for Use section of all end-use product labels): "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. You must use the Bulletin valid for the month in which you will apply the product.

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.

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, Wheat, Barley, Oats, Rye, Triticale, Seedling Alfalfa, Sorghum, Flax, Grasses Growth for Seed or Sod Production, and Conservation Reserve Program Areas.
- 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, insecticides, fungicides, pesticides and seeds.

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. Empty residue into formulation equipment by tapping sides on sides and bottom of drum to loosen particles. Triple rinse (or equivalent) promptly after emptying. Then offer for recycling, if available. If no recycling exists then offer for reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. If not triple rinsed, these containers are acutely hazardous wastes and must be disposed in accordance with local, state and federal regulations.

Do not cut or weld metal containers.

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.

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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.

(RV)

LABEL HISTORY

FILE NAME	RV DATE	COMMENTS
035935-00XXX.20131022.New	(RV102213)	Section 3 Submission
035935-00RNL.20141014.New	(RV101414)	EPA Review
035935-00105.20150116.MASTER	(RV011615)	EPA SAL
035935-00105.20220105.MASTER	(RVXXXXXX)	NMFS BiOp