

Reg # 42750-23

PM-23

File
199



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

JAN 14 1994

Alice Walker
ALBAUGH CHEMICAL CORP.
728 S.E. Creekview
Ankeny, IA 50021

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 07/23/93 in Response to PR Notice 93-7
EPA Reg. No. 42750-23
MCPA ESTER 4

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Send ~~EPA~~ EPA one (1) copy of the final printed labeling:

- **BEFORE** selling or distributing any product bearing the final printed labeling
- AND
- **WITHIN** one year from date of this acceptance.

BEST AVAILABLE COPY



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

299
7

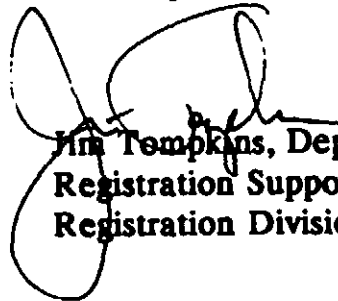
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

399

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 14 1994

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

42750-23

ALBAUGH, INC.

MCPA ESTER 4

HERBICIDE

FOR SELECTIVE CONTROL OF CERTAIN WEEDS
IN WHEAT, OATS, BARLEY, RYE, GRASSLAND
AND IN NON-CROP AREAS

ACTIVE INGREDIENT:

Isooctyl ester of 2 methyl-4-chlorophenoxyacetic acid*69.7%

INERT INGREDIENTS:.....30.3%

TOTAL.....100.0%

* Equivalent to 44.7% of 2-methyl-4-chlorophenoxyacetic acid isomer specific of not less than 3.7 pounds of 2-methyl-4-chlorophenoxyacetic acid isomer specific per gallon at 68°F. Isomer specific by AOAC Method.

EPA Reg. No. 42750-23

EPA Est. No. 42545-MO-1

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

~~PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.~~

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).

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Contains mineral spirits. Do not induce vomiting. Get medical attention immediately. Never give anything by mouth to an unconscious person.

IF ON SKIN: Wash with soap and water.

IF IN EYES: Flush with plenty of water for 15 minutes and get medical attention.

NOTE TO ATTENDING PHYSICIAN: May cause chemical pneumonitis if aspirated. If lavage is performed, suggest endotracheal and/or esophagosopic control.

FOR CHEMICAL SPILL, LEAK, FIRE, OR EXPOSURE
CALL CHEMTREC (800) 424-9300

2 499

Before buying or using this product, read "Warranty Limitations and Disclaimer" elsewhere on this label. If terms are not acceptable, return unopened package at once to seller for full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under the Warranty Limitations and Disclaimer.

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

Causes eye and skin irritation. Do not get in eyes, on skin, or on clothing. Harmful if swallowed. Do not breathe vapors or spray mist. ~~Mixers/loaders or applicators are required to use face shields or goggles.~~

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear coveralls over short-sleeved shirt and short pants, chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or viton, chemical-resistant footwear plus socks, protective eyewear, chemical-resistant headgear for overhead exposure, and chemical-resistant apron when cleaning equipment, mixing, or loading.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Do not apply when weather conditions favor drift from target area.

Spray equipment used in applying this product should be thoroughly cleaned before using for any other purposes. Use repeated flushing with soap and warm water or suitable chemical cleaner. It is best to use a separate sprayer for application of insecticides and fungicides.

This product will kill or seriously injure many desirable forms of vegetation. Do not apply directly to flowers, fruits, vegetables, grapes, ornamentals, cotton or other desirable plants. Do not use when there is hazard from drifting mists. (Coarse sprays are less likely to drift.) Vapors from this product may injure susceptible plants in the immediate vicinity.

Avoid contamination of water used for domestic purposes and irrigation purposes. Excessive amounts of this product in the soil may temporarily inhibit seed germination and plant growth.

Most cases of groundwater contamination involving phenoxy herbicides such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCPA pesticides as such sites to prevent contamination or groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry

4 699

interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is coveralls over short-sleeved shirt and short pants, chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or viton, chemical-resistant footwear plus socks, protective eyewear, and chemical-resistant headgear for overhead exposure.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter treated areas without protective clothing until sprays have dried.

~~REENTRY STATEMENT~~

~~Do not enter treated areas without protective clothing until sprays have dried. Protective clothing means, at least, a hat or other suitable head covering, a long-sleeved shirt and long-legged trousers or a coverall-type garment (all of closely woven fabric covering the body, including the arms and legs), shoes and socks.~~

~~Because certain states may require more restrictive reentry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.~~

STORAGE AND DISPOSAL

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

STORAGE

Store in a dry location away from children, animals, foods, feeds, seeds and other agricultural chemicals. Keep container closed when not using. Do not allow water into container as this may cause deterioration of product. Handle in accordance with information given under "Precautionary Statements." Keep storage area locked when not in use.

In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust or other absorbent material. Scrape up and dispose of in accordance with information given under "Pesticide Disposal". Repackage and relabel usable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.

BEST AVAILABLE COPY

DISPOSAL

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

METAL CONTAINERS - Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

PLASTIC CONTAINERS - Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONTROLS THESE AND OTHER WEEDS

SUSCEPTIBLE (MOST AREAS)

Annual sowthistle	Lambsquarters	Shepherdspurse
Beggarticks	(goosefoot)	Stinkweed
Cocklebur	Marshelder	(pennycress,
Dragonhead mint	Mustards (annual)	fanweed)
Field peppergrass	Poison hemlock	Wild radish
Goatsbeard	Puncturevine	Yellow rocket
Hempnettle	Ragweed	or wintercress

LESS SUSCEPTIBLE

Buttercups	Perennial sow	Sunflower
Canada thistle	Plantains	Vetch
Chervil	Purslane	White top or
Dandelions	Russian pigweed	hoary cress
Kochia	Stinging nettle	
Miner's lettuce		

PREPARATION OF THE SPRAY

Fill the spray tank with half the required amount of water, then add the recommended amount of LV4-MCPA and continue filling the spray tank with the balance of water. Keep agitator running when filling spray tank and during spray operations. For crop uses, do not mix with oil, surfactant or other adjuvants as this may reduce selectivity to crops resulting in crop damage or kill. When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources.

Do not apply MCPA isooctyl ester by aerial application in the vicinity of sugar beets. Do not apply MCPA isooctyl ester around houses, recreation sites, or similar areas.

AMOUNT OF SPRAY TO APPLY

WHEAT OATS, BARLEY AND RYE

Apply as a water mix spray by ground sprayer or airplane. Use 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Use up to 3 pints per acre for the less susceptible weeds after crop has tillered and up to early boot stage. Do not spray from boot to dough stage.

Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

FLAX

Use 1/4 to 1/2 pint per acre. Apply by ground sprayer or by airplane. Apply only when weeds are up and when flax is 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. IF Canada Thistle is present, it may be necessary to go as high as 3/4 pint per acre to prevent seed head production. Some injury to the flax may result.

Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

GRASSES

ESTABLISHED GRASSLAND - Use 1 to 3 pints per acre in sufficient water (10 to 100) by airplane or ground sprayer application and give thorough coverage. Use higher rate for White Top, Canada Thistle and other less susceptible weeds. Spray perennials in early bud to full bloom stage and regrowth in fall; other weeds in spring or fall, when actively growing. Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

GRASSES: (Grown for seed: aerial and surface applications): Use 1 to 2 pints per acre, the higher rate where weed stands are heavy. In established grasses, apply in spring before head comes into boot and on seedling grass after grass has tillered.

NOTE: For weed control in grasses, repeated treatment may be needed for less susceptible weeds. In some areas bent, buffalo, carpet and St. Augustine grasses may also be injured by treatment.

NON-CROP SPRAYING ALONG FENCE ROWS AND ROADSIDES

Canada Thistle, White Top and Meadow Buttercup - For spot treatment, use 1/4 pint to 3 to 4 gallons of water, or 3/4 gallon in sufficient water to give coverage for most extensive areas. Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth.

7 999

GENERAL INFORMATION

Local conditions may affect the use of this chemical. Consult State Agricultural Extension or Experiment Station weed specialists for specific recommendations for local weed problems and for information on possible lower dosages. Follow directions carefully. Timing and method of application, weather and crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith. Do not apply this product through any type of irrigation system.

WARRANTY LIMITATIONS AND DISCLAIMER

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the DIRECTIONS FOR USE when used under normal conditions. **THIS IS THE ONLY WARRANTY MADE ON THIS PRODUCT. NO OTHER EXPRESS AND NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS MADE OUTSIDE OF THIS LABEL.** Therefore, neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), under abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes, etc.) or under conditions not reasonably foreseeable to or beyond the control of seller.

When buyer or user suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), buyer or user must promptly notify seller, in writing, of any claims to be eligible to receive either remedy given below. The **EXCLUSIVE REMEDY OF THE BUYER OR USER** and the **LIMIT OF LIABILITY** of seller will be one of the following, at the election of the seller:

1. Refund of purchase price paid by buyer or user for product bought or
2. Replacement of amount of product used.

The seller will not be liable for consequential or incidental damages or losses.

The terms of this Warranty Limitations and Disclaimer cannot be varied by any written or verbal statements or agreements. Any employee or sales agent of the seller is not authorized to vary or exceed the terms of this Warranty Limitations and Disclaimer in any manner.

Manufactured by:

**ALBAUGH, INC.
1517 N. Ankeny Blvd.
Ankeny, Iowa 50021**