


42750-57

07/13/2000

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 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) 401 "M" St., S.W. Washington, D.C. 20460</p> <p><b>NOTICE OF PESTICIDE:</b> <u>  X  </u> Registration <u>      </u> Reregistration</p> <p>(under FIFRA, as amended)</p>	EPA Reg. Number:  42750-57	Date of Issuance:  JUL 13 2000
	Term of Issuance:  Conditional	
	Name of Pesticide Product:  Albaugh Technical Dicamba Acid	
Name and Address of Registrant (include ZIP Code):  Albaugh, Inc. 121 NE 18 <sup>th</sup> Street Ankeny, IA 50021		
<p><b>Note:</b> 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.</p> <p>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.</p> <p>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.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c) (7) (A) provided that you:</p> <ol style="list-style-type: none"> <li>1. Submit/cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.</li> <li>2. Make the following label changes before you release the product for shipment:             <ol style="list-style-type: none"> <li>a. Revise the EPA Registration Number to read "EPA Reg. No. 42750-57."</li> </ol> </li> </ol>		
Signature of Approving Official:		Date:  JUL 13 2000

3. Submit the following studies: Oxidation/Reduction: Chemical Incompatibility (830-6314), Storage Stability of Product (830-6317), and Corrosion Characteristics (830-6320) are outstanding. These data are due within 8 months of the date of this Notice.

b. The Agency has recently revised its recommended First Aid statements for pesticide products (refer to PR Notice 2000-3: First Aid Statements on Pesticide Product labels). The new statements were developed as part of the Consumer Labeling Initiative in close cooperation with poison control center personnel and other medical experts. While it is not mandatory that you revise your label at this time, you are strongly encouraged to substitute the revised statements (see enclosure) for those statements currently on the label at your next printing. If you wish to receive a stamped copy of the label with the revised First Aid statements, submit an application for amendment (EPA Form 8570-1) and 4 copies of draft labeling for our review.

4. Submit one copy of the revised final printed label for the record before you release the product 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.

Joanne I. Miller  
Product Manager 23  
Herbicide Branch  
Registration Division (7505C)

Enclosure

# ALBAUGH TECHNICAL DICAMBA ACID

## FOR MANUFACTURING PURPOSES ONLY

Formulators who use this product are responsible for obtaining EPA registration for their formulated products.

<b>ACTIVE INGREDIENT:</b>		
Dicamba (3,6-dichloro-o-anisic acid).....	98.0%	
<b>OTHER INGREDIENTS:</b> .....	2.0%	
	<b>TOTAL</b>	100.0%

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

**STATEMENT OF PRACTICAL TREATMENT**

**IF IN EYES:** Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention.

**IF SWALLOWED:** Call a doctor or get medical attention. Do not induce vomiting or give anything by mouth to an unconscious person. Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol.

**IF ON SKIN:** Wash with plenty of soap and water. Get medical attention if irritation persists.

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### ENVIRONMENTAL HAZARDS

Keep out of lakes, streams or ponds. Do not contaminate water by the cleaning of equipment or disposal of wastes. 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 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.

Albaugh, Inc.  
121 NE 18<sup>th</sup> St.  
Ankeny, IA 50021

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
JUL 13 2000**

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
42750-57

EPA Reg. No. 42750-  
EPA Est. No. ....  
Net Weight: .....

### DIRECTIONS FOR USE

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

**This technical material may only be used to produce formulations that are registered or exempted from registration by the U.S. EPA. If it is desired to produce formulations that do not have prior approval, the producer of such formulations is responsible for providing all necessary data and for obtaining registration.**

**Only for Formulation Into A Herbicide For (1) The Following Use(s):** Asparagus, barley, corn, grasses, millet, oats, sorghum, soybeans, sugarcane, wheat, cotton (sodium salt only); (2) Uses for which the U.S. 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 U.S. EPA regulations.

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 U.S. EPA data submission requirements regarding support of such uses.

The user is solely responsible for determination of suitability of the use of this product for any specific purpose, any manufacturing practice employed, and adoption of such safety precautions as may be necessary.

### STORAGE AND DISPOSAL

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

**STORAGE:** Store in original container in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides. Spillage or leakage should be contained, carefully swept up and collected for disposal. Wash area of spill with detergent and water.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of federal law. 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:**

**Metal:** 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.

**Fiber Drums with Liners:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of liner in a sanitary landfill, or by incineration, if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

**CONDITIONS OF SALE AND WARRANTY**

The **DIRECTIONS FOR USE** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of ALBAUGH, INC. or the Seller. All such risks shall be assumed by the Buyer.

ALBAUGH, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks referred to above. **ALBAUGH, INC. MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.**

**BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED.** When Buyer 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 must promptly notify Seller in writing of any claims to be eligible to receive either remedy stated above. **IN NO CASE SHALL ALBAUGH, INC. OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.** ALBAUGH, INC. and the Seller offer this product, and the Buyer accepts it, subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of ALBAUGH, INC. No employee or agent of ALBAUGH, INC. or the Seller is authorized to vary or exceed the terms of this Warranty in any other manner.

**DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES**

The manufacturer expressly disclaims all liability for claims and actions (whether based on contract, tort, strict liability, or breach of warranty) arising out of, resulting from or connected with a formulation containing this product when used for any purpose other than those uses set forth in the Directions for Use. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those in the Directions for Use.

**Any formulator or buyer who uses this product in formulations for any other than those stated in the Directions for Use above assumes all liability for claims and actions arising out of, connected with or resulting from such use and agrees by so using this product to indemnify and hold harmless the manufacturer from such claims and actions.**

**This Disclaimer and Indemnity is in addition to, not in lieu of, the above Conditions of Sale and Warranty.**

March 22, 2000

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