

42750-136

11-06-2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Morris Gaskins
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Albaugh, Inc.
P.O. Box 2127
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Valdosta, GA 31604

NOV 6 2009

Subject: Label Amendment – Supplemental Labeling for Use on Non-Dormant Application on Almonds with a 30 to 15 Day Post Harvest Interval (PHI)
Product: Oxyfluorfen 2EC
EPA Registration Number: 42750-136
Submission Date: August 5, 2009
Decision Number: 418500

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you make the following changes to the product labeling:

- 1) Replace "BULLETIN" on page 1 with "LABELING" for the header to read "SUPPLEMENTAL PRODUCT LABELING".
- 2) 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.

A stamped copy of your labeling is enclosed for your records. Products shipped after 18 months from the date of this Notice or the next printing of the label whichever occurs first, must bear the new revised label language. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions.

As required, submit one copy of final printed labeling incorporating the above changes. If you have any questions, please feel free to contact Michael Walsh by phone at 1-703-308-2972 or via email at walsh.michael@epa.gov.

SEE NEXT PAGE

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Page 2 of 2
Label Amendment – California Almonds, 30 to 15 Day PHI
Product: Oxyfluorfen 2EC
EPA Registration Number: 42750-136
Submission Date: August 7, 2009
Decision Number: 418500

Sincerely,

JS

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

Enclosure

2/5

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

NOV 6 2009

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

SUPPLEMENTAL PRODUCT BULLETIN

**OXYFLUORFEN 2EC
EPA Reg. No. 42750-136**

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

DIRECTONS FOR USE

42750-136

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the user's possession during application.
- Read the label affixed to the container for OXYFLUORFEN 2EC before applying. Carefully follow all applicable use directions and precautionary statements.
- Use of Oxyfluorfen 2EC according to this supplemental labeling is subject to all use precautions and limitations imposed by the label affixed to the container for Oxyfluorfen 2EC.
- When used for non-dormant application in almonds, directions on this section 3 supplemental label supersede the non-dormant use restrictions on the existing section 3 package label

FOR NON-DORMANT APPLICATION IN ALMONDS WITH A 30 TO 15 DAY PHI

(For Distribution and Use Only Within the States of California)

DOSAGE:

Oxyfluorfen 2EC herbicide broadcast may be applied at a rate of no more than 5 pts/acre (1.25 lbs a.i.) before February 15, and/or no more than 0.5 pt/acre (0.125 lb a.i.) up to 30 days before harvest and/or no more than 0.5 pt/acre (0.125 lb a.i.) between 30 and 15 days before harvest. Do not apply more than 6 pints of Oxyfluorfen 2EC or 1.5 lb oxyfluorfen a.i. per broadcast acre during the non-dormant season.

Tank Mixing:

For broader spectrum grass and broadleaf weed control in tree row middles, Oxyfluorfen 2EC may be tank mixed with registered postemergence herbicides such as paraquat (Gramoxone) or glyphosate (Gly Star®, Roundup®). Refer to Mixing Directions section for Tank Mixing Precautions. Follow applicable use directions, precautions, and limitations on the respective product labels. In interpreting the labels of tank mixed products, the most restrictive label limitations must apply.

Chemigation:

Follow chemigation instructions in General Information section of main label.

Flood (Basin) Irrigation: For flood (basin) irrigations systems, meter continuously into the water during the entire irrigation period. Best weed control results are obtained when a uniform distribution and flow of irrigation water is maintained over lever land. Irrigation water treated with Oxyfluorfen 2EC must be contained on the treated area until the water is absorbed by the soil.

Low Volume Sprinkler (Microsprinkler) and Drip (Trickle) Irrigation:

Apply only through low-volume sprinkler or drip systems designed to uniformly distribute irrigation water beneath the tree canopy. Applications should be made prior to weed emergence; otherwise postemergence activity may be inconsistent due to uneven coverage. Meter Oxyfluorfen 2EC at a continuous rate during the middle 1/3 of the irrigation period and discontinue during the final 1/3 of the irrigation period to insure proper flushing of the irrigation system. Use of Oxyfluorfen 2EC through low-volume sprinklers or drip emitters helps to reduce the "ring effect" of weed escapes in areas around sprinklers or emitters where previously applied broadcast or directed treatments began to break down.

PRECAUTIONS:

- Direct spray toward the base of trees. Avoid direct contact with foliage or nuts.
- Oxyfluorfen 2EC should be applied only to healthy growing trees.

CROP-SPECIFIC USE RESTRICTIONS:

- When applied as a non-dormant treatment, Oxyfluorfen 2EC can only be applied to almond plantings between April 1 and September 30.
- Do not apply Oxyfluorfen 2EC within 15 days of harvest of almonds.
- Do not apply more than 6 pints of Oxyfluorfen 2EC or 1.5 lb oxyfluorfen active ingredient per acre during the non-dormant season.

Key Weeds Suppressed and/or Controlled

cheeseweed (malva)	morningglory species, annual
fiddleneck, coast	mustard, black
filaree, broadleaf	nettle, burning
filaree, redstem	pigweed, redroot
filaree, whitestem	purslane, common
groundsel, common	redmaids
henbit	rocket, London
minerslettuce	sowthistle, annual

Additional Weeds Controlled in Tank Mix with Glyphosate or Paraquat

barnyardgrass	horseweed (marestail)
bluegrass, annual	rocket, London
chickweed, common	ryegrass, Italian

Use of Oxyfluorfen 2EC according to this supplemental label is subject to the use precautions and limitations imposed by the label affixed to the container of Oxyfluorfen 2EC.

Manufactured By:
Albaugh Inc.
Ankeny, Iowa 50021

