

48273-22

7-24-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 24 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Kim Davis
Consultant/Agent for Marman USA, Inc.
Marman USA, Inc.
c/o RegWest Company, LLC
30856 Rocky Road
Greeley, CO 80631-9375

Dear Ms. Davis:

Subject: Marman 2,4-D Technical Acid
Registration No. 48273-22
Application and Letter Dated May 15, 2003, Request
to Amend Registration To Add Maximum Use Rates for
Forestry and Non-Crop Sites To Label

The labeling referred to above, associated with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided that the "implementation paragraph", required under the 2,4-D Exposure Reduction Agreement of 1992, is revised as indicated in **bold** as follows:

"This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf uses after June 15, 1994 must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993 must bear the revised label language below. **All products released for shipment on or after October 1, 2005 must bear revised labeling complying with the maximum application rates for general non-crop sites; tree, brush and woody plant control on rights-of-way; and forestry use patterns other than site preparation, if registered for such uses.**"

In addition, this label is accepted with the following stipulation: "The Agency is accepting the labeling changes based on your certification that no additional changes, aside from the maximum use rates for forestry and non-crop sites, have been made to the label. **Any other labeling changes submitted in connection with this amendment application 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."

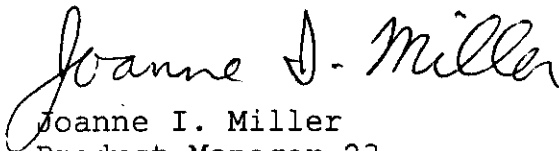
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If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(e). Your release for shipment of this product under this labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. **When this technical or manufacturing use product is released for shipment on or after August 1, 2004, it must bear this revised labeling.** Please submit one copy of the final printed label before you release the product for shipment.

Sincerely yours,



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

Enclosure

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MARMAN 2,4-D TECHNICAL ACID

Only For Formulation of Herbicides

**KEEP OUT OF REACH OF CHILDREN
DANGER – PELIGRO**

PRECAUCIÓN AL USUARIO: 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 Below For Additional Precautionary Statements

Active Ingredient:
*2,4-dichlorophenoxyacetic acid 97.9%

Other Ingredients: 2.1%

Total 100.0%

*Isomer specific by AOAC Method No. 6D01-5

ACCEPTED
with COMMENTS
In EPA Letter Dated

JUL 24 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
48273-22

Net Contents: _____ lbs.

EPA Reg. No. 48273-22 EPA Est. 48273-FL-1

**STOP! READ THE ENTIRE LABEL FIRST.
OBSERVE ALL PRECAUTIONS AND CAREFULLY FOLLOW DIRECTIONS.
PRECAUTIONARY STATEMENTS**

Hazards to Humans & Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed or absorbed through skin. Do not get in eyes or on skin or clothing. Wear protective eyewear (goggles or face shield). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

First Aid

If in Eyes	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 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.
If on Skin or Clothing	<ul style="list-style-type: none"> Take off contaminated clothing. Immediately rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
If Swallowed	<ul style="list-style-type: none"> Immediately call a poison control center or doctor for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact 1-800-xxx-xxxx for emergency medical treatment of information.]

{Note: The first aid statement's grid format will be used if market label space permits; otherwise a paragraph format will be used.}

Environmental Hazards

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or 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 sewage treatment plant authority. For guidance, contact your state water board or regional office of the EPA.

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Physical or Chemical Hazards

Do not use the same equipment for handling or manufacturing other agricultural chemicals.

DIRECTIONS FOR USE

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

Storage and Disposal

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

Pesticide Storage: Do not store near fertilizers, insecticides, fungicides or seeds. Do not reuse container. Do not ship with or store near foodstuffs.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture 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: Completely empty bag into formulation equipment by shaking and tapping sides of bag. Then dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Formulators using this product are responsible for obtaining EPA registration of their formulated product.

Only for formulation into herbicides for the following uses: Corn, Established Pastures and Rangelands, Fallow Land, Fencerows, Grass Seed Crops, Ornamental Turf, Rice, Roadsides, Small Grains (barley, oats, rye and wheat), Sorghum, Southern Wild Rose on Rangelands, Sugarcane and Wild Garlic in Grain Stubble; and for General Weed Control (airfields, drainage ditch banks, fencerows, industrial sites, roadsides, vacant lots and similar areas), Right-of-Ways, Tree Injection (elm, hickory, oak and sweet gum in forest and non-crop areas), Weeds and Brush on Irrigation Canal Ditchbanks and Woody Plant Control; and for Aquatic Weeds in Lakes, Drainage Ditches, Marshes and Ponds.

This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

This product may be used only to formulate pesticide products if the labeling contains the following information and/or use directions. All products manufactured for residential and turf (excluding sod farms) must contain the label language below. All other products (i.e., agricultural, aquatic and industrial) must bear the label language below.

General Requirements for End-Use Product Labeling

1. Containers over 1 gallon and less than 5 gallons in capacity must bear the following statement: *Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron.*
2. Containers of 5 gallons or more in capacity must also bear the following statement: *A mechanical system (probe and pump) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.*

Specific Requirements for End-Use Product Labeling

Agricultural Uses

1. Clothing requirements statements: *When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required.*
2. Personal hygiene statements: *Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using the toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower.*
3. The maximum application rate to pasture and rangeland is the lower of:
 - a) the existing application rate on a currently registered label; or
 - b) 2 pounds 2,4-D acid equivalent per acre per application per site.

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4. The maximum application rate to forestry site preparation is the lower of:
 - a) the existing application rate on a currently registered label; or
 - b) 4 pounds 2,4-D acid equivalent per acre per application per site.
5. The maximum application rate to all forestry sites is the lower of:
 - a) the existing application rate on a currently registered label; or
 - b) 4 pounds 2,4-D acid equivalent per acre per application site.
6. A reentry interval is required and should be in accordance with the Worker Protection Standard, 40 CFR Parts 156 and 170.

Industrial, Non-Crop and Aquatic Uses

1. Clothing requirements statements: *When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required.*
2. Personal hygiene statements: *Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using the toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower.*
3. The maximum application rate to general non-crop sites is the lower of:
 - a) the existing application rate on a currently registered label; or
 - b) 2 pounds 2,4-D acid equivalent per acre per application site.
4. The maximum non-crop application rate for tree, brush and woody plant control on rights-of-way is the lower of:
 - a) the existing application rate on a currently registered label; or
 - b) 4 pounds 2,4-D acid equivalent per acre per application site.
5. The maximum seasonal application rate to non-crop sites is 4 pounds 2,4-D acid equivalent per acre per application site.

Residential and Turf Sites (Excluding Sod Farms)

1. Clothing requirements statements:
 - a) for all granular products: *When using this product, wear long-sleeved shirt, long pants, socks and shoes.*
 - b) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other non-commercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, (amine or ester) products applied in liquid form and bearing a "CAUTION" signal word must bear only the following language: *When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves.*
 - c) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other non-commercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, (amine or ester) products applied in liquid form and bearing a "WARNING" or "DANGER" signal word must bear only the following language: *When using this product, wear long-sleeved shirt, long pants, socks, shoes, rubber gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection.*
 - d) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course), all products applied in liquid form and bearing a "CAUTION" signal word must bear only the following language: *When mixing, loading or applying this product, wear long-sleeved shirt, long pants, socks, shoes and chemical resistant gloves.*
 - e) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course) all products applied in liquid form and bearing a "WARNING" or "DANGER" signal word must bear only the following language: *When mixing, loading or applying this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection.*
2. Personal hygiene statements:
 - a) for all granular products: *After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water.*
 - b) for all liquid products: *After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower.*
3. The maximum application rate to turf is the lower of:
 - a) the existing application rate on a currently registered label; or

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- b) 2 pounds 2,4-D acid equivalent per acre per application per site.
The maximum number of broadcast applications per treatment site is 2 per year.
- 4. The following reentry statement must be included: *Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried or dust has settled.*

Limited Warranty: Manufacturer warrants that the chemical composition conforms to the ingredient statement given on the label and that this product is suited for the labeled use when applied according to label directions. Because of widely varying use conditions, it is impossible to eliminate all risks even when label directions are followed.

Exclusions of Other Warranties and Remedies: Except where such disclaimers and exclusions are specifically prohibited by applicable law, the foregoing is the only guarantee or warranty applicable to this product and is given expressly and in lieu of all other warranties, expressed or implied, of merchantability or fitness for a particular purpose, and all such warranties which exceed or differ from said limited warranty are disclaimed by Manufacturer, and, upon Manufacturer's compliance with said limited warranty. Buyer shall have no remedy against Manufacturer for any type of damage or loss, and in no event shall Manufacturer be liable for consequential damage or loss.

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- [] Denotes alternate/optional language
- { } Denotes language that does not appear on the market labeling

