

51873-7

04/01/1994

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

APR 1 1994

THOMAS A. TUCKER
FAIR PRODUCTS, INC.
BOX 386
CARY, N.C. 27512

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 10/15/93 Response to PR Notice 93-7
EPA Reg. No. 51873-7
FAIR 85

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 subject to the comments reflected on the enclosed sheet. 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:

By the next label printing make all the specified changes to your labeling. Send to 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.



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

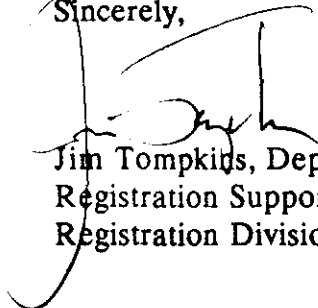
Submit the final printed labeling via the U.S. Postal Service to:

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

Added
WPS
Statements

FAIR 85/Front panel-93

FAIR 85^R

CONTACT TOBACCO SUCKER CONTROL AGENT

WARNING

KEEP OUT OF REACH OF CHILDREN
Do not inhale mist. Avoid
with eyes, skin, and
clothing.

"AVISO"

PRECAUCION AL UNUARIO
Si usted no entiende la contact
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 SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

SHAKE WELL BEFORE USING

If not used in accordance with directions, plant injury, excessive
residues, or other undesirable results may occur. Read label
carefully before using this product.

ACTIVE INGREDIENT:

Fatty Alcohols.....85%
C₆ - 0.5, C₈ - 42%, C₁₀ - 56%, C₁₂ - 1.5%

INERT INGREDIENTS.....15%
TOTAL.....100%

THIS PRODUCT CONTAINS 6.01 LBS. OF FATTY ALCOHOLS PER GALLON

MANUFACTURED BY

Fair Products, Inc.
Agri-Specialties Division
Post Office Box 386
Cary, North Carolina 27511
Telephone: (919) 467-8352

MADE IN U.S.A.
EPA REG.NO.51873-7
EPA EST.NO.45671-NC-01

NET CONTENTS:
7.57 LITERS (7570 ML.)
2 GALLONS (256 FL. OZ.)

ACCEPTED
with COMMENTS
In EPA Letter Dated

APR 1 1994

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

51873-7

FAIR 85/Right side panel-93

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 persons, either directly or indirectly 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 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.

All
New

Do not enter or allow workers' entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for early entry into 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
- Chemical resistant gloves such as barrier laminate or butyl rubber or nitrile rubber or neoprene or polyvinyl chloride or viton *rubber*
- Shoes plus socks
- Protective eyewear

STORAGE AND DISPOSAL

1. PROHIBITIONS

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE OR DISPOSAL. OPEN DUMPING IS PROHIBITED. DO NOT REUSE EMPTY CONTAINER.

2. PESTICIDE DISPOSAL

PESTICIDE SPRAY MIXTURE OR RINSE THAT CANNOT BE USED ACCORDING TO LABEL INSTRUCTIONS MUST BE DISPOSED OF ACCORDING TO APPLICABLE FEDERAL, STATE, OR LOCAL PROCEDURES.

3. CONTAINER DISPOSAL

TRIPLE RINSE (OR EQUIVALENT). THEN OFFER FOR RECYCLING OR RECONDITIONING, OR DISPOSE OF IN A SANITARY LANDFILL, OR BY INCINERATION IF ALLOWED BY STATE AND LOCAL AUTHORITIES.

4. GENERAL

CONSULT FEDERAL, STATE OR LOCAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES SUCH AS LIMITED OPEN BURNING.

FAIR 85/Left side panel-93

PRECAUTIONARY STATEMENTS
Hazards to humans (& domestic animals)

WARNING:

Causes Eye Irritation. Do Not Get In Eyes, On Skin Or On Clothing. Harmful If Swallowed. Avoid Inhalation Of Mist. In Case Of Eye contact Flush Thoroughly With Water For At Least 15 Minutes. Call A Physician.

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 C on an EPA chemical resistance category selection chart.

APPLICATORS AND OTHER HANDLERS MUST WEAR:

- Long-sleeved shirt and long pants
- Chemical resistant gloves such as barrier laminate or butyl rubber or nitrile rubber or neoprene, or polyvinyl chloride or viton *rubber*
- Shoes plus socks
- Protective eyewear.

All New

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- * Wash hands before eating, drinking, chewing gum, using tobacco or using toilet.
- * Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

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 apply this product through any type of irrigation system. Do not contaminate water by cleaning of equipment or disposal of wastes.

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Fair 85 is a carefully balanced combination of active ingredients and wetting agents to be used for the control of sucker growth on Burley, Flue-Cured, Dark, Maryland and Cigar tobacco. The concentrated products is diluted with water to form a creamy emulsion which is applied as a coarse spray. The emulsion is effective only when is comes in direct contact with suckers; therefore, the material is applied so that maximum contact is made with the suckers. For maximum sucker control FAIR 85 applications are followed within 7-10 days by systematic maleic hydrazide sucker control agents such as FST-7, FAIR 30 OR FAIR PLUS applied in accordance with directions.

WHEN TO APPLY: FAIR 85 can be applied before or after topping. Best results are usually obtained by spraying the tobacco with FAIR 85 before topping in the early to late button stage and then topping the tobacco one week later, removing any suckers that were missed. If you top the tobacco before spraying, remove any suckers over one inch in length as you top and apply FAIR 85 after topping. Because FAIR 85 is a contact type agent, it is necessary to straighten any plants that are leaning so that the emulsion flows down the stalk evenly and contacts each sucker.

FAIR 85 can be applied anytime during the day. For best results, it is recommended that you wait until the dew dries before spraying. Do not spray after the leaves begin to close in the evening. Because the underside of the leaves may be injured by contact with FAIR 85, do not apply when the wind is high enough to turn the top leaves over. Do not apply during the rain or when plants are wet, if however, it rains after FAIR 85 has been on the plants for over an hour, you should not have to apply FAIR 85 again.

HOW MUCH FAIR 85 TO APPLY:

Flue-Cured: For power sprayer - use 1.5 to 2 gallons (5.68-7.57 liters) in 50 gallons (189 liters) of water, or 2.5 gallons (9.4 liters) in 50 gallons (189 liters) of water.

For hand sprayer - use 4 to 5 ounces (118-148 milliliters) per gallon (3.785 liters) of water, or 6 ounces (183 milliliters) per gallon (3.785 liters of water)

In the event of an extended season and to avoid excessive MH residues, a later season application of 2.5 gallons FAIR 85 in 47.5 gallons water (5% concentration) may be made 3 to 4 weeks after MH application.

Burley: For power sprayer - use 1.75 to 2 gallons (6.62-7.57 liters) in 50 gallons (189 liters) of water.

Dark: Use 6 to 8 ounces per gallon (177-237 milliliters per gallon (3.785 liters) of water.

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- Cigar: Use 4 to 5 ounces per gallon (118-148 milliliters per 3.785 liters) of water to apply with a hand sprayer.
- Maryland: Use 4 to 4.5 ounces per gallon (118-133 milliliters per 3.785 liters) of water to apply with a hand sprayer.

When applied by hand, 1 gallon (3.785 liters) of diluted FAIR 85 will treat approximately 190 plants. If a power sprayer is used, 50 to 60 gallons (189-227 liters) of diluted product should be applied per acre of tobacco.

HOW TO APPLY: The diluted emulsion is most easily prepared by adding the required amount of FAIR 85 to your spray tank and then adding the water. In order to obtain the best results, is it important that the water be added to the FAIR 85 rather than the FAIR 85 to the water.

If you use a hand-held or back-pack sprayer, the diluted emulsion should be applied at a rate of 2.3 to 1 ounce (20-30 milliliters) per plant (or enough to insure rundown to the bottom of the plant). A coarse spray is recommended, directed downward at the top of the stalk from 6-8 inches above the top leaves, very little tank pressure is required, and in no case should more than about 20 pounds be used.

When applied with power equipment, three nozzles per row should be used (TG full cone tips, or equivalent, are satisfactory). One TG-5 nozzle should be directed downward over the center of the row and two TG-3s should be 11 inches on either side directed at or slightly above the top of the stalk. The diluted FAIR 85 should be applied to the tobacco as a coarse spray from a height of 12 to 16 inches above the top of the stalk. It is recommended that boom pressure be kept at 20 to 25 lbs., and should never exceed 25 lbs. By using the recommended spray tips, spraying at approximately 20 lbs. pressure, and operating a tractor speed of 2.5 to 3 mph, you will apply approximately 50 to 60 gallons of diluted emulsion per acre of tobacco.

HOW OFTEN TO APPLY:

Usually one application of FAIR 85 will give good control of both primary and secondary suckers and produce excellent leaf quality. However, a dual treatment of FAIR 85 is recommended 7 to 10 days apart to allow time for uneven crops to become uniform. For season long sucker control, these treatments should be followed by a maleic hydrazide (such as FST-7, FAIR 30 OR FAIR PLUS) treatment applied within 7-10 days of the last FAIR 85 treatment in accordance with instructions. In the event of an extended season and to avoid excessive MH residues, a later season application of 2.5 gallons FAIR 85 in 47.5 gallons water (5% concentration) may be made 3 to 4 weeks after MH application.

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NOTES:

1. Mix well prior to use and, if allowed to stand during the use, mix again before applying since the diluted emulsion may separate on standing.
2. Do not use on Burley tobacco during periods of high heat and high humidity.
3. Usage according to the directions outlined has resulted in adequate sucker control with very little or no leaf injury. Application not in accordance with the directions may lead to injury of leaves or improper sucker control.
4. Make sure spray equipment is clean before using. Do not contaminate water by cleaning of equipment or disposal of rinsates.
5. Seller's guarantee shall be limited to the terms of the label, and subject thereto the buyer assumes any risk to persons or property arising out of use or handling and accepts the product on these conditions.