

151873-7

3/28/2003

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Thomas A. Tucker  
Fair Products, Inc.  
P.O. Box 386  
Cary, NC 27512

MAR 28 2003

Subject: FAIR-85@  
EPA Reg. No. 51873-7  
Your amendment dated March 3, 2003

Dear Mr. Tucker:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

Delete the explanatory notes such as "PROPOSED CHANGES IN RED", "(changes outlined in PR Notice 2001-1 in Red)" and "(Changed at request of Local EPA to adhere to PR Notice 83-3 criteria)"

*ENVIRONMENTAL HAZARDS:* Move this section into the box that has the heading "Precautionary Statements."

*FIRST AID:*

*IF IN EYES:* change "12 to 20" to "15 to 20"

*APPLICATORS AND OTHER...* Change "Chemical resistant gloves ..." to "Chemical resistant gloves made of any waterproof material."

*DIRECTIONS FOR USE:* Move this section to immediately after the FIRST AID box.

Add a major heading "USE PRECAUTIONS" immediately before the "PERSONAL PROTECTIVE CLOTHING" heading.

*USER SAFETY RECOMMENDATIONS:* Add a new line: "● Users should remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing."

FAIR-85®  
Page 2 of 2

*AGRICULTURAL USE REQUIREMENTS:* Change “Chemical resistant gloves ...” to  
“Chemical resistant gloves made of any waterproof material.”

*STORAGE AND DISPOSAL:*

Make the subheading for paragraph 1 read “PESTICIDE STORAGE”.

*PESTICIDE DISPOSAL:* Delete the entry “(Reference: LP86-01)”


Under *GENERAL*, insert a comma between “federal” and “state”

A stamped copy of the label is enclosed for your records.

Please submit one (1) copy of the final printed label before you release the product for shipment.

If you have any questions, please call Robert Westin at (703) 305-5721.

Sincerely,



Dennis McNeilly  
Acting Product Manager (22)  
Fungicide Branch  
Registration Division (7505C)

Enclosure

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**\*\*DRAFT\*\***

EPA Approved 04/08/1994 label Updated 02-24-03

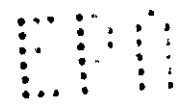


FAIR 85/Front panel

**\*\*PROPOSED CHANGES IN RED\*\***

# FAIR 85®

CONTACT TOBACCO SUCKER CONTROL AGENT



**KEEP OUT OF REACH OF CHILDREN**

## WARNING - AVISO

Do not inhale mist. Avoid contact with eyes, skin and clothing

PRECAUCION 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)

**READ ENTIRE LABEL CAREFULLY BEFORE USING THIS PRODUCT.**

### ACTIVE INGREDIENTS:

Fatty Alcohols.....85%

(C6 - 0.5, C8 - 42%, C10 - 56%, C-12 - 1.5%.....100%)

INERT INGREDIENTS:.....15%

TOTAL.....100%

This product contains 6.01 lbs. of fatty alcohols per gallon  
If not used in accordance with directions, plant injury,  
excessive residues, or other undesirable results may occur.

Sold by

**Fair Products, Inc., USA**  
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:**

MAR 28 2003

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

51873-7

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EPA Approved 04/08/1994 label Updated 02-24-03

FAIR 85/Left side panel,p.1

*changes outlined in PR Notice 2001-1 in Red*

**PRECAUTIONARY STATEMENTS**

Hazards to humans and domestic animals

**WARNING**

Causes substantial but temporary eye injury. Do not get in eyes, on skin or on clothing. Wear protective eyewear (goggles or face shield). Causes skin irritation. Harmful if swallowed. Avoid inhalation of mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

**FIRST AID**

**FATTY ALCOHOLS (ALIPHATIC ALCOHOLS)**

If in Eyes	<ul style="list-style-type: none"> <li>• Keep eye open and rinse slowly and gently with water for 12-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on Skin or Clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If Swallowed	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If Inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>

**Hot Line Number**

Fatty Alcohols (aliphatic alcohols)

For emergency information on product call (919) 467-8352, Monday through Friday 9 am to 5 PM EST.

After 5 PM call your local poison center or call the National Poison Control Hotline at 1-800-222-1222

For additional information, have the container or label with you when calling or going for treatment.

**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:**

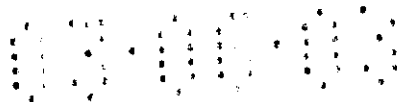
- Long-sleeved shirt and long pants
- Chemical resistant gloves such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton
- Shoes plus socks
- Protective eyewear.

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.

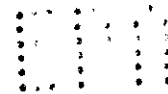
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EPA Approved 04/08/1994 label Updated 02-24-03



FAIR 85/Left side panel, p.2



### **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.

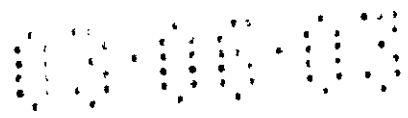
### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water, 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 when disposing of equipment washwaters.

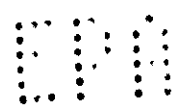
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EPA Approved 04/08/1994 label Updated 02-24-03



FAIR 85/Right side panel



### **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.

**Do not enter or allow worker 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 rubber or polyvinyl chloride or viton
- Shoes plus socks
- Protective eyewear.

*(Changed at request of Local EPA to adhere to PR Notice 83-3 criteria)*

### **STORAGE AND DISPOSAL**

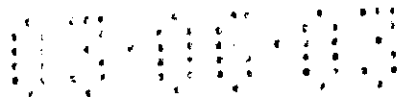
Do not contaminate water, food or feed by storage and disposal.

1. **STORAGE** - Do not stack over 2 pallets high. Store original containers in cool dry place away from food, water and feed.
2. **PESTICIDE DISPOSAL** - Pesticide wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility (Reference: LP86-01).
3. **CONTAINER DISPOSAL** - Do not reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration or if allowed by state and local authorities, by burning. If burned stay out of smoke.
4. **GENERAL** - Consult federal state or local disposal authorities for approved alternative procedures in your area.

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EPA Approved 04/08/1994 label Updated 02-24-03



FAIR-85/Rear panel, p.1

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 product is diluted with water to form a creamy emulsion which is applied as a coarse spray. The emulsion is effective only when it 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 (MH) sucker control agents such as FST-7, FAIR 80 SP, 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. Do not apply during periods of high heat or if plants are under excessive stress.

**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 (177 milliliters) per gallon (3.785 liters) of water).

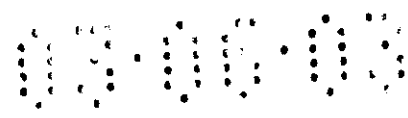
In the event of an extended season and to avoid excessive MH residues, a later season application of 2.5 gallons FAIR 85 in 47.5 gallons water (5% concentration) may be made 3 to 4 weeks after MH application.

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

**Dark:**            *For hand sprayer*, use 6 to 8 ounces per gallon (177-237 milliliters per gallon (3.785 liters) of water.

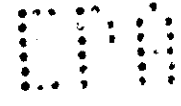
**Cigar:**            Use 4 to 5 ounces per gallon (118-148 milliliters per 3.785 liters) of water to apply with a hand sprayer.

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FAIR 85/Rear panel,p.2

**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 gallons (189 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, it is 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 backpack 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 20 pounds be used.

When applied with power equipment, three nozzles per row should be used (TG full cone tips, or larger, are satisfactory). One TG-5 nozzle should be directed downward over the center of the row and two TG-3s should be positioned approximately 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 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, in most cases 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 (MH) product (such as FST-7, FAIR 80 SP, FAIR 30 or FAIR PLUS) treatment applied within 7-14 days of the last FAIR 85 treatment in accordance with label 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.

**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.

**WARRANTY STATEMENT:** 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.