

10/9/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. William M. Mahlburg
Manager, Regulatory Affairs
Nufarm USA, Inc.
2300 Frederick Avenue, Suite 208
St. Joseph, MO 64506

OCT 9 2003

Dear Mr. Mahlburg:

Subject: 2,4-D Technical Acid
Registration No. 61272-5 ✓
Application and Letter Dated September 29, 2003,
Request to Amend Registration To Add Maximum Use Rates
for Forestry and Non-Crop Sites To Label, and To
Revise First Aid Labeling Required by PR Notice 2001-1

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, and First Aid Statements have been made to the label. **Any other labeling changes, except revised First Aid Statements, 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

ACCEPTED
with COMMENTS
EPA Letter # 111-111
Oct 9 2003

Aid, Maximum Use Rates for Forestry and Non-Crop Sites-09/03 - Proposed



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

2,4-D Technical Acid

FOR MANUFACTURE OF HERBICIDES ONLY

ACTIVE INGREDIENT:	
2,4-Dichlorophenoxyacetic acid	95.0%*
INERT INGREDIENTS:	
	5.0%
TOTAL:	100.0%

*Isomer specific by AOAC Method.

KEEP OUT OF REACH OF CHILDREN
DANGER

See Below For Additional Precautionary Statements

EPA REG. NO. 61272-5
EPA EST. NO. _____

NET CONTENTS ____ LBS. (____ KG)

EXP09/03

For Chemical Emergency, Spill, Leak , Fire, Exposure or
Accident, Call CHEMTREC Day or Night 1-800-424-9300

FIRST AID	
If in Eyes:	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15 to 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 Swallowed:	<ul style="list-style-type: none"> Call a poison control center or doctor immediately 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.
If Inhaled:	<ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.

	<ul style="list-style-type: none"> Call a poison control center or doctor for further treatment advice.
If on Skin or Clothing:	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the container or label with you when calling a poison control center or doctor or going for treatment. You may also call 877-325-1840 for emergency medical treatment information.	
Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing dust. Avoid contact with skin. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

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.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

STORAGE: Always use original container to store pesticides in a cool, dry secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not contaminate water, food or feed by storage or disposal.
PESTICIDE DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, clean up all spilled material. Place

in closed labeled container. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate ground water. 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 by shaking and tapping sides and bottom to loosen clinging material. Empty residue into formulating equipment. Then dispose of bag in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

This pesticide may be used only for the formulation of a herbicide. Formulators using this product are responsible for obtaining EPA registrations for their formulated products. Only for formulation into a herbicide for the following uses:

1. AGRICULTURAL CROPS: Corn, Sorghum, Rice, Wheat, Barley, Rye, Oats, Grasses-annual, Grasses-perennial, Sugarcane and Soybeans.

TERRESTRIAL NONFOOD CROPS: Ornamental trees, shrubs and vines; Lawn and turf grasses; Uncultivated agricultural areas; Uncultivated nonagricultural areas; General soil treatment; Recreation areas; Industrial sites; Paved areas and Outdoor areas.

AQUATIC SITES: Agricultural irrigation water and ditches; agricultural drainage water and ditches; lakes, ponds, and impounded water; streams, rivers, and canals; industrial ponds; swamps, marshes, wetlands; estuaries, tidal marshes; and commercial and sport fish bearing waters.

FORESTRY SITES: Forest trees, plantings and Forest tree nurseries.

2. Uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.*

3. Uses for experimental purposes that are in compliance with U.S. EPA requirements.*

*NOTICE: Nufarm USA makes no warranties, guarantees, or representations of any kind, either express or implied, or by usage of trade, statutory or otherwise, with regard to these uses of the product sold, including, but not limited to, merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage.

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.

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: "Do not open pour product from this container. 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

1. FOR AGRICULTURAL USES

a. 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."

b. 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 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."

c. The maximum application rate to pasture and rangeland is the lower of (1) existing application rate on currently registered label or (2) 2 pounds 2,4-D acid equivalent per acre per application site.

d. The maximum application rate to forestry site preparation is the lower of (1) existing application rate on currently registered label or (2) 4 pounds 2,4-D acid equivalent per acre per application site. The maximum application rate to all forestry sites is the lower of 1) existing application rate on currently registered label or 2) 4 pounds 2,4-D acid equivalent per acre per application site.

e. A reentry interval is required and should be in accordance with the Worker Protection Standard, 40 CFR Parts 156 and 170.

2. FOR INDUSTRIAL, NON-CROP AND AQUATIC USES

a. Clothing Requirement 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."

b. 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 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."

c. The maximum application rate to general non-crop sites is the lower of 1) existing application rate on currently registered label or 2) 2 pounds 2,4-D acid equivalent per acre per application site. The maximum non-crop application rate for tree, brush and woody plant control on rights-of-way is the lower of 1) existing application rate on currently registered label or 2) 4 pounds 2,4-D acid equivalent per acre per application site. The maximum seasonal application rate to non-crop sites is 4 pounds 2,4-D acid equivalent per acre per application site.

Made in Australia



3. FOR RESIDENTIAL AND TURF USES

a. Clothing Requirement Statements: (1) For All Granular Products: "When using this product, wear long-sleeved shirt, long pants, socks and shoes.", (2) For Amine Liquid Products carrying "CAUTION" signal word: "When using this product, wear long-sleeved shirt, long pants, socks and shoes and rubber gloves.", (3) For Amine Liquid Products carrying "WARNING" or "DANGER" signal word: "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." (4) For Acid, Sodium Salt and Ester Liquid Products carrying "CAUTION" signal word: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves.", (5) For Acid, Sodium Salt and Ester Liquid Products carrying "WARNING" or "DANGER" signal word: "When using 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."

b. Personal Hygiene Statements: (1) 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.", (2) 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."

c. The maximum application rate to turf is the lower of (1) existing application rate on currently registered label or (2) 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.

d. 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."

NOTICE

SELLER MAKES NO WARRANTY EXPRESSED OR IMPLIED, CONCERNING THE USE OF THIS PRODUCT OTHER THAN INDICATED ON THIS LABEL. BUYER ASSUMES ALL RISKS OF USE, STORAGE AND HANDLING OF THIS MATERIAL NOT IN STRICT ACCORDANCE WITH DIRECTIONS GIVEN HEREWITH.

Manufactured By
Nufarm USA, Inc.
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