

61469-1

7-24-2003

4/7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 24 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Craig Martens
Manager of Regulatory Services
PBI/Gordon Corporation
Post Office Box 014090
Kansas City, Missouri 64101

Dear Mr. Martens:

Subject: AUS Technical 2,4-Dichlorophenoxyacetic Acid
Registration No. 61469-1
Application and Letter Dated May 27, 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."

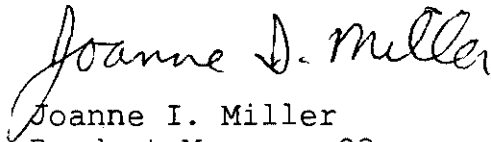
2/7

-2-

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

3/7

EPA

AUS TECHNICAL 2,4-DICHLOROPHENOXYACETIC ACID

FOR USE IN THE MANUFACTURE OF HERBICIDES

- NOT FOR RESALE -

ACTIVE INGREDIENT:

2,4-dichlorophenoxyacetic acid.....	97.9%
INERT INGREDIENTS:.....	2.1%
TOTAL	100.0%

Isomer Specific by AOAC Method No. 6 D 01-5.

KEEP OUT OF REACH OF CHILDREN

D A N G E R

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.

61469-1

See back panel for additional Precautionary Statements and First Aid.

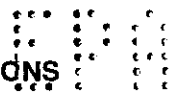
NET WEIGHT: _____ POUNDS (_____ KILOS)

AP-----
EPA REG. NO. 61469-1
EPA EST. NO. XXXX-XX-X
MANUFACTURED FOR:
AGRO-GOR CORPORATION
PO BOX 014090
KANSAS CITY, MISSOURI 64101
Telephone: 1-800-821-7925

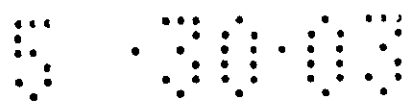
4/7



READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.



PRECAUTIONARY STATEMENTS



Hazards to Humans and Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Harmful if absorbed through skin, if swallowed, or if inhaled. Do not get in eyes, or on clothing. Avoid contact with skin. Avoid breathing dust. Wear protective eyewear (goggles, face shield, or safety glasses). 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:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately 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"> • 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 the 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. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.</p> <p>NOTE TO PHYSICIAN: Possible mucosal damage may contraindicate the use of gastric lavage.</p>	

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 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.

Only For Formulation Into a Herbicide for (1) AGRICULTURAL CROPS (Corn, sorghum, rice, wheat, oats, barley, rye, grasses - annual, grasses - perennial, sugarcane, soybeans); TERRESTRIAL NONFOOD CROPS (Ornamental trees, shrubs and vines, lawns and turfgrass (excluding residential sites), uncultivated agricultural areas, uncultivated nonagricultural areas, general soil treatment, recreation areas, industrial sites, paved areas, outdoor areas); AQUATIC SITES (Agricultural irrigation water and ditches, agricultural drainage water and ditches, lakes, ponds and impounded water, streams, rivers and canals, swamps, marshes, wetlands, estuaries, tidal marshes, commercial and sport fish-bearing waters, industrial ponds); FORESTRY SITES (Forest trees, plantings, forest tree nurseries); (2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and (3) Uses for experimental purposes that are in compliance with U.S. EPA requirements.

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

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

5/7

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 ornamental turf (excluding residential turf and sod farms) 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 (such as probe and pump or spigot) 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 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 days 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) two pounds 2,4-D acid equivalent per acre per application per site.
- d) The maximum application rate to forestry site preparation is the lower of 1) existing application rate on currently registered label or 2) four pounds 2,4-D acid equivalent per acre per application per 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 Standards, 40 CFR Parts 156 and 170.

2. FOR INDUSTRIAL, NONCROPLANS 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."

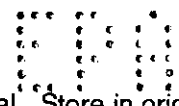
- 6/7
- c) The maximum application rate to general non-crop sites is the lower of 1) existing application rate on currently registered label or 2) two pounds 2,4-D acid equivalent per acre per application per site. The maximum non-crop application for tree, brush and woody plant control on rights-of-way is the lower of 1) existing application rate on currently registered label or 2) four pounds 2,4-D acid equivalent per acre per application site. The maximum seasonal application rate to non-crop sites is four pounds 2,4-D acid equivalent per acre per application site.

3. FOR ORNAMENTAL 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) Products registered for use on turf sites (excluding sod farms) by noncommercial users and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves. 3) Products registered for use on turf sites (excluding sod farms) by noncommercial users and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear 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. 4) Products registered for use on turf sites (excluding sod farms) by noncommercial users and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt and ester products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves. 5) Products registered for use on turf sites (excluding sod farms) by noncommercial users and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt and ester products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection. 6) Products registered for use on 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 carrying "CAUTION" signal word only must bear the following language: "When mixing, loading, or applying this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves. 7) Products registered for use on 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 carrying "WARNING" or "DANGER" signal word only must bear 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.
- 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) two 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 area until spray has dried or dust has settled."

7/7

STORAGE & DISPOSAL



STORAGE: Do not contaminate water, food, or feed by storage or disposal. Store in original container in a locked storage area inaccessible to children or pets.

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. 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.

IMPORTANT: Do not use in equipment or in containers in which you have handled or will handle other agricultural chemicals.

LIMITED WARRANTY AND DISCLAIMER.

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.