

62719-33

7-23-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 23 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Steve A. McMaster
Global Regulatory Leader
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Dear Mr. McMaster:

Subject: 2,4-D Butoxyethyl Ester Technical
Registration No. 62719-33
Application and Letter Dated May 29, 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:

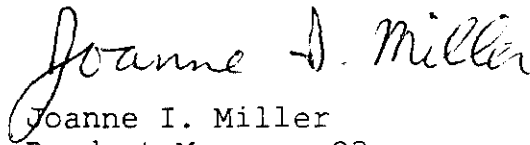
"This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf uses after June 15, 1994 must contain the revised label language below. All other products (i.e., agricultural, 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."

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

(logo) Dow AgroSciences

2,4-D Butoxyethyl Ester Technical

For Manufacturing Use Only

Active Ingredient:

2,4-dichlorophenoxyacetic acid [†],
butoxyethyl ester 94.5%
Inert Ingredients 5.5%
Total 100.0%

ACCEPTED
with COMMENTS
In EPA Letter Dated

JUL 23 2003

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

62719-33

2,4-Dichlorophenoxyacetic Acid Equivalent: 66.4% (includes all sources of 2,4-D)

[†]AOAC Method No. 978.05 (15th Edition)

Keep Out of Reach of Children

WARNING

Precautionary Statements

Hazards to Humans and Domestic Animals

May Be Fatal If Absorbed Through Skin • Causes Eyes Irritation • Harmful If Swallowed • Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Skin Reactions In Some Individuals

Do not get in eyes, on skin or on clothing. Do not take internally. Wash thoroughly with soap and water after handling and before eating or smoking. Wear protective clothing and chemical resistant gloves.

First Aid

If on skin: Wash with plenty of soap and water. Get medical attention. Remove contaminated clothing and wash before reuse.

If in eyes: Flush eyes with plenty of water. Get medical attention if irritation persists.

If swallowed: Drink promptly a large quantity of milk, egg whites, gelatin solution or, if these are not available, drink large quantities of water.

Environmental Hazards

This product is toxic to fish. Do not discharge effluent containing this product directly 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your state water board or regional office of the EPA.

Storage and Disposal

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

Storage: Keep container tightly closed when not in use. This product can be stored in an unheated building.

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 instruction, contact your state pesticide or environmental control agency, or the hazardous waste representative at the nearest EPA regional office for guidance.

Container Disposal (Metal): Do not reuse container. Triple rinse (or equivalent). Puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

General: Consult federal, state or local disposal authorities for approved alternative procedures.

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

For Manufacturing Use Only

For Formulation Into An Herbicide for Use Only On The Following Crops: corn, Sorghum (milo), small grains (wheat, oats, barley and rye), soybeans (preplant), grass pastures, rangeland, fallow cropland, areas in the conservation reserve program, grass seed crops, orchard floors (apple, pear, fruit, citrus, and nut); **And For The Following Non-Crop Uses:** turf (including lawns, golf courses, cemeteries, parks, airfields), roadsides, noncropland areas including rights-of-way, railroads, fence rows, tree injection treatments, forest site preparation, forest conifer release, and woody plant control in non-cropland areas.

Note: Because of their properties and intended uses, formulations containing 2,4-D Butoxyethyl Ester may require precautionary labeling differing from that given. Formulators should develop their own use and precautionary labeling, based on the properties and intended uses of their own finished formulations, and in accordance with all pertinent laws and regulations.

Formulators using this product are responsible for obtaining EPA registration for their formulated products. Refer to Dow AgroSciences for instructions for formulation and other information.

Do not contaminate water by cleaning of equipment or disposal of wastes. Do not contaminate water used for irrigation or domestic purposes. Do not store near fertilizers, seeds, insecticides or fungicides. Thoroughly clean equipment used for this product with a suitable chemical cleaner before use for other purposes.

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 statements:
"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 a 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."

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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 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 for 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 rate to all forestry sites is the lower of 1) existing application rate on currently registered label for 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/Aquatic 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 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 for 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 sites.

3. For Residential And Turf Sites (Excluding Sod Farms)

- 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 residential and for 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; 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." 3) Products registered for use on residential and other turf sites

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(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; 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, chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection." 4) 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 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." 5) 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 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) 2 pounds 2,4-D acid equivalent 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."

Warranty Limitations and Disclaimer

Dow AgroSciences warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Dow AgroSciences EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

Manufacturing Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-33

EPA Est. 464-MI-1

Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Herbicide

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