

Reg # 62719-57

PM-25

File
1910



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

MAR 3 - 1994

Michael W. Melichar
DOWELANCO
9330 ZIONSVILLE RD
INDIANAPOLIS, IN 46268

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 08/04/93 in Response to PR Notice 93-7
EPA Reg. No. 62719-57
ACCESS HERBICIDE

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

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Page 2

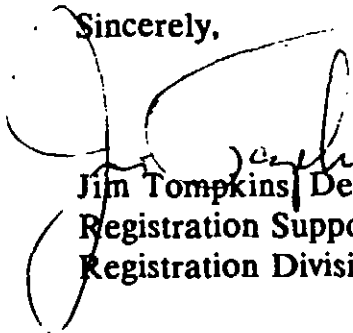
Submit the final printed labeling via the U.S. Postal Service to:

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

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WPS Labeling

(Editor's Note: Deleted text indicated by strike-through and added text underlined)

[Datapack - Access, 2.5gal]

[Front Cover of Datapack]

RESTRICTED USE PESTICIDE

May Injure (Phytotoxic) Susceptible, Non-Target Plants. For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification. Commercial certified applicators must also ensure that all persons involved in these activities are informed of the precautionary statements.

(logo) DowElanco

Access*

For use on difficult to control woody plants on rights-of-way, forests, industrial sites, non-crop areas and wildlife openings in these sites

Active Ingredients:

picloram (4-amino-3,5,6-trichloropicolinic acid), isooctyl ester 17.1%
triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid), butoxyethyl ester 32.5%

Inert Ingredients 50.4%

Acid Equivalent:

picloram - 11.7% - 1 lb/gal
triclopyr - 23.4% - 2 lb/gal

Contains petroleum distillates.

Keep Out of Reach of Children

CAUTION

Refer to inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), and Directions for Use including Agricultural Use Requirements and Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. Before buying or using this product, read "Warranty Disclaimer" and "Limitation of Remedies" inside label booklet.

In case of emergency endangering health or the environment involving this product, call collect 517-636-4400.

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

EPA Reg. No. 62719-57
01780

EPA Est. 464-MI-1
900-000505

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DowElanco • Indianapolis, IN 46268, U.S.A.

Specialty Herbicide

ACCEPTED
with COMMENTS
in EPA Letter Dated

MAR 3 1994

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

62719-57

[Page 2 of label booklet]

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION — PRECAUCION:

Precaucion al usarlo: Si usted no lee inglés, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

Harmful If Swallowed, Inhaled, Or Absorbed Through Skin - Causes Eye Irritation

Avoid contact with skin, eyes, or clothing. Avoid breathing mists or vapors. Wash thoroughly with soap and water after handling and before eating or smoking.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminare, Nitrile Rubber, Neoprene Rubber or Viton
- Shoes plus socks

User Safety Recommendations

Users should:

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

First Aid

In case of contact: Flush skin or eyes with plenty of water. Get medical attention if irritation persists. Remove and wash contaminated clothing before reuse.

If swallowed: Do not induce vomiting. Call a physician.

Physical or Chemical Hazards

Combustible - Do not use or store near heat or open flame. Do not cut or weld container.

Environmental Hazards

This pesticide is toxic to fish. 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 contaminate water when disposing of equipment washwaters. Do not contaminate water used for irrigation or domestic purposes by cleaning of equipment or disposal of wastes. Do not allow run-off spray to contaminate wells, irrigation ditches or any body of water used for irrigation or domestic purposes. Do not make application when circumstances favor movement from treatment site.

Picloram is a chemical which can travel (seep or leach) through soil and under certain conditions has the potential to contaminate groundwater which may be used for irrigation and drinking purposes. Users are advised not to apply picloram where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an underlying aquifer is shallow or to soils containing sinkholes over limestone bedrock, severely fractured surfaces, and substrates which would allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Do not apply this product in a way that will contact workers or other persons, either directly or 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 with 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 exemptions 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 12 hours.

PPE required for early entry to 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, Nitrile Rubber, Neoprene Rubber or Viton
- Shoes plus socks

Forestry Uses

Agricultural Use Requirements for Forestry Uses: For forestry uses, follow PPE and Reentry instructions in the "Agricultural Use Requirements" section of this label.

Right-of-Way, Industrial and Non-cropland Uses

Use on Right-of-Way, Industrial and Non-cropland Areas: No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is applied to rights-of-way, industrial sites or non-cropland areas.

Storage and Disposal

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

Storage: Store above 28°F or agitate before use.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Plastic Container Disposal: Do not reuse container. Triple rinse (or equivalent). 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.

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

General Information

Access herbicide is recommended for the control of unwanted woody plants in forests, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides, and railroads and on non-crop areas including industrial manufacturing and storage sites and fence rows. Access may be used for establishment and maintenance of wildlife openings in these sites.

General Use Precautions

Apply this product only as specified on this label.

Be sure that use of this product conforms to all applicable regulations.

Do not make application when circumstances favor movement from treatment site.

Do not apply or otherwise permit Access or its spray mist to contact soil used to grow desirable, susceptible plants. Do not allow Access to contact susceptible plants such as grapes; tobacco, vegetable crops, flowers or other desirable broadleaf plants. Coarse sprays are less likely to drift. Do not apply with hollow cone-type insecticide nozzle or other nozzles that normally produce a fine-droplet spray.

Do not contaminate water intended for irrigation or domestic purposes. To avoid injury to crops or other desirable plants, do not treat or allow spray drift or run-off to fall onto banks or bottoms of irrigation ditches, either dry or containing water, or other channels that carry water that may be used for irrigation or domestic purposes. Do not apply to snow or frozen ground.

Do not rotate food or feed crops on treated land if they are not registered for use with picloram until an adequately sensitive bioassay or chemical test shows that no detectable picloram is present in the soil.

Do not move treated soil to other areas or use it to grow plants if they are not registered for use with picloram until an adequate sensitive bioassay or chemical test shows that no detectable picloram is present in the soil.

Untreated trees occasionally are affected by root uptake of herbicide leached into the soil or excreted by the roots of nearby treated trees. If such injury cannot be tolerated, do not use Access close to desirable trees.

Mixing Directions

In forests, rights-of-way, and other non-crop areas, use Access in oil or oil-water spray mixtures prepared as described below. When preparing mixtures, use as oils either diesel fuel, No. 1 or No. 2 fuel oil, kerosene, or Arborchem Basal Oil. Substitute other oils or diluents only as recommended by the oil or diluent's manufacturer.

Mixing Oil Sprays

Add Access to the required amount of oil in the spray tank or mixing tank and mix thoroughly. If this mixture stands over 4 hours, reagitation is required.

Mixing Oil-Water Sprays

Premix 2 to 3 gallons to Access, 22 to 23 gallons of oil, and 1 gallon of Sponto 712, or equivalent. Add the premix to 74 gallons of water as follows. Fill the spray tank with half the amount of required water, then slowly add the premix with continuous agitation and add the remainder of the required water. Continue moderate agitation.

Note: If the premix is put in the tank without any water, the first water added may form a thick "invert" (water in oil) emulsion which will be hard to break.

Woody Plant Species Controlled by Access

ash	elm	maple	poplar
aspen	hackberry	oak	oceanspray
birch	hickory	pine	tanoak
cherry	locust	sassafras	multiflora rose

Application Methods

Basal Bark Treatment

Use 1 to 2 gallons of Access herbicide in enough oil to make 100 gallons of spray mixture. Herbicide concentration should vary with size and susceptibility of the species treated and season of application. Basal treatments are less effective on trees with basal diameters larger than 6 inches. Apply with knapsack or backpack sprayer or power spraying equipment using low pressure at the spray nozzle (20 to 40 psi). Spray the basal parts of brush and tree stems thoroughly wetting the indicated area, including the root collar, for good control. Spray until run-off at the ground line is noticeable. For root suckering species, such as aspen, sassafras, and locust, also spray the ground under the plants to cover small root suckers which may not be visible above the soil surface. Rough bark requires more spray than smooth bark. Apply at any time, including the winter months, except when snow or water prevent spraying to the ground line. Best control will be obtained when applications are made during the late dormant or active growing season.

Alternatively, the oil-water mixture described above may be applied using the application procedures including winter months treatment, specified in the preceding paragraph. For best results with oil-water mixtures, treat only stems less than 2 inches in basal diameter.

Low Volume Basal Bark Treatment

To control susceptible woody plants with stems less than 6 inches in diameter, mix 20 to 30 gallons of Access in enough oil to make 100 gallons of spray mixture. (This is equivalent to 25.6 to 38.4 fluid ounces of Access per gallon of spray mix.) Apply with a backpack or knapsack sprayer using low pressure and a solid cone or flat fan nozzle. Spray the root collar area, but not to the point of runoff. Herbicide concentration should vary with size and susceptibility of the species treated and season of application. Apply at any time, including the winter months, except when snow or ice prevent spraying to the ground line.

Thinline Basal Bark Treatment

To control susceptible woody plants with stems less than 6 inches in basal diameter, apply undiluted Access in a thin stream to all sides of the lower stems. The stream should be directed horizontally to apply a narrow band of Access around each stem or clump. From 2 to 15 ml of chemical will be required for treatment of single stems. Use application equipment metered or calibrated to deliver the small amounts required.

Warranty Disclaimer

DowElanco warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. DOWELANCO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of DowElanco or the seller. All such risks shall be assumed by Buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at DowElanco's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

DowElanco shall not be liable for losses or damages resulting from handling or use of this product unless DowElanco is promptly notified of such loss or damage in writing. In no case shall DowElanco be liable for consequential or incidental damages or losses.

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

Copyright, 1992 DowElanco

(Base Label which remains on container after booklet is removed.)

RESTRICTED USE PESTICIDE

May Injure (Phytotoxic) Susceptible, Non-Target Plants. For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification. Commercial certified applicators must also ensure that all persons involved in these activities are informed of the precautionary statements.

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Inert Ingredients 50.4%

Acid Equivalent:

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Contains petroleum distillates.

Precautionary Statements

Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

CAUTION

Harmful If Swallowed, Inhaled, Or Absorbed Through Skin • Causes Eye Irritation

Avoid contact with skin, eyes, or clothing. Avoid breathing mists or vapors. Wash thoroughly with soap and water after handling and before eating or smoking.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber or Viton
- Shoes plus socks

User Safety Recommendations

Users should:

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

First Aid

In case of contact: Flush skin or eyes with plenty of water. Get medical attention if irritation persists. Remove and wash contaminated clothing before reuse.

If swallowed: Do not induce vomiting. Call a physician.

10210

Physical or Chemical Hazards**Combustible - Do not use or store near heat or open flame. Do not cut or weld container.****Environmental Hazards**

This pesticide is toxic to fish. 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 contaminate water when disposing of equipment washwaters. Do not contaminate water used for irrigation or domestic purposes by cleaning of equipment or disposal of wastes. Do not allow run-off or spray to contaminate wells, irrigation ditches or any body of water used for irrigation or domestic purposes. Do not make application when circumstances favor movement from treatment site. See additional Environmental Hazards under Precautionary Statements inside label booklet.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

STORAGE AND DISPOSAL

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

Storage: Store above 28°F or agitate before use.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Plastic Container Disposal: Do not reuse container. Triple rinse (or equivalent). 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.

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

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01780

EPA Est. 464-MI-1
900-000505

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DowElanco • Indianapolis, IN 46268, U.S.A.

Specialty Herbicide

Label text is based on EPA accepted copy dated 04/28/88

WPS Revisions: 07/28/93

Revisions:

1) Added labels statements required by the Worker Protections Standard (PR Notice 93-7).