

pm23

62719-59

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

JAN 26 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Larry E. Hammond
DOWELANCO
QUAD IV 9002 PURDUE RD
INDIANAPOLIS, IN 46268

Subject: Label Amendment Submission of 08/13/93 in Response to PR Notice 93-7
EPA Reg. No. 62719-59
DOWELANCO MCP ESTER 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

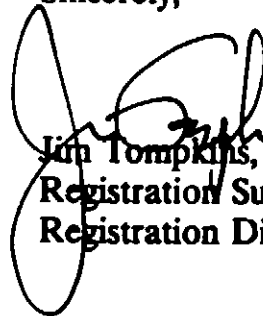
Submit the final printed labeling via the U.S. Postal Service to:

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)
Label text based on EPA accepted text dated 06/24/91

(Container Label)

ACCEPTED
with COMMENTS
in EPA Letter Dated
JAN 26 1994

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
62719-59

(Logo) DowElanco

MCP Ester Herbicide

**For Selective Control Of Certain Weeds In Wheat, Oats, Barley, Rye,
Flax, Grassland, and In Non-Crop Areas.**

Active ingredient:

2-methyl-4-chlorophenoxyacetic acid, 2-ethylhexyl ester.....	74.4%
Inert Ingredients.....	25.6%

Contains the equivalent of 47.7% 2-methyl-4-chlorophenoxyacetic acid; equivalent to 4.0 lb per gallon at 68°F.

Precautionary Statements

Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

WARNING AVISO:

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

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, and someone to explain it to you in detail.)

Causes Skin Irritation • Harmful If Swallowed • May Cause Allergic Skin Reaction

~~Do not get on skin or clothing. Avoid contact with eyes. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.~~

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:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading.

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/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

BEST AVAILABLE COPY

Engineering Controls Statements

- When handlers use enclosed cabs or aircraft in a manner that meets the requirements listed in the Worker Protections Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

First Aid

If on skin: Wash with plenty of soap and water. Get medical attention if irritation persists.

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

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

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 contaminate water when disposing of equipment washwaters.

Refer to attached 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 before using. Use only according to label directions. Before buying or using this product, read "Warranty Disclaimer" and "Limitation of Remedies" elsewhere on this label.

In case of emergency endangering health or the environment involving this product, call collect 517-636-4000.

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

EPA Reg. No. 62719-59

EPA Est. 464-MI-1

DowElanco • Indianapolis, IN 46268

Herbicide

Net Contents XX gal

(Label Booklet)

(Logo) DowElanco

MCP Ester Herbicide

**For Selective Control Of Certain Weeds In Wheat, Oats, Barley, Rye,
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Active Ingredient:

2-methyl-4-chlorophenoxyacetic acid, 2-ethylhexyl ester..... 74.4%
Inert Ingredients..... 25.6%

Contains the equivalent of 47.7% 2-methyl-4-chlorophenoxyacetic acid; equivalent
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Keep Out of Reach of Children

WARNING**AVISO:**

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sido explicada ampliamente.

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.)

**Refer to inside of attached label booklet for additional precautionary information
including Personal Protective Equipment (PPE), and Directions for Use including
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DowElanco • Indianapolis, IN 46268

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Do not get on skin or clothing. Avoid contact with eyes. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 resistant category selections chart.

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

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/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statements

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Environmental Hazards

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Directions for Use

- It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- Read all directions before applying.
- Do not apply this product through any type of irrigation system.

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 24 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 over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure

Storage and Disposal

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

Storage: Do NOT store in freezing temperatures. If allowed to freeze, remix before using. Do not transport with or store near fertilizers, seeds, insecticides or fungicides.

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

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

General Information

General Use Precautions

Local conditions may affect the use of this chemical. Consult State Agricultural Extension or Experiment Station weed specialists for specific recommendations for local weed problems and for information on possible lower dosages.

Avoid spray drifts into susceptible plants such as vegetables, flowers, grapes, tomatoes, cotton, beans and other legumes, etc. Use coarse sprays as these are less likely to drift.

Do not contaminate water intended for irrigation or domestic use.

Thoroughly clean spray equipment with a suitable chemical cleaner before using for other purposes, or do not use same spray equipment for other purposes.

Do not store in freezing temperatures. If allowed to freeze remix before using. Do not transport with or store near fertilizers, seeds, insecticides or fungicides.

Mixing and Loading: Most cases of groundwater contamination involving phenoxy herbicides such as MCP Ester have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCP Ester pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

Cleaning of Equipment: When cleaning equipment, do not pour washwaters on the ground: Spray or drain over a large area away from wells and other water sources.

Do not apply MCP Ester around houses, recreation sites, or similar areas.

Controls These And Other Weeds

Susceptible (Most Areas): Lambsquarters (Goosefoot), Marsh Elder, Mustards (annual), Puncturevine, Ragweed, Stinkweed (Pennycress, Fanweed), Wild Radish, Yellow Rocket or Wintercress, Cocklebur, Goats Beard, Field Pepper Grass, Dragon Head Mint, Beggarticks, Poison Hemlock, Hempnettle, and Annual sow Thistle.

Less Susceptible: Buttercups, Canada Thistle, Dandelions, Plantains, Stinging Nettle, Perennial Sow thistle, Vetch, White Top or Hoary Cress, Russian Pigweed, Sunflower, Chervil, Miner's Lettuce, Purslane, Shepherdspurse, and Kochia.

Selective Spraying

Avoid use of small diameter spray nozzles.

Wheat, Oats, Barley and Rye

Apply as water mix spray by ground sprayer or airplane. Use 1/2 to 1 pints per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Use up to 3 pints per acre for the less susceptible weeds after crop has tillered and up to early boot stage. Do not forage or graze meat animals on treated areas within seven days of slaughter.

Flax

Use 1/4 to 1/2 pint per acre. Apply by ground sprayer or by airplane. Use sufficient water to give uniform and adequate coverage. Apply only when weeds are up and when flax is 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada Thistle is present, it may be necessary to go as high as 3/4 pint per acre to prevent seed head production. Some injury to the flax may result. Do not forage or graze meat animals on treated areas within seven days of slaughter.

Grasses

Established Grasslands: Use 1 to 3 pints per acre in sufficient water (10 to 100 gallons) by airplane or ground sprayer application and give thorough coverage. Use higher rate for white Top, Canada Thistle, and other less susceptible weeds. Spray perennials in early-bud to full bloom stage and regrowth in fall; other weeds in spring or fall, when actively growing.

Grasses Grown For Seed: Use 1 to 2 pints per acre, the higher rate where weed stands are heavy. In established grasses apply in spring before head comes into boot and on seedling grass after grass has tillered.

Note: In weed control in grasses, repeat treatment may be needed for less susceptible weeds. White Clover and other legumes may be temporarily injured or killed. In some areas, Bent, Buffalo, Carpet, and St. Augustine grasses may also be injured by the treatment.

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Non-Crop Spraying Along Fence Rows and Roadsides

Canada Thistle, White Top and Meadow Buttercup: For spot treatment use 1/4 pint in 3 to 4 gallons of water, or 3/4 gallon per acre in sufficient water to give coverage for most extensive areas. Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth. Do not forage or graze livestock on treated areas within seven days of treatment.

Warranty Disclaimer

DowEianco 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 DowEianco 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 DowEianco'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.

DowEianco shall not be liable for losses or damages resulting from handling or use of this product unless DowEianco is promptly notified of such loss or damage in writing. In no case shall DowEianco 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 DowEianco or the seller is authorized to vary or exceed the terms of the "Warranty Disclaimer" or this "Limitation of Remedies" in any manner.

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prepared 08/11/93