

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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUN 13 2008

Mr. Diego Fonseca Regulatory Leader Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

Subject: Notification(s) for Label Revisions under PRN 98-10 and PRN 2007-4

Dear Mr. Fonseca:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated, May 8, 2008 for:

## EPA Registration 62719-62 MCPA Acid Technical

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

Linda Arrington Notifications & Minor Formulations Team Leader Registration Division (7505P) Office of Pesticide Programs

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		Application	for Pestic	cide - Sec	tion	1			<u> </u>			
1. Company/Product Number Dow AgroSciences/62719-062			1	2. EPA Product Manager Joanne Miller				[]	Proposed Classification			
4. Company/Product (Name) Dow AgroSciences/MCPA Acid Technical				PM# 23								
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268				6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No.								
Check if this is a new address				luct Name								
Sec Amendment - Explain below. Resubmission in response to Agency letter dated				Final print	ter date	Final printed labels in repsonse to    NOTIFICATION      Agency letter dated    "Me Too" Application.      JUN 1 3 2008						
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# **MCPA** Amine

5 lb Concentrate EPA Reg. No. 62719-62

## **Registration Notes:**

**Source label text** based on EPA accepted copy (Notice of Reregistration) dated April 30, 2008. Following are changes by notification:

1. Updated Storage and Disposal per EPA Standards for Pesticide Container & Containment; Final Rule - effective October 16, 2006 (PR Notice 2007-4).

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2. Added Produced for and street address to DAS address

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## MCPA Amine 5 lb Concentrate Herbicide

NOTTIPICATION JUN 1 3 2008

Active Ingredient:	
2-methyl-4-chlorophenoxyacetic acid,	
dimethylamine salt	63.5%
Other Ingredients	36.5%
Total	

Acid Equivalent: 2-2-methyl-4-chlorophenoxyacetic acid, 51.8% - 5.0 lb/gal

## DANGER

**Precautionary Statements** 

## Hazards to Humans and Domestic Animals

Corrosive • Causes Irreversible Eye Damage • Harmful If Swallowed Or Absorbed Through The Skin

Do not get in eyes, on skin, or on clothing. Avoid contact with skin. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

## First Aid

If in eyes: 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 swallowed:** 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 on skin or clothing:** 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

#### **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 stream 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.

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## For Manufacturing Use Only

Only for formulation into a herbicide for the following uses: wheat, barley, oats, rye, flax, peas, alfalfa, clover; pasture, rangeland, grasslands, non-crop agricultural areas, rights-of-way, fencerows, turf, and roadsides.

Uses for rice and grain sorghum are cancelled. Technical and end-use product labels must be revised to delete all references to and use-directions for these canceled use patterns.

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

## Storage and Disposal

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

**Pesticide Storage:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. 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.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. 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.

#### Nonrefillable containers 5 gallons or less:

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

#### Refillable containers larger than 5 gallons:

**Container Reuse:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

### Nonrefillable containers larger than 5 gallons:

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if a available.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least

### F2A / MCPA Amine 5 lb Concentrate / Notif / 05-08-08

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one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

### 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. To the extent permitted by law, 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. Manufacturing Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-62

EPA Est. \_\_\_\_\_

EPA accepted 04/30/08

Produced for Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

Net Contents

Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054

308/2E May 8, 2008



Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U. S. Environmental Protection Agency One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

#### MCPA AMINE 5 LB CONCENTRATE (A.I. MCPA) EPA REGISTRATION NUMBER: 62719-62 NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICES 98-10 AND 2007-4

Enclosed please find labeling for the notification action of MCPA Amine 5 lb Concentrate herbicide based on EPA accepted labeling dated April 30, 2008. The following changes have been made by notification:

- 1. Updated Storage and Disposal per EPA Standards for Pesticide Container & Containment; Final Rule effective October 16, 2006 (PR Notice 2007-4).
- 2. Added Produced for and street address to DAS address

This notification is consistent with the provisions of PR Notice 98-10 and PR Notice 2007-4 and EPA regulations at 40 CFR 152.46, 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156 and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and PR Notice 2007-4 and 40 CFR 152.46, 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156 this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

#### **Contents of Submission**

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled MCPA Amine 5 lb Concentrate (F2A / MCPA Amine 5 lb Concentrate / Notif / 05-08-08)
  (3 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Amy Hudson, Regulatory Specialist at (317) 337-3967 or Kim Williamson, Registration Assistant for this product, at (317) 337-4657.

Sincerely,

Diego Fonseca

Regulatory Leader (317) 337-4693 (317) 337-4649 (FAX)

DF/akh Enclosures

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