

62719-258

7/19/2005

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-258	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/ Turflon Ester	PM# PM / 25	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in Composition and labeling to: EPA Reg. No. Product Name	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated	NOTIFICATION JUL 19 2005
<input type="checkbox"/> Resubmission in response to Agency letter dated	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Proposed Label Changes by Notification:

1. Updated trademark symbols throughout label.

2. General Use Precautions: Per a June 13, 2005 meeting between Jim Tompkins (EPA) and John Jachetta (Dow AgroSciences), added the following text - "Turflon Ester is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

Section - IV

1. Contact Point /Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name John J. Jachetta, Ph. D.	Title Regulatory Manager	Telephone No. (Include Area Code) 317/337-4686
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowing false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		8. Date Application Received (Stamped)
Signature 	3. Title Regulatory Manager	
4. Typed Name John J. Jachetta, Ph. D.	5. Date 06 July 2005	
* Trademark of Dow AgroSciences LLC		

Turflon[®] Ester

EPA Reg. No. 62719-258

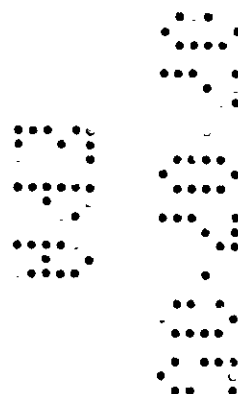
Registration Notes:

Source label text based on EPA accepted copy dated August 18, 2000.

Changes by notification:

1. Updated trademark symbols throughout label.
2. General Use Precautions: Per a June 13, 2005 meeting between Jim Tompkins (EPA) and John Jachetta (Dow AgroSciences), added the following text – "Turflon Ester is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes."

®Trademark of Dow AgroSciences LLC



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(Base label):

(Logo) Dow AgroSciences

NOTIFICATION

JUL 19 2005

Turflon[®] Ester**For the control of annual and perennial broadleaf weeds and kikuyugrass in ornamental turf.****Active Ingredient:**

triclopyr: 3,5,6-trichloro-2-pyridinyloxyacetic acid, butoxyethyl ester.....	61.6%
Inert Ingredients.....	38.4%
Total.....	100.0%

Contains petroleum distillates

Acid equivalent: triclopyr - 44.3% - 4 lb/gal

Keep Out of Reach of Children**CAUTION PRECAUCION**

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.)

Precautionary Statements

Hazards to Humans and Domestic Animals**Harmful If Swallowed, Inhaled, Or Absorbed Through The Skin****Avoid contact with eyes, skin, or clothing. Avoid breathing mists or vapors. Avoid contamination of food.****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

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.

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

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.

If swallowed: Call 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Environmental Hazards

This pesticide is toxic to fish. Do not apply directly to water, or 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.

Physical or Chemical Hazards

Do not use or store near heat or open flame.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to label booklet for Directions for Use including 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 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

EPA Reg. No. 62719-258

EPA Est. _____

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

Specialty Herbicide

Net Contents XXX

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(Label Booklet Cover):

(Logo) **Dow AgroSciences**

Turflon[®] Ester

For the control of annual and perennial broadleaf weeds and kikuyugrass in ornamental turf.

Active Ingredient:

triclopyr: 3,5,6-trichloro-2-
pyridinyloxyacetic acid,
butoxyethyl ester..... 61.6%

Inert Ingredients..... 38.4%

Total..... 100.0%

Contains petroleum distillates

Acid equivalent: triclopyr - 44.3% - 4 lb/gal

Keep Out of Reach of Children

CAUTION PRECAUCION

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.)

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), User Safety Recommendations and Directions for Use including 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 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

EPA Reg. No. 62719-258

EPA Est. _____

®Trademark of Dow AgroSciences LLC

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

Specialty Herbicide

Net Contents XXX

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(Label Booklet - Page 1 through end):

Precautionary Statements

Hazards to Humans and Domestic Animals**CAUTION****Harmful If Swallowed, Inhaled, Or Absorbed Through The Skin**

Avoid contact with eyes, skin, or clothing. Avoid breathing mists or vapors. Avoid contamination of food.

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

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.

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

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.

If swallowed: Call 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Environmental Hazards

This pesticide is toxic to fish. Do not apply directly to water, or 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.

Physical or Chemical Hazards

Do not use or store near heat or open flame.

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.

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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 exceptions 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

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for Agricultural Pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Entry Restrictions for Non-WPS Uses: For applications to turf other than sod farms, do not allow entry into treated areas until sprays have dried unless coveralls, chemical resistant gloves, and shoes plus socks are worn.

Storage and Disposal

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

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

Pesticide Disposal: Pesticide spray mixture or rinsate water that cannot be used according to label instructions must be disposed of according to applicable federal, state, or local procedures.

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

Turflon® Ester specialty herbicide is recommended for the control of actively growing annual and perennial broadleaf weeds and kikuyugrass in perennial bluegrass, perennial ryegrass, or tall fescue ornamental turf including these turfgrasses in sod farms and golf courses.

General Use Precautions (Read Carefully Before Using)

In Arizona: The state of Arizona has not approved Turflon Ester for use on sod farms.

Local conditions may affect the use of herbicides. Consult your local specialist for advice in selecting treatments from this label to best fit local conditions.

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Turflon Ester may injure certain turfgrass species. **Do not** apply to bahiagrass, bentgrass, bermudagrass, centipedegrass, St. Augustine grass, or zoysiagrass, unless turf injury can be tolerated.

Do not apply Turflon Ester directly to, or otherwise permit it to come in contact with or permit spray mists containing Turflon Ester to drift onto, cotton, grapes, tobacco, vegetable crops, flowers, fruit or orchard trees, shrubs, or other desirable broadleaf plants.

Do not apply Turflon Ester to exposed roots of shallow rooted trees and shrubs.

Do not apply to golf course greens.

For spot treatments, **do not** apply more than 2 quarts of Turflon Ester per acre in a single application.

Avoid Injurious Spray Drift: Applications should be made only when there is little or no hazard from spray drift. Very small quantities of spray, which may not be visible may seriously injure susceptible plants. Do not spray when wind is blowing toward susceptible crops or ornamental plants near enough to be injured. Spray drift can be reduced by spraying when wind velocity is low, keeping the spray boom as low as possible, using nozzles that deliver larger spray droplets, and by using higher volume sprays and lower pressures.

Do not apply to ditches used to transport irrigation water. Do not apply where runoff or irrigation water may flow onto susceptible crops.

Chemigation: Do not apply this product through any type of irrigation system.

Turflon Ester is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes.

Broadleaf Weeds Controlled By Turflon Ester Include:

black medic	lespedeza
bull thistle	matchweed
burdock	mustard
Canada thistle	oxalis
chicory	plantain
clover	ragweed
creeping beggarweed	smartweed
curly dock	sweet clover
dandelion	vetch
field bindweed	wild carrot
goldenrod	(Queen Annes lace)
ground ivy	wild lettuce
kikuyugrass [†]	wild violet
lambsquarters	yarrow

[†] See control of kikuyugrass under Application Directions.

Mixing Instructions

When Turflon Ester is mixed with water it forms an emulsion (not a solution) and separation may occur unless the spray mixture is agitated continuously.

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Add about one-half the required amount of clean water to the spray tank. Start agitation and add the recommended amount of Turflon Ester. Provide moderate agitation while completing the addition of water and during application.

Application Directions

Foliar sprays should be applied during warm weather, from early spring through fall, when weeds are actively growing. Broadleaf weeds germinate at different times. Only emerged weeds present at the time of application will be controlled. Newly seeded turf should be mowed 2 or 3 times before being treated. When making applications to mature plants, hard to control species, or during drought conditions, use higher rates. Application under drought conditions may provide less than desirable results. Use low pressure sprays to minimize spray drift. Do not water for 24 hours after application.

Reseeding Precaution: Do not reseed for 3 weeks after application. (This precaution does not apply when bermudagrass turf is overseeded with perennial ryegrass at a minimum reseeding rate of 400 lb per acre.)

Broadcast Treatment of Ornamental Turf

Apply 1/2 to 1 quart per acre of Turflon Ester in enough water to provide uniform coverage of the target area to control actively growing broadleaf weeds growing in perennial bluegrass, perennial ryegrass, or tall fescue. **Do not** use on other turfgrass species (see General Use Precautions) unless injury can be tolerated. To minimize turf injury, do not treat if turf is under heat or drought stress and make repeat applications at least 4 weeks apart.

Tank Mixing: To improve the spectrum of activity, Turflon Ester may be tank mixed at a rate of 1/2 to 1 pint per acre with recommended rates of low volatile amine or ester formulations of 2,4-D, MCPP, or other labeled postemergence broadleaf herbicides. Refer to tank mix product labels for specific use directions, precautions, and limitations before use.

Spot Treatment of Ornamental Turf

Mix 3/8 to 3/4 ounces of Turflon Ester per 1000 square feet in enough water to provide uniform coverage of the target area and apply at any time broadleaf weeds are susceptible. **Note:** Do not apply more than 2 quarts per acre or 1.5 ounces per 1000 square feet of Turflon Ester in a single application.

Control of Kikuyugrass

Apply Turflon Ester at a rate of 1/2 to 1 quart per acre. To improve activity, MSMA herbicide may be tank mixed with the 1/2 quart per acre rate of Turflon Ester. Three to four additional applications at 4 to 6 week intervals may be required to achieve control of kikuyugrass.

Suppression of Bermudagrass

Apply Turflon Ester at the rate of 1 quart per acre. Three to four additional applications at 4 week intervals will be required to give adequate suppression of bermudagrass and allow fescue or other desired turfgrass species to dominate. To improve suppression and control of bermudagrass, 1 quart per acre of Turflon Ester may be tank mixed with a post emergence grass herbicide registered for this use pattern. Three to four additional applications of this tank mix at 4 week intervals should be made to achieve control. Reseeding following application will accelerate the transition to cool season turf (see Reseeding Precaution above).

Warranty Disclaimer

Dow AgroSciences 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. Dow AgroSciences 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

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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 Dow AgroSciences 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 Dow AgroSciences' 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

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

®Trademark of Dow AgroSciences LLC
EPA-Accepted: 08/18/00

308/2E
July 6, 2005



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202

TURFLON ESTER (AI: TRICLOPYR)
EPA REGISTRATION NUMBER: 62719-258
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Attn: James Tompkins (PM/25)

As we had decided in our meeting of June 13, 2005, I am submitting a new advisory statement by notification for our Triclopyr BEE based products. This statement is to address the concerns of the California County Agricultural Commissioners that Triclopyr BEE formulations may volatilize when applied to hot rocks and other impervious surfaces as part of a roadside application. You had reviewed this language during our meeting and approved this update for submission as a notification. We very much appreciate your assistance with this small matter, as it is important to the State of California.

Enclosed please find labeling for the notification action of Turflon® Ester herbicide. The following changes have been made by notification:

1. Updated trademark symbols throughout label.
2. General Use Precautions: Per a June 13, 2005 meeting between Jim Tompkins (EPA) and John Jachetta (Dow AgroSciences), added the following text – "Turflon Ester is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes."

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, 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 40 CFR 152.46, 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.

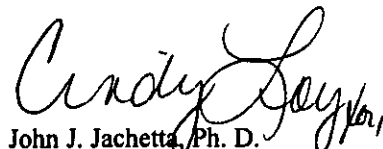
Contents of Submission

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Turflon® Ester(L1A / Turflon Ester / Notif / 07-05-05)
(8 Pages plus Registration Notes) (5 Copies)

12/p
TURFLON ESTER (AI: TRICLOPYR)
EPA REGISTRATION NUMBER: 62719-258
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10
July 6, 2005
Page 2

If you require further information, please contact Cindy Loy, Regulatory Specialist at 317-337-4655 or Chris Hutchison, Registration Assistant for this product, at 317-337-4976.

Sincerely,



John J. Jachetta, Ph. D.
Regulatory Leader
Regulatory Success – Americas
317-337-4686
317-337-4649 (FAX)

Enclosures

/pkm

