

62719-311

05/06/2004

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

MAY - 6 2004

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. John J. Jachetta
Dow AgroSciences, LLC
9330 Zionsville Road
Indianapolis, IN 46268

Dear Mr. Jachetta:

Subject: Diuron 4L IVM (Update First Aid Statements)
EPA Registration No. 62719-311
Application Dated February 20, 2004

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended is acceptable provided you make the following changes before you release the product for shipment.

1. On pages 1 and 4, at the beginning of the list of Personal Protective Equipment (PPE) within the Precautionary Statements, add the statements "Some of the materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart." in addition, revise the requirement for "waterproof gloves" to a requirement for "chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride."
2. Under Storage and Disposal revise "Storage" to read "Pesticide Storage".

Submit two (2) copies of your final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supercede all previously accepted versions of this label. A stamped copy of labeling is enclosed for your records.

Sincerely,

Victoria K. Walter for
James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505C)

2/9

(Base Label):

(Logo) Dow AgroSciences

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

MAY - 6 2004

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

62719-311

Diuron 4L IVM

For nonselective weed control in noncropland areas.

Active Ingredient:

| | |
|--|--------|
| Diuron: 3-(3, 4-dichlorophenyl)- 1,1-dimethylurea | 40.0% |
| Inert Ingredients | 60.0% |
| Total | 100.0% |

Contains 4 lb of active ingredient per gallon.

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

Causes Moderate Eye Irritation • Harmful If Swallowed Or Absorbed Through The Skin • May Irritate Nose Throat And Skin

Avoid contact with eyes, skin or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- 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.

Engineering Controls

When handlers use closed systems or enclosed cabs 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.

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. 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 by a poison control center 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.

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.

Environmental Hazards

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 by cleaning of equipment or disposal of wastes. Do not apply when weather conditions favor drift from areas treated.

Important: Injury to or loss of desirable trees or other plants may result from failure to observe the following:

Do not apply (except as recommended for crop use), or drain or flush equipment on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots. Do not use on home plantings of trees, shrubs, or herbaceous plants, or on lawns, walks, driveways, tennis courts, or similar areas. Prevent drift of dry powder or spray to desirable plants. Do not contaminate any body of water. Keep from contact with fertilizers, insecticides, fungicides, and seeds.

Thoroughly clean all traces of Diuron 4L IVM from application equipment immediately after use. Flush tank, pump, hoses, and boom with several changes of water after removing nozzle tips and screens (clean these parts separately).

Refer to label booklet for Directions for Use including Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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. 62719-311

EPA Est. _____

Dow AgroSciences LLC • Indianapolis, IN 46268 USA

Herbicide

Net Contents __ gallons.

(Datapack Cover)

(Logo) Dow AgroSciences

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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.

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Important: Injury to or loss of desirable trees or other plants may result from failure to observe the following:

Do not apply (except as recommended for crop use), or drain or flush equipment on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots. Do not use on home plantings of trees, shrubs, or herbaceous plants, or on lawns, walks, driveways, tennis courts, or similar areas. Prevent drift of dry powder or spray to desirable plants. Do not contaminate any body of water. Keep from contact with fertilizers, insecticides, fungicides, and seeds.

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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.

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.

Non-Agricultural Use Requirements

The requirements of 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 non-cropland, do not enter or allow worker entry into treated areas until sprays have dried, unless applicator and other handler PPE is worn.

Storage and Disposal

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

Storage Instructions: Storage should be under lock and key and secure from access by unauthorized persons and unknowledgeable persons. Storage should be in a cool, dry area away from any heat or ignition source. Avoid storage at high temperatures. Do not stack over 2 pallets high to prevent crushing. Move containers carefully so as not to puncture. Do not move containers from one area to another unless they are securely sealed. Keep container tightly sealed when not in use. Keep away from any puncture source. Avoid storage near water supplies, food, feed and fertilizer to avoid contamination. Store in original container only.

If the contents are leaking or material is spilled follow these steps:

1. Collect and place in suitable containers for disposal.
2. Wash area with water and soap to remove remaining pesticide.
3. Follow washing with clean water rinse.
4. Do not allow run-off to enter sewer or contaminate water supplies.
5. Dispose of waste as indicated below.

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, if allowed if allowed by State and local authorities, by burning. If burned, stay out of smoke.

GENERAL INFORMATION

Diuron 4L IVM is to be mixed with water and applied as a spray for nonselective weed control on noncropland areas. It is non-corrosive to equipment, non-flammable and non-volatile.

Diuron 4L IVM may be applied to soil prior to emergence of weeds to control susceptible weed seedlings for an extended period of time; the degree of control and duration of effect will vary with the amount of chemical applied, soil texture, rainfall, and other conditions. Soils high in clay or organic matter require higher dosages than soil low in clay or organic matter to obtain equivalent herbicide performance. Moisture is required to activate the chemical. Best results occur if rainfall occurs within two weeks of application.

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

Do not aeriaily apply this product.

NON-CROP WEED CONTROL

Diuron 4L IVM is an effective herbicide for the control of many annual and perennial grasses and herbaceous weeds on non-cropland areas where bare ground is desired. The degree of control and duration of effect will vary with the amount of chemical applied, soil texture rainfall and other conditions. Diuron 4L IVM may be used as a pre-emergence treatment at anytime of the year except when ground is frozen, provided adequate moisture is supplied by rainfall or artificial means to activate the herbicide. Best results are obtained if application is made to the soil shortly before weed growth begins. If dense growth is present, remove tops and spray the ground.

Increased contact activity on established weeds may be obtained by the addition of a non-ionic surfactant. Apply as a drenching spray to actively growing weeds during warm weather when daily temperature will exceed 70°F.

Except for small areas, use a fixed-boom power sprayer properly calibrated to insure a constant rate of application. Mix proper amount of Diuron 4L IVM into volume of water necessary to obtain uniform coverage. If surfactant is used, dilute with 10 parts of water and add as last ingredient to nearly full tank. Material must be kept in suspension at all times. Agitate by mechanical or hydraulic means in the spray tank; if by-pass or return line is used, it should terminate at bottom of tank to minimize foaming. Openings in screens should be equal to or larger than 50 mesh.

General Weed Control: To control most weeds for an extended period of time on non-cropland such as utility, highway, pipeline and railroad right-of-ways, petroleum tank farms, lumberyards, storage areas, industrial plant sites, and around farm buildings, apply 1 - 3.75 gallons per acre to control most annual weeds. Additional treatment may be required where a longer period of control is desired or when hard-to-kill, deep-rooted perennial weeds such as johnsongrass are present. In low rainfall areas, Diuron 4L IVM may not provide satisfactory control of deep-rooted perennial weeds.

General Weed Control – 1 to 3.75 gallons per acre:

| | | |
|------------------------|----------------------|-------------------------|
| ageratum | knawel | ragweed |
| chickweed | kochia | sesbania |
| cocklebur | lambsquater | shepherdspurse |
| corn speedwell | marigold | sicklepod |
| corn spurry | Mexican clover | smartweed, annual |
| dayflower | morningglory, annual | sowthistle, annual |
| dogfennel | pennycress | spanishneedles |
| fiddleneck (amsinckia) | pigweed | tansymustard |
| flora's paintbrush | pineappleweed | velvetleaf (buttonweed) |
| gromwell | pokeweed | wild buckwheat |
| groundcherry, annual | prickly lettuce | wild lettuce |

| | | |
|-------------|------------------------|--------------|
| hawksbeard | prickly sida (teaweed) | wild mustard |
| horsenettle | purslane | wild radish |
| horseweed | rabbit tobacco | |

Grasses – 1 to 2 gallons per acre:

| | |
|----------------------------|----------------------------|
| barnyardgrass (watergrass) | rattail fescue |
| bluegrass, annual | red sprangletop |
| crabgrass | ricegrass |
| foxtail | ryegrass, annual |
| kyllinga | sandbur |
| lovegrass, annual | seedling johnsongrass |
| orchardgrass | velvetgrass |
| peppergrass | vernalgrass, sweet, annual |
| quackgrass | |

Grasses – 2 to 3.75 gallons per acre:

guineagrass
maidencane
pangolagrass

Irrigation and Drainage Ditches: Apply 1 - 3 gallons per acre to control most annual weeds. Apply only when water is not in the ditch. For irrigation ditches, apply during the non-crop season, and when ditch is not in use. To minimize movement of Diuron 4L IVM with irrigation water (to avoid possible crop injury), it is essential that the herbicide be fixed in the soil by moisture. Apply before expected seasonal rainfall (if possible when soil in the ditch is still moist). Following treatment, if rainfall has not totaled at least 4 inches, fill ditch with water and allow to stand for 72 hours, drain off and waste remaining water before using ditch. Do not treat any ditch into which roots of trees or other desirable plants may extend as injury may result.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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

It is impossible to eliminate all risks associated with use of this product. Crop 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 temperatures, 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, Inherent Risks of Use 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.

EPA-Accepted: / /