2719-361

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

> OFFICE OF PREVENTION. PESTICIDES AND TOXIC SUBSTANCES

Diego Fonseca Regulatory Manager Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054

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MAR 9 2009

| SUBJECT: | Applications for Pesticide Notification – Labelin and 2007-4 | g Changes per PR Notices (PRNs) 98-10 |
|----------|---|---------------------------------------|
| | Glyphosate-545 MUP | EPA Reg. No. 62719-358 |
| | Glyphosate 18% Concentrate | EPA Reg. No. 62719-361 |
| | Glyphosate 0.96% RTU | EPA Reg. No. 62719-362 |
| | Applications Dated October 28, 2008 | |
| | Glyphosate DMA 62% Technical Solution | EPA Reg. No. 62719-554 |
| | Glyphosate Technical XG | EPA Reg. No. 62719-564 |
| | Applications Dated October 30, 2008 | |

Dear Mr. Fonseca:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRNs) 98-10 and 2007-4 for the above products. The Registration Division (RD) has conducted a review of these requests for their applicability under PRNs 98-10 and 2007-4, and finds that the labeling changes requested fall within the scope of these PRNs. The labels have been datestamped "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 Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

| } - _Please read instructions | <u>, on</u> r | <u>everse b</u> efo <u>r</u> e comple | <u>ting form</u> . | | | Form Apr | roved | . OMB No. | 2070-006 | ADF9 0. Approvel expires 2-28-9 |
|--|-------------------------------------|--|---|---|--|--|---|-----------------------------------|---|--|
| ₽EPA | | ر Environmenta | Jnited States | - | ;y | | | Registra Amendr Other | tion | OPP Identifier Number |
| | | | Applicati | ion for Pe | sticid | e - Sect | ion | | | |
| 1. Company/Product Nu Dow AgroSciences | | | | | . EPA Pr | oduct Mana opkins | ager | | 3. Pr | oposed Classification |
| 4. Company/Product (Na Dow AgroSciences | | phosate 18% Con | centrate | P | M# 25 | | | | | None Restricted |
| 5. Name and Address of Dow AgroScience 9330 Zionsville Ro Indianapolis, IN 4 | s LL bad 626 | .C 8 | ade) | (b to | o)(i), my o: | | s simi | ilar or ident | | FIFRA Section 3(c)(3) mposition and labeling |
| Check if | f this | is a new address | | ٦ | 'roduc | t Name _ | | | | |
| | | | | Sectio |)n - II | | | | | |
| Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below. | | | | | Final printed labels in repsonse to Agency letter dated | | | | | |
| 156.144, 156.146, and 1 that it is a violation of 18 terms of PR Notice 98-1 of FIFRA and I may be s | 156.15 1 U.S. 0 and subjec | 56 and no other change C. Sec. 1001 to willfully PR Notice 2007-4 and to enforcement action | es have been y make any fa d 40 CFR 152 | made to the lat lse statement to .46, 40 CFR 15 | beling or o EPA. 1 66.10, 150 ns 12 and | the confider further unde 6.140, 156.1 | ntial sta erstan 144, 15 | atement of fo d that if this r | rmula of th otification | 40 CFR 156.10, 156.140, is product. I understand is not consistent with the s product may be in violation |
| 1. Material This Product | : Will | Be Packaged In: | | | | | | r | | · · · · · · · · · · · · · · · · · · · |
| Child-Resistant Packagin Yes V No * Certification must be submitted | _ | Unit Packaging Yes Vo If "Yes" Unit Packaging wgt. | No. per container | Water Sol Ye V No If "Yes" Package v | S | kaging No. per container | | 2. Type of | Container Metal Plastic Glass Paper Other (S | specify) |
| 3. Location of Net Conte | ents l | nformation | 4. Size(s) Re | tail Container | | | 5. Loo | cation of Lab | el Directio | ons |
| ✓ Label Container 6. Manner in Which Label is Affixed to Product ↓ | | | | 1 gal, 55 gal Label on cont | | | containe | r | | |
| | | | Pape Stend | graph r glued ciled | | | | | | |
| | | | | Section | า - IV | | | | | |
| 1. Contact Point (Comp | lete i | tems directly below f | or identificati | on of individue | al to be c | contacted, i | if nece | assary, to pr | ocess this | application.) |
| Name Diego Fonseca dfonseca@dow.com | | | Title Regulatory | Title Regulatory Manager | | | Telephone No. (Include Area Code) (317) 337-46s3ຼີ ເວັ້ເ | | | |
| I certify that the s I acknowledge tha both under applice | at any | nents have made on r knowlinglly false or aw. | Certific this form and misleading st | d all attachme | nts there be punis | ato are true hable by fir | , accu ne or i | rate and cor | nplete. | 6. Date Application Received |
| 2. Signature | e | In the | | 3. Title Regulatory N | <i>N</i> anager | , | | (. | ι (. ί ω (ι | |
| 4. Typed Name Diego Fonseca | | | 5. Date October 28, 2008 | | | | | ις ι ' ι ι ις ι | | |

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

Yellow - Applicant Copy

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

308/2E October 28, 2008

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

GLYPHOSATE 18% CONCENTRATE (AI: GLYPHOSATE) EPA REGISTRATION NUMBER: 62719-361 NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICES 98-10 AND 2007-4

Enclosed please find labeling for the notification action of Glyphosate 18% Concentrate herbicide based on EPA accepted label dated May 23, 2001. The following changes have been made by notification:

- 1. Changed "inert" to "other" in the ingredient statement
- 2. Updated Storage and Disposal per EPA Standards for Pesticide Container & Containment; Final Rule effective October 16, 2006 (PR Notice 2007-4).
- 3. Added Produced for and street address to DAS address
- 4. Moved generic descriptor under product name

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 Glyphosate 18% Concentrate (E8A / Glyphosate 18% Concentrate / Notif / 10-28-08)
- (3 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Amy Hudson, Regulatory Specialist at (317) 337-3967 or Paula McKinnies, Registration Assistant for this product, at (317) 337-4679.

Sincerely,

my Duon ffe Diego Fonseca

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

DF/akh Enclosures





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Glyphosate 18% Concentrate

EPA Reg. No. 62719-361

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Registration Notes:

Source section 3 labeling based on EPA accepted copy (Notice of Registration) dated May 23, 2001, and Notification dated January 7, 2003. Following are changes by notification:

- 1. Changed "inert" to "other" in the ingredient statement
- 2. Updated Storage and Disposal per EPA Standards for Pesticide Container & Containment; Final Rule effective October 16, 2006 (PR Notice 2007-4).
- 3. Added Produced for and street address to DAS address
- 4. Moved generic descriptor under product name

(Base Label):

Glyphosate 18% Concentrate Grass and Weed Killer Herbicide

[Editor's note: One or more of the following optional statements may be included in final printed labeling as part of the product sale copy.]

Concentrated Weed Killer For Control of all Types of Broadleaf Weeds and Grasses For Outdoor Use Only Easy to Use Kills Weeds, Roots and All Rainproof in 2 Hours Apply and Irrigate Later the Same Day

[†] Contains 1.62 pounds per gallon glyphosate, isopropylamine salt (1.2 pounds per gallon glyphosate acid).

Keep Out of Reach of Children CAUTION

Refer to back label for Precautionary Statements and Directions for Use, including Storage and Disposal instructions.

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.

EPA Reg. No. 62719-361

EPA Est.

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

Net Contents

Page 2

| Product Informat | lion | | | |
|--|---|--|--|--|
| Treats up to 3,000 sq ft | | | | |
| KILLS ALL TYPES OF WEEDS AND GRASSES | [pictures of representative weeds and grasses] | | | |
| WHERE TO USE | Around patios, walkways, driveways and fences In vegetable or flower gardens and around trees and shrubs and other landscaped areas In large areas: - For lawn renovation or replacement - To prepare garden plots for planting | | | |
| AMOUNT TO USE | For Best Results: 6 fl oz (12 Tbs) per gallon of water. For areas with small or seedling weeds: 3 fl oz (6 Tbs) per gallon of water per 300 sq ft. | | | |
| | rgency Medical Information, call 1-800-XXX-XXXX stions or Comments, contact us at www | | | |

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION

(Back panel)

Causes Moderate Eye Irritation

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Keep people and pets out of treated areas until sprays have dried.

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 for doctor for treatment advice.

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

Environmental Hazards

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

| 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. | | ιειε ιιιε - |
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| This is an end-use product. The manufacturer does not intend and has | s not registered i | tfor 🦕 🖒 |
| reformulation. | cecce | |
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Pesticide Storage: Store in a cool dry place out of the reach of children and domestic animals. Store in original container only. Do not allow this product to freeze.

Pesticide Disposal: Do not reuse empty container. In case of spillage or leak, soak up liquid with paper towels and discard in trash.

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

General Information

Glyphosate 18% Concentrate kills most broadleaf and grass weeds. This product may be use for nonselective weed control around patios, walkways, driveways and fences, in vegetable or flower gardens and around trees and shrubs and other landscaped areas, in large areas for lawn removal prior to replacing turfgrasses, and for weed control in garden plots prior to planting. Applications to plant foliage are rainfast in approximately two hours and afterward will not be affected by rainfall or irrigation.

How this Product Works

The active ingredient in this product is active against a substance found only in plants. It enters the plant through foliage and is translocated throughout the plant, killing both roots and top growth. This product is not active in soil and cannot move through the soil to damage desirable plants. Sprays not absorbed by plants are broken down into natural materials.

What to Expect

Weeds may begin to wilt within a few hours, but complete kill may require 1 to 2 weeks. Small, rapidly growing weeds may be killed with a single application while older, mature weeds may require reapplication. If re-application is necessary, wait until new growth appears.

Important Use Precautions

Do not spray during windy conditions or allow the spray to contact desirable plants such as flowers, ground covers or lawn areas, as they will be severely damaged or killed. In situations where weeds and desirable plants are in close proximity, use a piece of cardboard or plastic to shield desirable plants from the spray. If a desirable plant is sprayed by mistake, immediately rinse the plant with water. Before sprays have dried, avoid inadvertent transfer of the spray solution from treated plants to desirable plants or tracking spray from treated areas onto lawns or other desirable vegetation.

Do not apply through any type of irrigation system.

Keep people and pets out of treated areas until sprays have dried.

| Mixing Instructions | |
|--|------------------------------------|
| Tank Sprayer [†] (plastic, aluminum or stainless steel): | |
| Use 6 fl oz (12 Tbs) per gallon of water | |
| Spot treat or spray evenly over 300 sq ft | (، ((((((ر |
| Ortho [®] Dial `n Spray [®] : | |
| Set dial to 5 fl oz | ((() () |
| Use 6 fl oz (12 Tbs) per 300 sq ft (Do not add water) | |
| Spray evenly over measured area | |
| 1 Tablespoon (Tbs) = 3 teaspoons (tsp) | |
| 1 fl oz = 2 Tbs = 6 tsp | |
| [†] This product can react with certain metal surfaces and should not be steel sprayers. | e applied with galvanized or ແກລກອ |
| | ζίι <u>ι</u> ι 1 |

Spraver Cleanup: Rinse sprayer and all sprayer parts three times with water. Apply rinse waters to bare soil or graveled area away from desirable vegetation. After careful cleaning, sprayer may be use for other products.

Application

For Best Results:

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- Apply when weather is warm (above 60°F) and sunny to stimulate systemic movement from foliage to roots.
- To avoid spray drift to desirable vegetation, adjust spray nozzle to produce large droplets and spray when wind is calm.
- Spray foliage until thoroughly wet, but not past the point of runoff.
- Apply when weeds are small and actively growing, before seeds develop.

Treatment of Vines

To control vines growing on fences, mature trees, or poles, cut the vines back to a height of 3 to 4 feet and spray thoroughly. Avoid spray contact with desirable plants or lawn.

For control of vines climbing on trees or shrubs with green bark, remove vines by cutting off at the base of the plant and spray after the vines have begun to regrow. Shield trees or shrubs with a sheet of cardboard or plastic to prevent contact with spray.

Turf Replacement

To kill an existing lawn prior to replacement skip one mowing before spraving and apply at the higher rate of 6 fl oz (12 Tbs.) per gallon of water. Control will be better if the grass is actively growing, so water 2 to 3 days before and after application if the soil becomes dry.

Reapply to any green patches that remain after 7 days.

Wait an additional 7 days after the last application before raking, tillage prior to reseeding or sodding.

Harvesting: If used to control weeds around fruit or nut trees, caneberries, or grapevines, allow 21 days before harvesting.

Replanting

- Flowers, shrubs, and trees may be planted 1 day after application.
- These fruits, vegetables, and herbs may be planted 3 days after application: Beans, beet greens, broccoli, brussels sprouts, cabbage, carrot, cauliflower, celery, chard (Swiss), chicory, collards, corn. cucumber, eggplant, endive, garlic, gourds, horseradish, Jerusalem artichoke, kale, kohlrabi, leek, lentils, lettuce, melons, mustard greens, okra, onion, rape greens, parsley, parsnips, peas, pepper, potato, pumpkin, radish, rhubarb, rutabaga, spinach, squash, sweet potato, tomatillo, tomato (from seed), turnip, watercress, and yams.
- Lawn grass and the following caneberries may be planted 7 days after application: Blackberry, blueberry, boysenberry, currant, dewberry, elderberry, gooseberry, huckleberry, loganberry, olallieberry, and raspberry (black and red).
- Tomatoes from transplant, and unlisted fruits, vegetables and herbs may be planted 30 days after application.

| Terms and Conditions of Use | |
|---|-----------------------------------|
| If terms of the following Warranty Disclaimer, Inherent Risks of Use, and acceptable, return unopened package at once to the seller for a full refun Otherwise, use by the buyer or any other user constitutes acceptance of Disclaimer, Inherent Risks of Use and Limitations of Remedies. | of purchase price paid. |
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Warranty Disclaimer

Seller 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. Seller 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 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 Seller's election, one of the followina:

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

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

The terms of the Warranty Disclaimer and Inherent Risks of Use above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Seller 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 05/23/01

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