

70596-13

2/18/2014

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Nathan P. Ehresman
Nufarm Americas Inc; SJM Division
c/o Nufarm Americas Inc.
4020 Aerial Center Parkway
Morrisville, NC 27560

FEB 18 2014

Subject: Notification; Per PR-Notice 98-10
DICHLORPROP-P (Technical Grade)
EPA Reg. No. 70596-13
Date Submitted: February 4, 2014

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated February 4, 2014 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 2007-4 and finds that the action requested falls within the scope of PRN 98-10 and 2007-4. The label submitted with the application has been stamped "Notification" and will be placed in our records.


If you have any questions regarding this letter, please contact Kable Bo Davis at (703) 306-0415 or davis.kable@epa.gov.

Sincerely,

Kathryn Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form.

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

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIF	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number Nufarm Americas Inc SJM Division/ 70596-13	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm Americas Inc SJM Division/ DICHLORPROP-P (TECHNICAL GRADE)	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc SJM Division C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)	
NOTIFICATION OF LABEL CHANGE Per PR Notice 98-10 & 2007-4 See Attached	
NOTIFICATION FEB 18 2014	

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <p style="text-align: center;">25 KG, 1000 KG</p>	
5. Location of Label Directions <input checked="" 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"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

Section - IV


1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Nathan P. Ehresman	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 919-379-2515
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 knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		b. Date Application Received (Stamped)
2. Signature 	3. Title Director, Regulatory Affairs	
4. Typed Name Nathan P. Ehresman	4. Date February 4, 2014	

ATTACHMENT TO LABEL NOTIFICATION DATED February 4, 2014

ACTION

Added the statement "For Manufacturing Use Only"
Revised the Pesticide Storage statement
Updated the Container Disposal statement to include additional options.
Updated Warranty Statement to a new version.

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 98-10 and PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 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.



Nathan P. Ehresman
Director, Regulatory Affairs

February 4, 2014

NOTIFICATION
FEB 18 2014

4/10



NUFARM AMERICAS INC.
4020 Aerial Center Parkway
Morrisville, NC 27560
Phone: 919-379-2515

February 4, 2014

NOTIFICATION

FEB 18 2014

Attn: Kathryn Montague / PM 23
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Subject: Nufarm Americas Inc SJM Division (Company # 070596) – C/O Nufarm Americas Inc.
DICHLORPROP-P (TECHNICAL GRADE) (EPA Reg. No. 70596-13)
NOTIFICATION OF LABEL CHANGE**

Dear Ms. Montague:

Nufarm Americas Inc SJM Division is submitting the enclosed notification of label change according to PR Notice 98-10 & 2007-4 to make minor revisions to the EPA Master label for 70596-13. We have added the statement "For Manufacturing Use Only", added the Chemtrec & Medical emergency hotline numbers.

Nufarm has updated the Pesticide Storage statement and Container Disposal statement, and we have updated the Warranty statement to a new version.

In support of this action, please find enclosed:

- Application for Pesticide Registration (8570-1)
- 2 copies of the label containing the revised wording (1 highlighted and 1 clean copy)
- 1 CD containing an electronic copy of the proposed label with the revised wording.

Please contact me at 919-379-2515 (or nathan.ehresman@us.nufarm.com) if you have any questions regarding this action.

Kind regards,

Nathan P. Ehresman
Director, Regulatory Affairs
Nufarm Americas Inc

5110

DICHLORPROP-P TECHNICAL GRADE

(+) (R)-2-(2,4-dichlorophenoxy)propionic acid

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

(+) (R)-2-(2,4-dichlorophenoxy)propionic acid..... 93.0%

OTHER INGREDIENTS: 7.0%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

SEE BELOW FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300

For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION
FEB 18 2014

EPA REG. NO. 70596-13

EPA EST. NO. _____

NET WEIGHT: _____ LBS (_____ KG)

Manufactured For
NUFARM AMERICAS INC
SJM DIVISION
4020 Aerial Center Parkway
Morrisville, NC 27560



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER**

Corrosive. Causes irreversible eye damage. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Avoid contact with skin. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-325-1840 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 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 Environmental Protection Agency.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Only for formulation as an herbicide for the following uses: 1) terrestrial nonfood sites: ornamental turf, including residential lawns, golf courses, parks and playgrounds, cemeteries, athletic fields and sod farms; uncultivated nonagricultural areas; recreation areas; industrial sites; rights of way (highway, railroad, pipeline or utility); non-crop areas for woody plant control; 2) uses for which US EPA has accepted the required data and / or citations of data that the formulator has submitted in support of registration and; 3) uses for experimental purposes that are in compliance with US EPA requirements.

Only for formulation in end-use products with directions for use that prohibit aerial applications. Only for formulation into end-use products with directions for use that prohibit broadcast applications greater than 0.75 lb ae 2,4-DP-p/A. Only for formulation into end-use products with directions for use that prohibit spot treatment applications greater than 2.0 lbs ae 2,4-DP-p/A. Must only be formulated into Ready-to-Use spray containers that produce droplets that are medium or coarse in size according to the ASAE (S572) definition for standard nozzles.

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with US 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: Store only in original container separate from other pesticides, fertilizers, food and feed.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law and may contaminate ground water. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL:

[Bags: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into manufacturing equipment. Offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.]

[Fiber drums: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping both sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then offer fiber drum and liner for recycling, if available.]

[Plastic Drums: Nonrefillable Container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in an approved sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into manufacturing equipment. Fill the container $\frac{1}{4}$ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into manufacturing equipment, or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into manufacturing equipment and drain for 10 seconds after the flow begins to drip. Hold container upside down over manufacturing equipment, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in 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 DISCLAIMER AND LIMITATION OF LIABILITY

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV020414)

LABEL HISTORY

File Name	Revision Mark	Comment
070596-00013.20140204.DRAFT	RV020414	Added the statement "For Manufacturing Use Only", Added Chemtrec # & medical hotline#. Revised the Pesticide Disposal statement, Revised Container Disposal Statement, added a new Warranty Statement