

71368-8

03/22/2002

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. William M. Mahlbarg
Manager, Regulatory Affairs, America
Nufarm, Inc.
2300 Frederick Avenue, Suite 208
St. Joseph, MO 64506

MAR 22 2002

Dear Mr. Mahlbarg:

Subject: MCPB (Technical Grade)
EPA Registration No. 71368-8
Application and Letter October 5, Request To Amend
Pesticide Product; New Source of Active Ingredient,
"Modify Percent Active Ingredient and Change to
Nominal Concentration

Your application has been reviewed and found to be acceptable as an amendment to the subject registration of "MCPA (Technical Grade) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provided that you:

1. Submit a revised Confidential Statement of Formula for this pesticide product on EPA Form 8570-4 showing the concentrations of the various impurities that are consistent with those in the 5-batch analyses (Product Chemistry Data in EPA MRID 455376-01).
2. Submit a letter of commitment to submitting data from analysis of this product for tetrachlorinated DBDs and DBFs every 12 months from a stored (ambient conditions of storage as the product may be stored by the formulator of this product) sample of this product. The analysis must be done every 12 months or sooner, according to what is found after the 1st 12 months.

The above requirements are base on this Agency's review of the product chemistry data submitted with your application. A copy of the review is enclosed for your records.

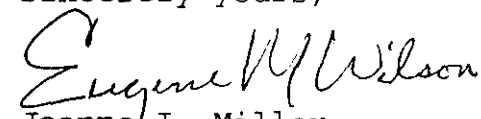
3. As the "Limited Warranty and Disclaimer" claims remedies if this product causes any damages when used as directed or in the handling of the product, you should add a statement that the product should be returned in case the purchaser decides that he/she can not use the product as described on the labeling. A copy of the Uniform Commercial Codes that are applicable to the remedies claimed have been sent to you in previous correspondence.

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4. Submit one (1) Copy of the final printed labeling prior to your shipment of "MCPC (Technical Grade)" under this revised label.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(e). Your release for shipment under this labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

Sincerely yours,


for Joanne I. Miller

Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosures (2)



MCPB (Technical Grade)

FOR FORMULATION OF HERBICIDES ONLY

ACTIVE INGREDIENT:

4-(2-methyl-4-chlorophenoxy) butyric acid 97%

INERT INGREDIENTS: 3%

TOTAL 100%

KEEP OUT OF REACH OF CHILDREN CAUTION

See Below for Additional Precautionary Statements

EPA REG. NO. 71368-8
EPA EST. NO. _____

NET WEIGHT ___ LBS. (___ KG)

DRAFT10/01

For Chemical Emergency, Spill, Leak, Fire, Exposure or
Accident, Call CHEMTREC Day or Night 1-800-424-9300

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing dust. Remove contaminated clothing and wash clothing before reuse.

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 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.
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.
HOT LINE NUMBER	
Have the container or label with you when calling a poison control center or doctor or going for treatment. You may also call 877-325-1840 for emergency medical treatment.	

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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL AND CHEMICAL HAZARDS

Do not use the same equipment for handling or manufacturing other agricultural chemicals.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

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

STORAGE: Avoid storage in close proximity to fertilizers, seeds, insecticides or fungicides.

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: Completely empty container by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then dispose of containers in a sanitary landfill or by incineration if allowed by State and local authorities. If burned, stay out of smoke.

Proposed - 5 October 2001

Only For Formulation Into a Herbicide, for:

- (1) The Following Uses: AGRICULTURAL CROPS: peas.
- (2) Uses for Which USEPA 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 USEPA Requirements.

Formulators who use this product are responsible for obtaining EPA registration for their formulated products.

DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

THE MANUFACTURER EXPRESSLY DISCLAIMS ALL LIABILITY FOR CLAIMS AND ACTIONS (WHETHER BASED ON CONTRACT, TORT, STRICT LIABILITY OR BREACH OF WARRANTY) ARISING OUT OF, RESULTING FROM OR CONNECTED WITH A FORMULATION CONTAINING THIS PRODUCT WHEN USED FOR ANY PURPOSE OTHER THAN THOSE USES SET FORTH IN (1) ABOVE. THE MANUFACTURER HAS NOT DEVELOPED SCIENTIFIC DATA TO SUPPORT, NOR HAS IT EXPLICITLY OR IMPLICITLY APPROVED, ANY USES OTHER THAN THOSE IN (1) ABOVE.

ANY FORMULATOR OR BUYER WHO USES THIS PRODUCT IN FORMULATIONS FOR ANY USE OTHER THAN THOSE STATED IN (1) ABOVE ASSUMES ALL LIABILITY FOR CLAIMS AND ACTIONS ARISING OUT OF, CONNECTED WITH OR RESULTING FROM SUCH USE AND AGREES BY SO USING THIS PRODUCT TO INDEMNIFY AND HOLD HARMLESS THE MANUFACTURER FROM SUCH CLAIMS AND ACTIONS.

THIS DISCLAIMER AND INDEMNITY IS IN ADDITION TO, NOT IN LIEU OF, THE BELOW DISCLAIMER AND LIMITATIONS.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants that this product conforms to the chemical description on the label; that this product is reasonably fit for the purposes set forth in item (1) of the Directions for Use when it is used in accordance with such Directions; and that the statements under item (1) of the Directions, the warnings and other statements on this label, other than the suggested uses under items (2) and (3) of the Directions, are based upon responsible experts' evaluation of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants, and of residues on food crops and upon reports of field experience. Tests have not been made on all varieties or in all states or under all conditions. THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE, ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS, OR CAUTIONS.

BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES OR INJURIES RESULTING FROM THE USE OR

HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

NOTICE TO BUYER

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States. Seller's guarantee shall be limited to the terms set out on the label and subject thereto, the buyer assumes the risk to persons or property arising from the use or handling of this product on that condition.

**Manufactured by
Nufarm, Inc.
St. Joseph, MO**

Made in The Netherlands

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

MAR 22 2002

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

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