

81927-15

08/24/2007

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**U.S. ENVIRONMENTAL PROTECTION
AGENCY**

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

81927-15

Date of Issuance:

AUG 24 2007

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:

Alligare Picloram RTU

Name and Address of Registrant (include ZIP Code):

Alligare, LLC
13 N 8th Street
Opelika, AL 36801

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you make the following revisions:

1. The proposed name of the product, "Alligare Picloram RTU," is misleading, as the product also contains 2,4-D, and in a larger percentage than the percentage of picloram. The product name should be changed so as not to imply that this product contains only picloram as the active ingredient.
2. Precautionary Statements- Hazards to Humans and Domestic Animals section: Based on the acute toxicity profile of this product and current labeling requirements per the Picloram and Salts and 2,4-D and Salts Reregistration Eligibility Decisions (REDs), the hazards statement must read, "Caution. Causes moderate eye irritation. Harmful if swallowed. Avoid contact with eyes or on clothing. Prolonged or frequent repeated skin contact may cause allergic reactions in some individuals."
3. Under the Personal Protective Equipment section, modify the statement beginning, "Applicators and other handlers..." to read, "All mixers, loaders, applicators, flaggers, and other handlers must wear:"
4. Place the paragraph beginning, "Discard clothing and..." into a box entitled, "User Safety Requirements."

Comments continued on page 2 of this Notice of Registration

Signature of Approving Official:

Joanne I. Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Date:

AUG 24 2007

5. Under Environmental Hazards section:
 - a. Add the statement, "This pesticide is toxic to fish and aquatic invertebrates," at the beginning of the section.
 - b. Add the sentence, "Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas," after the sentence, "This pesticide is toxic to fish and aquatic invertebrates."
 - c. Add the word, "or rinsate," after the word, "washwaters."
 - d. Add the following sentence after the sentence beginning, "Picloram is known to leach...": "2,4-D has properties and characteristics associated with chemicals detected in groundwater."
 - e. Modify the sentence beginning, "Use of this chemical..." to read, "Use of these chemicals..."

6. The maximum use rates on the current label do not comply with the rate restrictions in the Picloram and Salts and 2,4-D and Salts Reregistration Eligibility Decisions (REDs). Revising the rates to the following maximum rates for 2,4-D will also bring the picloram rates within acceptable limits:
 - Non-crop areas: For control of woody plants, there is a limit of 1 application per year, with a maximum of 4 lbs ae 2,4-D per acre per application. For control of annuals and perennials, the maximum is 2 applications per year with a minimum 30-day application interval and a maximum of 2 lbs ae 2,4-D per acre per application
 - Forestry: For basal spray, cut surface, stump and frill treatment, there is a maximum of 1 application per year, with a maximum of 8 lbs ae 2,4-D per 100 gallons of spray. For injection treatment, there is a maximum of 1 application per year, with a maximum of 2 mL of 4.0 lbs ae 2,4-D formulation per injection site.

7. A Picloram Stewardship Program is required to maintain registration of all end use products containing picloram. The program requires that you include the following Picloram Stewardship Program language on your product's label:
 - a. "Every 2 years starting January 1, 2008, the registrant will offer training to applicators which will cover application techniques and product stewardship particular to their use(s) of this product (Alligare Picloram RTU., Registration No. 81927-15). Applicators of this product must be able to provide certification of such training on demand to the State, Tribal or Federal enforcement agent."

8. Under the ingredients statement, place a statement indicating the number of pounds acid equivalents for picloram and 2,4-D.

9. Submit and/or cite all data required for the registration of this product when the Agency requires all registrants of similar product to submit data.

10. Add the statement, "EPA Reg. No. 81927-15."
11. Submit one copy of the final printed label before the product is released for shipment.

A stamped copy of the label is enclosed for your records.

Enclosure

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Alligare Picloram RTU

For use in controlling unwanted trees via cut surface treatments in forests and non-cropland areas such as fencerows, roadsides, and rights-of-way

ACTIVE INGREDIENTS:

Picloram: 4-amino-3,5,6-trichloropicolinic acid, trisopropanolamine salt 5.4%
2,4-Dichlorophenoxyacetic acid, trisopropanolamine salt* 20.9%

OTHER INGREDIENTS: 73.7%

TOTAL: 100.0%

Alligare Picloram RTU contains the following acid equivalents: picloram-3.0%, 2,4-dichlorophenoxyacetic acid-11.2%.

*Isomer Specific by AOAC Method No. 978.05 (15th Ed.)

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • 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 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Contains ethylene glycol.	

See inside booklet for additional PRECAUTIONARY STATEMENTS.

EPA Reg. No. 81927-

Manufactured for:
Alligare, LLC
13 N. 8th Street
Opelika, AL 36801

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

EPA Est. No.

AUG 24 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

Net Contents:

81927-15

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

Causes moderate eye irritation. Harmful if swallowed. Avoid contact with eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves Category C, such as barrier laminate \geq 14 mils, butyl rubber \geq 14 mils, nitrile rubber \geq 14 mils, neoprene rubber \geq 14 mils, polyvinyl chloride (PVC) \geq 14 mils, or viton \geq 14 mils
- Shoes plus socks
- Protective eyewear
- **For containers over 1 gallon, but less than 5 gallons:** Mixers and loaders who do not use a mechanical system (such as probe and pump or spigot) to transfer the contents of this container must wear coveralls or a chemical-resistant apron in addition to other required PPE.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. After each day of use, clothing or PPE must not be reused until it has been cleaned.

ENGINEERING CONTROL STATEMENTS

For containers of 5 gallons or more: Do not open pour from this container. A mechanical system (such as probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal. If the mechanical system is used in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4)], 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.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to some plants at very low concentrations. Non-target plants may be adversely affected if pesticide is allowed to drift from areas of application. 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.

Picloram is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

This chemical can contaminate surface water through spray drift. Under some conditions, picloram may also have a high potential for runoff into surface water (primarily via dissolution in runoff water). These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently

flooded areas, areas over-laying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetative filter strips, and areas over-laying tile drainage systems that drain to surface water.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. 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.

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.

Use undiluted only as indicated below.

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 48 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 Category C, such as barrier laminate ≥ 14 mils, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils
- Shoes plus socks
- Protective eyewear

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.

Do not enter or allow worker entry into treated areas until sprays have dried, unless applicator and other handler PPE is worn.

GENERAL INFORMATION

Alligare Picloram RTU is a ready-to-use product that is effective in cut surface applications for killing unwanted trees and preventing undesirable sprouting of cut trees in forest and other non-crop areas such as fence rows, roadsides and rights-of-way.

PRECAUTIONS AND RESTRICTIONS

Use this product only as specified on this label.

Maximum Use Rates: On rights-of-way and other non-crop areas, total use of Alligare Picloram RTU must not exceed 4 gallons per annual growing season. For forest sites, no more than 4 gallons per acre may be applied within a period of 2 annual growing seasons.

Alligare Picloram RTU is highly active, is water-soluble, can move with surface runoff water, and can remain phytotoxic for a year or more if it gets into the soil.

Do not contaminate cropland, water, or irrigation ditches.

Do not contaminate water intended for irrigation or domestic purposes. To avoid injury to crops or other desirable plants, do not treat or allow spray drift or run-off to fall onto banks or bottoms of irrigation ditches, either dry or containing water, or other channels that carry water that may be used for irrigation or domestic purposes. Do not apply to snow or frozen ground.

Do not apply on residential or commercial lawns or near ornamental trees and shrubs. Untreated trees can occasionally be affected by root uptake of herbicide through movement into the topsoil or by excretion of the product from the roots of nearby treated trees. Do not apply Alligare Picloram RTU within the root zone of desirable trees unless such injury can be tolerated.

Do not permit any spray or spray drift to contact desirable plants. Use only gravity flow or very low spray pressure.

Small amounts of this product can cause injury to plants. Do not apply on or in the vicinity of sensitive crops or desirable broadleaf plants.

Do not rotate food or feed crops on treated land if they are not registered for use with picloram until an adequately sensitive bioassay or chemical test shows that no detectable picloram is present in the soil.

Do not remove product from original container except to apply as indicated under the Directions For Use.

Mixing and Loading: Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

WOODY PLANTS CONTROLLED BY ALLIGARE PICLORAM RTU

ailanthus	birch	dogwood	green ash	hickory	oaks	serviceberry
alder	cedar	elm	gum	hornbeam	pecan	sourwood
aspen	cherry	firs	hawthorn	maples	persimmon	sweetbay

APPLICATION METHODS

Tree Injection Treatment

Apply 1 milliliter of undiluted Alligare Picloram RTU solution through the bark completely around the tree trunk at 2 to 3 inch intervals between edges of the injector wounds. When using the tree injector, make injections near ground level. When using a Hypohatchet Injector or similar device, make injections 2 to 4 feet above the ground. Treatments can be made in any season. Do not treat maples during the spring sap flow. For some difficult to control species such as dogwood, hickory, sugar maple, bigleaf maple, tanoak, and some firs, make applications to a continuous cut rather than to spaced cuts.

Note: No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is directly injected into agricultural plants.

Frill or Girdle Treatment

As close to the ground as feasible, make a single hack girdle or "frill" of overlapping ax cuts through the bark completely around the tree. Paint or spray the injured surface with undiluted Alligare Picloram RTU, using enough product to wet treated areas.

Stump Treatment

Using undiluted Alligare Picloram RTU, paint or spray cut surfaces of freshly cut stumps and stubs. Thoroughly wet the cambium area next to the bark.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container tightly closed when not in use.

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

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

To the extent consistent with applicable law, upon purchase or use of this product, purchaser and user agree to the following terms:

Warranty: Alligare, LLC (the Company) warrants that this product conforms to the chemical description on the label in all material respects and is reasonably fit for the purpose referred to in the directions for use, subject to the exceptions noted below, which are beyond the Company's control. To the extent consistent with applicable law, the Company makes no other representation or warranty, express or implied, concerning the product, including no implied warranty of merchantability or fitness for a particular purpose. No such warranty shall be implied by law, and no agent or representative is authorized to make any such warranty on the Company's behalf.

Terms of Sale: The Company's directions for use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, and the manner of use or application (including failure to adhere to label directions), all of which are beyond the Company's control. To the extent consistent with applicable law, all such risks are assumed by the user.

Limitation of Liability: To the extent consistent with applicable law, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product is a claim for damages, and in no event shall damages or any other recovery of any kind exceed the price of the product which caused the alleged loss, damage, injury or other claim. To the extent consistent with applicable law, under no circumstances shall the Company be liable for any special, indirect, incidental or consequential damages of any kind, including loss of profits or income, and any such claims are hereby waived. Some states do not allow the exclusion or limitation of incidental or consequential damages.

The Company and the seller offer this product, and the purchaser and user accept this product, subject to the foregoing warranty, terms of sale and limitation of liability, which may be varied or modified only by an agreement in writing signed on behalf of the Company by an authorized representative.

EPA [approval date]