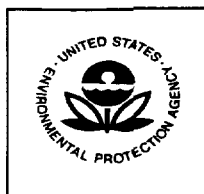


81943-45

3/18/2011

115



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

EPA Reg. Number: **81943-45**
 Date of Issuance: **MAR 18 2011**

NOTICE OF PESTICIDE:

Registration
 Reregistration
 (under FIFRA, as amended)

Term of Issuance:
Conditional

Name of Pesticide Product:
Ternstyle G Herbicide

Name and Address of Registrant (include ZIP Code):

Phoenix Environmental Care, LLC
 P.O. Box 370
 Valdosta, GA 31603-0370

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.

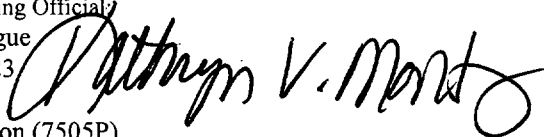
On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect 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 conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data. If required, failure to submit acceptable data to fulfill these requirements may result in registration cancellation in accordance with FIFRA section 6(e).
- 2) Add the phrase "EPA Reg. No. 81943-45" to the labeling and assure that the EPA Establishment Number and Net Contents are also on the label.
- 3) Generate one-year storage stability (830.6317) and corrosion characteristics (830.6320) data on the product. The observations should be made at 0, 3, 6, 9, and 12 month intervals. The results must be submitted to the Agency in electronic and hard copy format within 15 months of the date on this notice.
- 4) Generate Enforcement Analytical Method (830.1800) data on the product. The results must be submitted to the Agency within 6 months of the date on this notice.
- 5) The protective eyewear requirement under the Personal Protective Equipment (PPE) header on page 2 is not required, and is considered optional. This protective eyewear requirement may remain on the label as additional safety language, or it may be removed from the label.

SEE NEXT PAGE FOR ADDITIONAL COMMENTS

Signature of Approving Official:
 Kathryn V. Montague
 Product Manager 23
 Herbicide Branch
 Registration Division (7505P)



Date:
MAR 18 2011

6) Add the following text to the Directions for Use section of the label:

“Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et.al. v. EP, C01-0132C, (W.D. WA)” For further information, please refer to <http://www.epa.gov/espp/litstatus/wtc/index.htm>”.

7) Per the 2,4-D RED, the term “Postemergence” must appear under the USE SITES header in the ditchbank application section on page 5 for the header to read”

“Ditchbank application
Postemergence.....”

8) Replace the Swimming header on page 7 that reads “3.Swimming 2,4-D butoxyethanol ester)” with “3. Swimming”. Note: The 2,4-D RED includes the term “butoxyethanol ester” in the RED label table solely to assist registrants in locating the required label text for their particular 2,4-D formulation. It is not appropriate to include this reference on the final label.

9) Replace the Swimming header on page 10 that reads “3.Swimming (,4-D butoxyethanol ester only)” with “3. Swimming”. Note: The 2,4-D RED includes the term “butoxyethanol ester” in the RED label table solely to assist registrants in locating the required label text for their particular 2,4-D formulation. It is not appropriate to include this reference on the final label.

10) Per the 2,4-D RED, the statement on page 7 that reads “b. For floating and emergent weed applications, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 feet.” must be removed from the label. The order of the item listed below this text should be changed accordingly.

11) Per the 2,4-D Reregistration Eligibility Document (RED), the maximum allowable application rate must be listed as pounds or gallons of formulated product per surface acre and as pounds acid equivalent per surface acre. The restrictions for “ditchbank applications” on page 5 that reads “Do not apply more than 10.5 pounds per acre per application.” must be expanded to include the acid equivalent per acre restriction.

12) Per the 2,4-D RED, the maximum allowable application rate must be listed as pounds or gallons of formulated product per surface acre, not just as pounds acid equivalent per surface acre. The restrictions for “Floating and emergent weeds” on page 6 that reads “Maximum of 4.0 lbs. acid equivalent (ae) per surface acre per application.” must be expanded to meet this requirement.

13) Per the 2,4-D RED, the maximum allowable application rate must be listed as pounds or gallons of formulated product per surface acre, not just as pounds acid equivalent per surface acre. The restrictions for “Submersed Weeds” on page 8 that read “Maximum of 10.8 lbs. acid equivalent per acre foot per application.” must be expanded to meet this requirement.

14) Per the 2,4-D RED, the text at the top of page 6 that reads "Boom spraying onto water surface must be held to a minimum and allow no more than 2 ft. overspray onto water with an average of less than 1 ft. overspray to prevent introduction of greater than negligible amounts of chemical into the water." must be changed to read "Allow no more than 2 foot overspray onto water."

15) Per the 2,4-D RED, change the header on page 6 from "Water use for floating and emergent weeds" to "Water Use". Also change the phrase "1. Water use for irrigation or sprays" to "1. Water for irrigation or sprays" for the section header and the first item under the header to read:

- "Water Use
- 1. Water for irrigation or sprays:...."

16) The following information must be added to the Directions for Use:

Other State and Local Requirements

"Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed."

17) NOTE: While no additional data is being requested at this time, marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.

18) NOTE: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

19) Submit one (1) copy of the revised final printed label before the product is released for shipment.

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

4/15

Ternstyle G

Herbicide

Active Ingredient:	
2,4-Dichlorophenoxyacetic acid, Butoxyethyl ester*	27.6%
Other ingredients:	72.4%
Total:	100.0%

*equivalent to 19.0% 2,4-D Dichlorophenoxyacetic acid.

KEEP OUT OF THE 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 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 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 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 15-20 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. • Call a poison control center or doctor for further treatment advice.
Hotline 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 1-888-875-1724 for emergency medical treatment.	

Phoenix Environmental Care LLC
PO Box 370
Valdosta, GA 31603-0370

Net Contents: _____

EPA Reg. No. 81943-~~xxxx~~45
EPA Est. No. _____

ACCEPTED
with **COMMENTS**
In EPA Letter Dated:
MAR 18 2011
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

81943-45

5/15

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

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber or viton. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators, and other handlers must wear:

- Long sleeved shirt, and long pants,
- Shoes plus socks, plus
- Protective eyewear.

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.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- 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.

6/15

ENVIRONMENTAL HAZARDS

For terrestrial uses:

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

For aquatic uses:

Fish breathe dissolved oxygen in the water and decaying weeds also use oxygen. When treating continuous, dense weed masses, it may be appropriate to treat only part of the infestation at a time. For example, apply the product in lanes separated by untreated strips that can be treated after vegetation in treated lanes has disintegrated. During the growing season, weeds decompose in a 2 to 3 week period following treatment. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Waters having limited and less dense weed infestations may not require partial treatments.

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING. READ ENTIRE LABEL BEFORE USING THIS PRODUCT.

PRODUCT INFORMATION

Ternstyle G is a granular herbicide product used in aquatic and terrestrial applications to control weeds and/or nuisance plants. This product will resist rapidly breaking down in water once applied and targets the root of the weed or plant.

Other weeds or plants can be suppressed but control may not be entirely possible. Therefore, Ternstyle G may not offer the control desired for these weeds or plants not listed on the product label.

PRECAUTIONS AND RESTRICTIONS

Advisory precautions:

- For optimum results, the water to be treated should have a pH less than 8. Weed control can be less effective if the pH of the water is greater than 8. Make a second application if regrowth occurs within 1 ½ - 2 months (6-8 weeks).
- All equipment must be carefully cleaned before use.
- Vapors from this product may injure susceptible plants in the immediate vicinity. Avoid drift of dust to susceptible plants.
- Treated lanes should be 50 – 100 feet wide with buffer strips of equal width.
- Avoid drift to susceptible plans in the immediate treatment area.

7/15

Restrictions:

- Do not use this product in or around greenhouses.
- Do not apply this product in a way that will contact workers or other person, either directly or through drift. Only protected handlers may be in the area during application.
- Do not enter or allow persons to enter treated area until dusts have settled.
- Do not apply this product by aircraft.

APPLICATION DIRECTIONS

Apply Ternstyle G in the spring and/or early summer for optimum results when weeds first begin to develop. If necessary the bottom of the lake can be checked in areas heavily infested with weeds prior year to determine timing. Delaying application until the weeds form a dense mat or surface may require a second application. The second application should be made when weeds begin to recover from the first treatment. Applications conducted after September may be less successful due to a decrease in water temperatures and weed growth. A second application, however may be required if heavy regrowth takes place or weeds reinfest from untreated areas.

For applications to larger areas: Use a fertilizer spreader or mechanical seeder (ie., Gerber or Gandy) or other equipment that will allow for an even distribution of Ternstyle G. Calibrate the spreader or other equipment to ensure the appropriate amount of Ternstyle G will be applied before use. If using a boat and power equipment, determine the appropriate rate of delivery, swath width covered, and the speed of the boat.

For applications to smaller areas (such as around docks or patches of weeds): Use a portable spreader (ie., Cyclone) or other equipment that will allow for an even distribution of Ternstyle G. Either measure or estimate the area to be treated and weigh out the amount of Ternstyle G required. Divide the required amount by two and swathe the area twice, applying the second half at right angles to the first half. The following to calibrate the spreader delivery in pounds per minute of Ternstyle G:

$$\frac{\text{Miles per hour} \times \text{spreader width} \times \text{pounds per acre}}{495} = \text{pounds per minute}$$

APPLICATION RATES

The application rates can fluctuate depending upon weed species resistance to the chemical, density of weed mass at time of application, stage of growth, water depth, and rate of water flow through the treated area. When the water depth is greater than 8 feet and/or where the volume of water turnover is large, use the higher rate of application for dense weed growth.

8/15

	Lbs./2,000 sq. ft.	Lbs./Acre
Susceptible weeds		
Water milfoil <i>Myriophyllum</i> spp.	5	100-200
Water stargrass <i>Heteranthera dubia</i>		
Slightly to Moderately Resistant weeds		
Bladderwort <i>Utricularia</i> spp.	7.5 - 10	150-200
Water lily, white <i>Nymphaea</i> spp.		
water lily, yellow or spatterdock* <i>Nuphar</i> spp.		
Water shield <i>Brasenia</i> spp.		
Water chestnut <i>Trapa natans</i>		
Coontail* <i>Ceratophyllum demersum</i>		
*Additional applications may be necessary.		

USE SITES

For ditchbank applications:

Restrictions and limitations:

- Do not apply more than 10.5 pounds per acre per application.
- Do not make more than 2 applications per season with a minimum retirement interval of 30 days.
- Spot treatments are permitted.
- Do not use on small canals with a flow rate less than 10 cubic feet per second (CFS) where water will be used for drinking purposes. CFS may be estimated by using the formula below. The approximate velocity needed for the calculation can be determined by observing the length of time that it takes a floating object to travel a defined distance. Divide the distance (ft.) by the time (sec.) to estimate velocity (ft/sec). Repeat 3 times and use the average to calculate CFS.

$$\text{Average width (ft) x Average Depth (ft) x Average velocity (ft/sec) = CFS}$$

For use on ditchbank weeds:

- Do not allow boom spray to be directed onto water.
- Do not spray across stream to opposite bank.

For use on shoreline weeds:

9/15

- Boom spraying onto water surface must be held to a minimum and allow no more than 2 ft. overspray onto water with an average of less than 1 ft. overspray to prevent introduction of greater than negligible amounts of chemical into the water.

Floating and emergent weeds:

Restrictions and limitations:

- Maximum of 4.0 lbs. acid equivalent (ae) per surface acre per application.
- Limited to 2 applications per season.
- Minimum of 21 days between applications.
- Spot treatments are permitted.
- Apply to emergent aquatic weeds in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, non-irrigation canals, rivers, and streams that are quiescent or slow moving.
- Coordination and approval of local and state authorities may be required, either by letter of agreement or issuance of special permits for aquatic applications.

Water use for floating and emergent weeds:

1. Water use for irrigation or sprays:
 - a. If treated water is intended to be used only for crops or non-crop areas that are labeled for direct treatment with 2,4-D such as pastures, turf, or cereal grains, the treated water may be used to irrigate and/or mix sprays for these sites at anytime after the 2,4-D aquatic application.
 - b. Due to potential phytotoxicity considerations, the following restrictions are applicable: If treated water is intended to be used to irrigate or mix sprays for plants grown in commercial nurseries and greenhouses; and other plants or crops that are not labeled for direct treatment with 2,4-D, the water must not be used unless one of the following restrictions has been observed:
 - i. A setback distance from functional water intake(s) of greater than or equal to 600 feet was used for the application, or ,
 - ii. A waiting period of 7 days from the time of application has elapsed, or,
 - iii. An approved assay indicates that the 2,4-D concentration is 100 ppb (0.1 ppm) or less at the water intake. Wait at least 3 days after application before initial sampling at water intake.
2. Drinking water (potable water):
 - a. Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The potable water use restrictions on this label are to ensure that the consumption of water by the public is allowed only when the concentration of 2,4-D in the water is less than the MCL (maximum contaminant level) of 70 ppb. Applicators should consider the unique characteristics of the treated waters to assure that 2,4-D concentrations in potable water do not exceed 70 ppb at the time of consumption.
 - b. For floating and emergent weed applications, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 feet.
 - c. If no setback distance of greater than or equal to 600 feet is used for application, applicators or the authorizing organization must provide a drinking water notification prior to a 2,4-D application to the party responsible for public water supply or to individual private water uses. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting must include the day and time of application. Posting may be removed if analysis of a sample collected at the intake 3 or more days following application shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or after 7 days following application, whichever occurs first.

Text of notification: wait 7 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation, or sprays, unless water at functioning drinking water intakes is tested at least 3 days after application and is demonstrated by assay to contain no more than 70 ppb 2,4-D (100 ppb for irrigation or sprays). Application Date: _____ Time: _____

- d. Following each application of this product, treated water must not be used for drinking water unless one of the following restrictions has been observed:
 - i. A setback distance from functional water intake (s) of greater than or equal to 600 feet was used for the application, or,
 - ii. A waiting period of at least 7 days from the time of application has lapsed, or
 - iii. An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intake. Sampling for drinking water analysis should occur no sooner than 3 days after 2,4-D application. Analysis of sample must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method Number 515, 555, other methods for 2,4-D may be listed in Title 40 CFR Part 141.24 or Method Number 4015 (immunoassay of 2,4-D) from US EPA Test Methods for Evaluating Solid Waste SW-846.
 - e. Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes.
 - f. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes.
3. Swimming 2,4-D butoxyethanol ester):
- a. Do not swim in treated water for a minimum of 24 hours after application.
 - b. For floating and emergent weed applications, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 feet.
 - c. Users must provide notification prior to performing a 2,4-D BEE application. Notification to the party responsible for the public swimming area or to individual private users must be done in a manner to assure that the party is aware of the water use swimming restrictions when this product is applied to water. The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points.

11/15

Text of notification: Do not swim in treated water for a minimum of 24 hours after application. Application Date: _____ Time: _____

- 4. Except as stated above, there are no restrictions on using water from treated areas for swimming, fishing, water livestock or domestic purposes.

Table 1: Amount to apply for a target subsurface concentration

Surface Area	Average depth	For typical conditional 2 ppm (2,4-D ae/acre)	For difficult conditions* 4ppm (2,4-D ae/acre)
1 acre	1 ft.	5.4 lbs.	10.8 lbs.
	2 ft.	10.8 lbs.	21.6 lbs.
	3 ft.	16.2 lbs.	32.4 lbs.
	4 ft.	21.6 lbs.	43.2 lbs.
	5 ft.	27.0 lbs.	54.0 lbs.

*Examples include spot treatment of pioneer colonies of Eurasian Water Milfoil and certain difficult to control aquatic species.

Submersed Weeds:

Limitations and Restrictions:

- Maximum of 10.8 lbs. acid equivalent per acre foot per application.
- Limited to 2 applications per season.
- Do not apply within 21 days of previous application
- When treating moving bodies of water, applications must be made while traveling upstream to prevent concentration of 2,4-D downstream from the application.
- Coordination and approval of local and state authorities may be required, either by letter of agreement or issuance of special permits for such use.
- Apply to aquatic weeds in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, non-irrigation canals, rivers, and streams that are quiescent or slow moving.

Water use for submersed weeds

1. Water for irrigation or sprays:
 - a. If treated water is intended to be used only for crops or non-crop areas that are labeled for direct treatment with 2,4-D such as pastures, turf, or cereal grains, the treated water may be used to irrigate and/or mix sprays for these sites at anytime after the 2,4-D aquatic application.
 - b. Due to potential phytotoxicity and/or residue considerations, the following restrictions are applicable:
If treated water is intended to be used to irrigate or mix sprays for unlabeled crops, non-crop areas or other plants not labeled for direct treatment with 2,4-D, the water must not be used unless one of the following restrictions has been observed:
 - i. A setback distance described in the Drinking Water Setback Table was used for the application, or,
 - ii. A waiting period of 21 days from the time of application has elapsed, or,

12/15

- iii. An approved assay indicates that the 2,4-D concentration is 100 ppb (0.1 ppm) or less at the water intake. See Table 3 for the waiting period after application but before taking the initial sampling at water intake.

2. Drinking water (potable water):

- a. Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The potable water use restrictions on this label are to ensure that the consumption of water by the public is allowed only when the concentration of 2,4-D in the water is less than the MCL (maximum contaminant level) of 70 ppb. Applicators should consider the unique characteristics of the treated waters to assure that 2,4-D concentrations in potable water do not exceed 70 ppb at the time of consumption.
- b. For submersed weed applications, the drinking water setback distances from functioning potable water intakes are provided in Table 2. Drinking Water Setback Distance (below).
- c. If no setback distance from the Drinking Water Setback Table (Table 2) is to be used for the application, applicators or the authorizing organization must provide a drinking water notification and an advisory to shut off all potable water intakes prior to a 2,4-D application. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting should include the day and time of application. Posting may be removed if analysis of a sample collected at the intake no sooner than stated in Table 3 (below) shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or after 21 days following application, whichever occurs first.

Text of notification:

Wait 21 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation or sprays, unless water at functioning drinking water intakes is tested no sooner than (insert days from Table 3) and is demonstrated by assay to contain not more than 70 ppb 2,4-D (100 ppb for irrigation or sprays).

Application Date: _____ Time: _____

- d. Following each application of this product, treated water must not be used for drinking water unless one of the following restrictions has been observed:
 - i. A setback distance described in the Drinking Water Setback Distance Table was used for the application, or,
 - ii. A waiting period of at least 21 days from the time of application has elapsed, or
 - iii. An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intake. Sampling for drinking water analysis should occur no sooner than stated in Table 3. Analysis of samples must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method 515.555, other methods for 2,4-D as may be listed in Title 40 CFR Part 141.24, or Method Number 4015 (immunoassay of 2,4-D) from US EPA Methods for Evaluating Solid Waste SW-846.

- e. Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes.
- f. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes.

Table 2: Drinking water setback distance for submersed weed applications

Rate and Minimum setback distance (feet) from functioning potable water intake			
1 ppm*	2 ppm*	3 ppm*	4 ppm*
600	1200	1800	2400
*ppm acid equivalent target water concentration.			

Table 3: Sampling for Drinking water analysis after 2,4-D application for submersed weed applications

Minimum days after application before initial water sampling at the functioning potable water intake			
1 ppm*	2 ppm*	3 ppm*	4 ppm*
5	10	10	14
*ppm acid equivalent target water concentration			

3. Swimming (2,4-D Butoxyethanol ester only):
 - a. Do not swim in treated water for a minimum of 24 hours after application.
 - b. Users must provide the following notification prior to performing a 2,4-D BEE application. Notification to the party responsible for the public swimming area or to individual private users must be done in a manner to assure that the party is aware of the water use swimming restrictions when this product is applied to water. The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.
 Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points.
 Text of notification:
 Do not swim in treated water for a minimum of 24 hours after application.
 Application Date: _____ Time: _____
4. Except as stated above, there are no restrictions on using water from treated areas for swimming, fishing, watering livestock or domestic purposes.

14/15

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container in a dry secured storage area.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide is a violation of Federal Law and may contaminate groundwater. 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: Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment. Offer for recycling, if available or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances

LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

It is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness of the product, or injury to non-target crops or plants may result as a consequence due to manner of use or application, weather or other factors which are beyond the control of Phoenix Environmental Care, LLC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Phoenix Environmental Care, LLC and Seller harmless for any claims relating to such factors.

Phoenix Environmental Care, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Phoenix Environmental Care, LLC, and Buyer and User assume the risk of any such use. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, PHOENIX ENVIRONMENTAL CARE, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

To the extent consistent with applicable law, neither Phoenix Environmental Care, LLC nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF PHOENIX ENVIRONMENTAL CARE, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF PHOENIX ENVIRONMENTAL CARE, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

15/15

Ternstyle G Draft Label
October 18, 2010

Phoenix Environmental Care, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Phoenix Environmental Care, LLC.