

83520 -9

10/30/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Jane Miller  
Agent to Axss USA, LLC  
6600 West 20<sup>th</sup> St., Ste. 26  
Greeley, CO 80634

OCT 30 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Miller:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated October 12, 2009 for:

- |                                  |                                    |
|----------------------------------|------------------------------------|
| <b>EPA Registration 83520-8</b>  | <b>Dicamba Acid Technical</b>      |
| <b>EPA Registration 83520-1</b>  | <b>Mepiquat Chloride Technical</b> |
| <b>EPA Registration 83520-17</b> | <b>Glyphosate Acid Technical</b>   |
| <b>EPA Registration 83520-9</b>  | <b>2.4-D Acid Technical</b>        |

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and finds that the label changes requested falls within the scope of PR Notices 2007-4. The label has been date-stamped "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 nonrefillable 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 Nicole Williams of my staff at 703-308-5551.

Sincerely,

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



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 83520-9	2. EPA Product Manager J. Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) 2,4-D Acid Technical	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Axss USA, LLC 6600 West 20th St., Suite 26 Greeley, CO 80634 <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 checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**NOTIFICATION**

**OCT 30 2009**

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in 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 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input checked="" type="checkbox"/> Other (Specify) polyethylene bag	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 800 kg.		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jane M. Miller	Title Agent	Telephone No. (Include Area Code) (203) 740-1200
<p align="center"><b>Certification</b></p> <p>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.</p>		6. Date Application Received  (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Jane M. Miller	5. Date October 12, 2009	



October 12, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
US Environmental Protection Agency  
One Potomac Yard  
2777 S. Crystal Drive  
Room S-4900, 4<sup>th</sup> Floor  
Arlington, VA 22202

Attention: Ms. Joanne Miller (PM #23)

RE: "2.4-D Acid Technical"; EPA Reg. No. 83520-9  
Notification to revise Storage and Disposal Statement

Dear Ms. Miller:

On behalf of Axss USA, LLC please find enclosed the following:

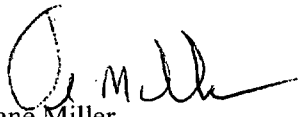
"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of 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 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

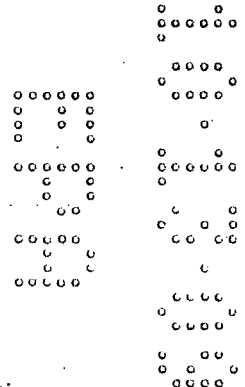
The following documents are enclosed to process this Notification:

1. Application for Pesticide Notification (8570-1)
2. One (1) copy of the draft label with the additional language underlined.

Should you have any questions, or wish to reach me, please feel free to contact our office at 203-740-1200.

Sincerely,

  
Jane Miller  
Agent to Axss USA, LLC



# 2,4-D Acid Technical

For Manufacturing Use Only

**NOTIFICATION**

**OCT 30 2009**

Active Ingredient:  
 2,4-dichlorophenoxyacetic acid .....98.2%  
 Related Ingredients:..... 1.8%  
 Total.....100.0%

## DANGER

### Precautionary Statements

#### Hazards to Humans and Domestic Animals

Corrosive • Causes Irreversible Eye Damage • Harmful If Swallowed, Inhaled or Absorbed Through the Skin

Do not get in eyes or on clothing. Avoid contact with skin or clothing. Avoid breathing vapor. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. When handling this product, wear eye protection (safety glasses, face shield, or chemical goggles), and chemical resistant gloves (nitrile rubber or butyl rubber ≥14 mils). Remove and wash contaminated clothing and clean protective equipment before reuse.

First Aid	
<b>If in eyes:</b>	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.
<b>If on skin or clothing:</b>	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.
<b>If swallowed:</b>	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.
<b>If inhaled:</b>	Move person to fresh air. If person is not breathing, call 911 or an ambulance, and then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact 1-800-222-1222 for emergency medical treatment information.	
<b>Note to Physician:</b> 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

**Directions for Use**

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

**For Manufacturing Use Only**

**For Formulation Into An Herbicide for Use Only On The Following Crops:** Corn, Sorghum (Milo), Small Grains (Wheat, Oats, Barley and Rye), Rice, Soybeans (preplant), Sugarcane, Grass Pastures, Rangeland, Fallow Cropland, Areas in the Conservation Reserve Program, Grass Seed Crops, Orchard Floors (Apple, Pear, Fruit, Citrus, and Nut); **And For The Following Non-Crop Uses:** Turf (including Lawns, Golf Courses, Cemeteries, Parks, Airfields), Roadsides, Non-Cropland Areas including Rights-of-Way, Railroads, Drainage Ditch Banks, Fence Rows, Tree Injection Treatments, Forest Site Preparation, Forest Conifer Release, Woody Plant Control in Non-Cropland Areas and Aquatic Weed Control.

**Note:** Because of their properties and intended uses, formulations containing 2,4-D Acid Technical may require precautionary labeling differing from that given. Formulators should develop their own use and precautionary labeling, based on the properties and intended uses of their own finished formulations, and in accordance with all pertinent laws and regulations.

Formulators using this product are responsible for obtaining EPA registration for their formulated products. Contact Axss USA for instructions about formulation and other information.

This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf uses after June 15, 1994, must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993 must bear the revised label language below.

**General Requirements For End-Use Product Labeling**

1. Containers over 1 gallon and less than 5 gallons in capacity must bear the following statements: "Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron."
2. Containers of 5 gallons or more in capacity must also bear the following statement: "Do not open pour product from this container. A mechanical system (such as a 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."

## Specific Requirements For End-Use Product Labeling

### 1. For Agricultural Uses

- a. Clothing Requirements Statements: "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."
- b. Personal Hygiene Statements: "Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using the toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous days mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower."
- c. The maximum application rate to Pasture and Rangeland is the lower of 1) existing application rate on currently registered label or 2) 2 pounds 2,4-D acid equivalent per acre per application site.
- d. The maximum application rate for Forestry Site Preparation is the lower of 1) existing application rate on currently registered label or 2) 2 pounds 2,4-D acid equivalent per acre per application site. The maximum rate to all forestry sites is the lower of 1) existing application rate on currently registered label for 2) 4 pounds 2,4-D acid equivalent per acre per application site.
- e. A re-entry interval (REI) is required and should be in accordance with the Worker Protection Standard, 40 CFR parts 156 and 170.

### 2. For Industrial/Aquatic Uses

- a. Clothing Requirements Statements: "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."
- b. Personal Hygiene Statements: "Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using the toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous days mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower."
- c. The maximum application rate to General Non-Crop Sites is the lower of 1) existing application rate on currently registered label or 2) 2 pounds 2,4-D acid equivalent per acre per application site. The maximum non-crop application rate for Tree, Brush and Woody Plant control on Rights-of-Way is the lower of 1) existing application rate on currently registered label or 2) 4 pounds 2,4-D acid equivalent per acre per application site. The maximum seasonal application rate to Non-Crop Sites is 4 pounds 2,4-D acid equivalent per

acre per application sites.

**3. For Residential And Turf Sites (Excluding Sod Farms)**

- a. Clothing Requirement Statements: 1) For All Granular Products: "When using this product, wear long-sleeved shirt, long pants, socks and shoes." 2) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other non-commercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves." 3) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other non-commercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, rubber gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection." 4) Products registered for use on residential and for other turf sites (excluding sod farms) by homeowners and other non-commercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt and ester products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves." 5) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other noncommercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt and ester products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection." 6) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course), all products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When mixing, loading, or applying this product, wear long-sleeved shirt, long pants, socks, shoes and chemical-resistant gloves." 7) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course), all products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When mixing, loading, or applying this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and eye protection. It is recommended that safety glasses include front, brow and temple protection."
  
- b. Personal Hygiene Statements: 1) For All Granular Products: "After using this product, remove clothing and launder separately before reuse and promptly and thoroughly wash hands and exposed skin with soap and water."; 2) For All Liquid Products: "After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower."

c. The maximum application rate to Turf is the lower of 1) existing application rate on currently registered label or 2) 2 pounds 2,4-D acid equivalent per application per site. The maximum number of broadcast applications per treatment site is 2 per year.

d. The following re-entry statement (REI) must be included: "Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried or dust has settled."

**Storage and Disposal**

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**Pesticide Storage:** Keep container tightly closed when not in use. This product can be stored in an unheated building.

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate 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 bag into formulation application equipment. Then 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.

**General:** Consult federal, state, or local disposal authorities for approved alternative procedures.

**Warranty Limitations and Disclaimer**

Axss USA, LLC warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Axss USA, LLC EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

**Manufacturing Chemical:** Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 83520-9

EPA Est. Nos. 83227-CHN-001  
72951-CHN-001

Net Weight: 1,764 lbs. (800 kg)

Manufactured by:

Axss USA, LLC  
6600 West 20<sup>th</sup> St., Suite 26  
Greeley, CO 80634