

83520-15

9/22/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms. Jane Miller  
Agent to Axss USA, LLC  
Biologic Inc.  
115 Obtuse Hill  
Brookfield, Conn 06804

SEP 22 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 Notice (PRN) 2007-4 dated July 30, 2009 for:

**EPA Registration 83520-15      2,4-D Amine Manufacturing Concentrate**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-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 identify 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

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

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 83520-15	2. EPA Product Manager J. Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) 2,4-D Amine Manufacturing Concentrate	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Axss USA, LLC 1100 Platte Falls Road Platte City, MO 64079 <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**  
 SEP 22 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 checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input 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 15, 30, 55, 250 gal.		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
<b>Certification</b> 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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Jane M. Miller	5. Date July 30, 2009	



July 30, 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 Amine Manufacturing Concentrate"; EPA Reg. No. 83520-15  
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

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# 2,4-D Amine Manufacturing Concentrate

## For Manufacturing Use Only

### Active Ingredient:

2,4-dichlorophenoxyacetic acid,  
dimethylamine salt.....67.2%

Inert Ingredients.....32.8%

Total Ingredients.....100.0%

**NOTIFICATION**

Acid Equivalent: 2,4-Dichlorophenoxyacetic Acid: 55.8% or 5.66 lbs. per gallon

**SEP 22 2009**

Keep Out of Reach of Children

## DANGER/PELIGRO

### Precautionary Statements

#### Hazards to Humans and Domestic Animals

**Corrosive • Causes Irreversible Eye Damage • May Be Fatal If Absorbed Through Skin • Harmful If Swallowed • Do Not Get In Eyes, On Skin or On Clothing.**

**Wear goggles or face shield, protective clothing and chemical resistant gloves. Wash thoroughly with soap and water after handling, and before eating or smoking. Remove contaminated clothing and wash 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 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 on skin:</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.

**Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage.

### 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.
- 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 product is toxic to aquatic invertebrates. **DO NOT** discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a Nation 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 of Regional Office of the EPA.

**Storage and Disposal**

**Prohibitions:** **DO NOT** contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**Storage:** Keep container tightly closed when not in use. **DO NOT** store near fertilizers, seeds, insecticides or fungicides. **DO NOT** store below temperature of 45 degrees F (7 degrees C). If frozen (crystallized) warm to 80-90 degrees F (27-32 degrees C) and re-dissolve before using by rolling or shaking the container. Store in a safe manner. Store in original container only. Store in cool, dry place. Keep container tightly closed when not in use. Reduce stacking height where local conditions can affect packaging strength.

**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: (Metal) Nonrefillable container.** Do not reuse or refill this container. Puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple rinse as follows:

**Containers larger than 5 gallons:** Empty the remaining contents into a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**Pressure rinse as follows (all sizes):** Empty the remaining contents into a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank 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.

**Refillable container (250 gallon & bulk):** Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing process two more times.

**DO NOT reuse or refill container.** Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into mixing system. Fill the container 1/4 full with water. Replace and tighten. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip back and forth several times. Empty the rinsate into

~~application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Once cleaned, offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.~~

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

**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:** Formulations made from this manufacturer's concentrate containing the dimethylamine salt 2, 4-dichlorophenoxyacetic acid may have different properties and uses. Manufacturers and formulators should develop their own use and precautionary labeling based on the intended uses and properties 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. Refer to AXSS USA, LLC for instructions for formulation and other information.

Do not contaminate water by cleaning of equipment or disposal of wastes. Do not contaminate water used for irrigation or domestic purposes. Thoroughly clean equipment used with this product with suitable chemical cleaner before use for other purposes.

This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions.

**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 day's mixing and loading or application for 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 to forestry site preparation 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 rate to all forestry sites 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.
- e. A reentry interval is required and should be in accordance with the Worker Protection Standards, 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 protections 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 day's mixing and loading or application for 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 Requirements 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 and rubber gloves and eye protection. It is recommended that safety glasses include front, brow and temple protections.” 4) 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 the “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.” 5) 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 day.
- d. The following reentry statement 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.”

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**Warranty Limitations and Disclaimer**

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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.

EPA Reg. No. 83520-15

EPA Est. XXXXX-XX-XXX

Manufactured By:  
 Axss USA, LLC  
 1100 Platte Falls Road  
 Platte City, MO 64079