

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

April 6, 2018

Norma C. Pangilinan, Ph.D. Head of Regulatory Affairs North America SBM Life Science Corporation 1001 Winstead Dr., Suite 500 Cary, NC 27513

Subject: Notification per PRN 98-10 – Add optional bracketed texts, note to reviewers, packaging sizes, websites, trademarks, marketing claims and graphics
 Product Name: Triclopyr 8.8% Concentrate Herbicide
 EPA Registration Number: 92564-6
 Application Date: October 18, 2017
 Decision Number: 539491

Dear Dr. Pangilinan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

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 (FIFRA) 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. If you have any questions, please contact Mindy Ondish by phone at 703-605-0723, or via email at ondish.mindy@epa.gov.

Sincerely,

Mindy Ondish for

Grant Rowland Product Manager 23 Herbicide Branch Registration Division (7505P) Office of Pesticide Programs

## (FRONT PANEL)

# Triclopyr 8.8% Concentrate Herbicide

[ABN: Bayer Advanced Brush Killer Plus Concentrate; Bayer Advanced Brush Killer Plus Ready-to-Spray; Bianova Advanced Brush Killer Plus Concentrate; BioAdvanced Brush Killer Plus Concentrate; BioAdvanced Solutions Brush Killer Plus Concentrate; Fortifend Advanced Brush Killer Plus Concentrate; Bianova Advanced Brush Killer Plus Ready-to-Spray; BioAdvanced Brush Killer Plus Ready-to-Spray; BioAdvanced Science-Based Solutions Brush Killer Plus Ready-to-Spray; Fortifend Advanced Brush Killer Plus Ready-to-Spray; Fortifend Advanced Brush Killer

ACTIVE INGREDIENT:	
Triclopyr, triethylamine salt	
OTHER INGREDIENTS:	<u></u>
TOTAL:	100.00%
EPA Reg. No. 92564-6	EPA Est. No. XXXX-AA-XX
** 6.36% Triclopyr acid equivalent	

Net Contents: 32 fl oz (946 mL) or 40 fl oz (1.18 L) or 64 fl oz (1.89 L) or 1 gal (3.78 L), 1.5 gal, 2.0 gal, 2.5 gal

\*Trademark of Dow AgroSciences

# KEEP OUT OF REACH OF CHILDREN CAUTION

See Back Panel Booklet for Additional Precautionary Statements

## NOTIFICATION

#### 92564-6

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

04/06/2018

FIRST AID		
If in eyes	<ul> <li>Hold eye open and rinse slowly and gently with water for 15 – 20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>	
If on skin or clothing	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 – 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>	
If swallowed	<ul> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>	
office, bring this product label to she	ol center, have this product label accessible. If seeking treatment at an emergency room or doctor's w medical personnel. You may call toll-free 877-229-3763 for medical emergency information. triethylamine salt (CAS # 57213-69-1)].	

## **PRECAUTIONARY STATEMENTS**

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

- Causes moderate eye irritation.
- Harmful if swallowed, inhaled or absorbed through skin.
- Avoid contact with eyes, skin, or clothing.
- Avoid breathing spray mist.
- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.
- Remove contaminated clothing and wash before reuse.
- Wear a long-sleeved shirt, long pants, shoes, and socks when applying this product.

### **ENVIRONMENTAL HAZARDS**

• To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

#### (BACK PANEL)

This product kills the tough listed [\*] brushy & viney weeds, roots and other listed [\*] weeds all. This concentrated formula kills Kudzu, Poison Ivy, Poison Oak and Blackberries. Over 75 hard-to-kill listed plants[\*] in all - to the root. Ideal for large areas - treats 4,000 square feet (32 fl oz size). No messy cleanup. Eliminating unsightly [brush], vines and other listed [\*] weeds from your home's landscape has never been easier.

OR

Triclopyr 8.8% Concentrate Herbicide kills tough listed [\*] brush and vines, [roots and all]. This concentrated formula controls Poison lvy, Poison Oak, Blackberries, Kudzu and over 70 other listed [\*] hard-to-kill plants. Eliminating unsightly listed [\*] brush, vines, weeds and stumps from your home's landscape has never been easier.



[READ THE LABEL FIRST

QUICK FACTS	
[Note to PM: May choose	any claim from marketing claim list.] (Marketing Claims Positioned Here)
KILLS	<ul> <li>Brush, Vines and Other Histed [*] Woody Plants</li> <li>[Poison Ivy], [Poison Oak], [Blackberry], [Wild Berries] and [Histed [*] Bushy Plants]</li> <li>Stumps [Concentrate only, not Ready-to-Spray]</li> <li>Kudzu</li> <li>Histed [*] Broadleaf Weeds</li> </ul>
WHERE TO USE	Use around homes, cabins, buildings, fences, walkways, trails and wooded areas.
COVERAGE	This bottle treats up to 4,000 square feet (32 fl oz size). [Just hook bottle to hose and go.]
WHEN TO USE	<ul> <li>When listed [*] weeds are leafed out.</li> <li>When listed [*] brush is leafed out</li> </ul>
☎ 🗕	For questions or comments, call toll-free 1-877-229-3724 or visit us on-line at [www.bianovaadvanced.com][www.BioAdvanced.com] [www.bioadvancedsciencebasedsolutions.com][www.fortifendadvanced.com] [INSERT_COMPANY] WEBSITE_HERE]

## FOR OUTDOOR RESIDENTIAL USE ONLY

#### EPA Reg. No.92564-6

EPA Est. No. XXXX-AA-XX

It is a violation of Federal La	w to use this product in a manner inconsistent with its labeling.
<b>BEFORE YOU USE</b> Read and follow directions when using.	<ul> <li>Triclopyr 8.8% Concentrate Herbicide will kill or injure all disted [*] woody plants contacted. Certain warm season grasses may experience temporary yellowing when sprayed to excess.</li> </ul>
	<ul> <li>If a desirable plant (other than grass) is accidentally sprayed, immediately rinse with plenty of water.</li> </ul>
	- Apply when wind is calm.
	<ul> <li>Keep people and pets off treated areas until spray has dried.</li> </ul>
	<ul> <li>Do not apply to or around fruits or vegetables used for food.</li> </ul>
	<ul> <li>Do not use measuring utensils such as measuring cups or measuring spoons for any food or drinkin water purposes after use with this product.</li> </ul>

<b></b>	
HOW TO USE	Determine amount of spray solution to prepare – See "How Much to Use".
	• Make up spray solution by following directions specific to your sprayer – See "Sprayer Types".
	• Adjust sprayer nozzle to a coarse spray. Spray the weeds you want to kill until thoroughly wet but not dripping.
	TIPS:
	Use a sheet of cardboard or plastic to protect desirable plants from accidental contact with the product.
	To Kill Vines,
	For vines growing on desirable plants, cut the vine and treat as directed for stump removal.
	To Kill Poison Ivy or Poison Oak
	<ul> <li>Contact with Poison Ivy or Poison Oak anytime of the year can cause an allergic reaction. Handle dead plants with rubber gloves. Dispose of plants and gloves in tightly sealed garbage bags.</li> <li>To Kill Stumps,</li> </ul>
	Completely cover freshly ut stump with undiluted product using a paintbrush. Do not reuse paintbrush for other uses. When discarding, wrap brush in newspaper and put in trash.
HOW MUCH TO USE	Brush, Vines, Woody Plants and Other Hard-to-Kill Weeds
	Add 4 fl oz (1/2 Cup or 8 TBS) to 1 gallon of water to treat up to 500 square feet.
	Do not apply more than 9 lbs ai/A Triclopyr (17 fl oz brush killer per 500 square feet) per year.
	Stumps
	Use full strength. Do not dilute
SPRAYER TYPES	Pump-up Tank Sprayers
	1. Add the appropriate amounts of concentrate and water to the sprayer tank.
	2. Close sprayer, shake well and pressurize.
	3. Adjust nozzle to a coarse spray pattern and apply.
	4. Occasionally re-pressurize the sprayer to maintain a good spray pattern.
	Dial-style Hose-end Sprayers
	Best for spraying large areas of unwanted <mark>[</mark> isted] [*] brush.
	1. Fill sprayer jar with enough product for the area to be treated. DO NOT ADD WATER.
	2. Close sprayer and set dial as specified below:
	- Ortho Dial 'N Spray Setting: 4 OZ
	- Chameleon Hose-End Sprayer Setting: 4 OZ
	<ul><li>TIP: The numbers on dial indicate amount of concentrate per gallon of spray.</li><li>3. Hook to garden hose and apply. To avoid contact with the treated area, begin by spraying area</li></ul>
	farthest from faucet walking backwards as you spray.
	4. Pour any unused product back into this original container.
	Concentrate-plus-water Hose-end Sprayers
	1. Pour concentrate into sprayer jar to the required 'Fluid Ounce' mark.
	2. Add the appropriate amount of water to the 'Gallons' mark.
	3. Replace sprayer top and shake well.
	4. Attach sprayer to hose and apply.
	Refill for 24 fl oz Triclopyr 0.8% RTU Herbicide with [Ergo <mark>-</mark> Grip <mark>™] [</mark> Sprayer]
	To empty container, add 2 fl oz (4 TBSP) of Triclopyr 8.8% Concentrate Herbicide, then fill with water very slowly to avoid foaming.
	Refill for 1.3 gal Triclopyr 0.8% RTU Herbicide
	To empty container, add 11.5 fl oz (23 TBSP) of Triclopyr 8.8% Concentrate Herbicide, then fill with water very slowly to avoid foaming.
	• Fill sprayer bottle with water to 1 gal fill line, replace refill port cap, tighten and shake well.
FOR BEST RESULTS	Apply when weeds are fully leafed out and actively growing.
	Rain or water 4 hours after application will not wash away effectiveness.
	Pump-up Tank Sprayers work best for spot treatments while Hose-end Sprayers work best for large areas.
	Certain hard-to-kill weeds [such as Purple Loosestrife] may require a repeat application if regrowth occurs.
	• To kill Buckthorn, first cut down plant and then treat remaining stump as explained in the HOW TO

HOW TRICLOPYR 8.8%	This selective systemic herbicide enters plants through their leaves, green or cut woody shoots, and roots
CONCENTRATE	then moves throughout the plant and interferes with processes found only in plants. Visual symptoms,
HERBICIDE WORKS	such as wilting and yellowing, appear in 1 to 6 weeks.

DIRECT	IONS FOR USE [-] [FOR READY-TO-SPRAY]
It is a violation of Federal Law to	use this product in a manner inconsistent with its labeling.
BEFORE YOU USE Read and follow directions	This product will kill or injure all [isted] [*] woody plants contacted. Certain warm season grasses may experience temporary yellowing when sprayed to excess.
when using.	- If a desirable plant (other than grass) is accidentally sprayed, immediately rinse with plenty of water.
	- Apply when wind is calm.
	<ul> <li>Keep people and pets off treated areas until spray has dried.</li> </ul>
	Do not apply to or around fruits or vegetables used for food.
HOW MUCH TO USE	Measure area to be sprayed. Calculate 'square feet' by multiplying length times width. This bottle treats up to 4,000 square feet (32 fl oz size).
	Do not apply more than 9 lbs ai/A Triclopyr (17 fl oz brush killer per 500 square feet) per year.
	[OPTIONAL SPRAYER 1] [CONNECT
HOW TO USE [ For Ready to spray hose end bottle]	<ol> <li>Shake well before use.</li> <li>Connect sprayer to garden hose.</li> <li>Turn on water.</li> </ol>
Shake Well Before Use	<ul> <li>SPRAY</li> <li>1. Extend hose to farthest area to be treated, point sprayer nozzle in direction to be sprayed.</li> </ul>
	<ol> <li>Begin spraying &lt;<i>Insert sprayer-specific language here&gt; Hayes HP-2 and Calmar RTS sprayers:</i> Press lock tab while using other hand to turn sprayer valve to ON position. <i>Green Garden RTS sprayer:</i> Turn sprayer valve to ON position.</li> <li>Walk at a steady pace while spraying, using an even sweeping motion, and slightly overlap the treated areas. Work back toward the faucet to avoid walking over wet, treated area.</li> </ol>
	<ol> <li>To stop spraying, &lt; Insert sprayer-specific language here.&gt; Hayes HP-2 RTS sprayer: Press lock tab while using other hand to turn sprayer valve to OFF position. Calmar &amp; Green Garden RTS sprayers: turn sprayer valve to OFF position.</li> <li>Turn off water at faucet.</li> <li>Relieve water pressure in hose by turning sprayer valve back to ON position until water slows to a drip then turn sprayer valve to OFF position.</li> <li>Disconnect sprayer from hose.</li> <li>TIPS:</li> </ol>
	<ul> <li>Use a sheet of cardboard or plastic to protect desirable trees, shrubs, and plants from accidental contact with the product.</li> </ul>
	<ul> <li>To Kill Vines,</li> <li>For vines growing on desirable plants, cut the vine and use Triclopyr 8.8% Concentrate Herbicide, following the directions for stump removal.</li> <li>To Kill Poison Ivy or Poison Oak</li> </ul>
<b>₽</b> ON	Contact with Poison Ivy or Poison Oak anytime of the year can cause an allergic reaction. Handle dead plants with rubber gloves. Dispose of plants and gloves in tightly sealed garbage bags.] [OPTIONAL SPRAYER 2]
	<ul> <li>[CONNECT</li> <li>1. Shake well before use.</li> <li>2. Securely Connect sprayer to garden hose.</li> <li>3. Be sure that ON/OFF Switch is in OFF position, toward hose end of sprayer.</li> <li>4. Turn on water at faucet.</li> <li>5. For first time use, remove plastic shipping lock from beneath switch.</li> </ul>
OFF	<ul> <li>SPRAY</li> <li>1. Extend hose to farthest area to be treated, point sprayer nozzle in direction to be sprayed.</li> <li>2. Begin spraying - Push ON/OFF Switch forward into ON position.</li> <li>3. Walk at a steady pace while spraying, using an even sweeping motion, and slightly overlap treated areas. Work back toward faucet to avoid walking over wet, treated grass.</li> </ul>
	<b>FINISH</b> 1. To stop spraying, push ON/OFF Switch to OFF position.

	<ol> <li>2. Turn off water at faucet.</li> <li>3. Relieve water pressure in hose by turning ON/OFF Switch back to ON position until water slows to a drip, then return ON/OFF switch to OFF position.</li> <li>4. Disconnect sprayer from hose.]</li> </ol>
FOR BEST RESULTS	<ul> <li>Apply when weeds are fully leafed out and actively growing.</li> <li>Rain or water 4 hours after application will not wash away effectiveness.</li> <li>Certain hard-to-kill listed [*] weeds [such as Purple Loosestrife] may require a repeat application if regrowth occurs.</li> </ul>
HOW THIS PRODUCT WORKS	This selective systemic herbicide enters plants through their leaves, green or cut woody shoots, and roots then moves throughout the plant and interferes with processes found only in plants. Visual symptoms, such as wilting and yellowing, appear in 1 to 6 weeks.

KILLS	Alder	Chinquapin	Locust	Spurge
	Arkansas Rose	Choke Cherry	Madrone	Sumac
	Arrowwood	Clover	Maples	Sweetbay Magnolia
	Ash	Common Chickweed	Mesquite	Sweetgum
	Aspen	Cottonwood	Mimosa	Sycamore
	Beech	Crataegus	Morning Glory	Tanoak
	Bindweed	Curly Dock	(bindweed)	Tansy Ragwort
	Birch	Dandelion	Mulberry	Thimbleberry
	Blackberry	Douglas Fir	Multiflora rose	Thistle
	Blackgum	Dogwood	Oaks	Trumpet Creeper
	Black Medic	Elderberry	Oxalis	Tulip Poplar
	Box Elder	Elm	Parsley Piert	Vetch
	Brazilian Pepper	Evening Primrose	Persimmon	Virginia Creeper
	Buckthorn*	Field Bindweed	Pine	Western Hemlock
	Burdock	Field Horsetail Rush	Plantain	Wild Grape
	California Rose	Florida Pusley	Poison Ivy	Wild Lettuce
	Canada Thistle	Hawthorn	Poison Oak	Wild Onion
	Carolina geranium	Hazel	Poplar	Wild Rose
	Cascara	Henbit	Purple Loosestrife	Wild Violet
	Ceanothus	Honeysuckle	Ragweed	Willow
	Cherry	Hornbeam	Raspberry	Winged Elm
	Chickweed,	Japanese knotweed	Salmonberry	Yellow Rocket
	Mouseear	Kudzu	Sassafras	
	Chicory	Lambsquarter	Scotch Broom	
		Lespedeza	Smartweed	

\*Requires stump treatment with undiluted product [Concentrate product only]

	Do not allow people or pets onto treated areas until spray has dried.
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STORAGE AND DISPOSAL			
Pesticide Storage	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect From Freezing.		
Container Handling	<ul> <li>If empty:         <ul> <li>Non-refillable container. Do not refill or reuse container.</li> <li>Place empty container in trash or offer for recycling if available.</li> </ul> </li> <li>If partly filled:         <ul> <li>Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions.</li> <li>Never place unused product down any indoor or outdoor drain.</li> </ul> </li> </ul>		

**NOTICE:** Research and testing have determined that the "Directions For Use" are appropriate for the proper use of Triclopyr 8.8% Concentrate Herbicide under expected conditions. To the extent consistent with applicable law, the Buyer assumes responsibility for lack of performance or safety if not used according to the directions.

\*Money Back Guarantee: If you are not satisfied with this product, we will gladly refund your original purchase price.

BioAdvanced™, EZ-Grip One Touch Sprayer™ and Ergo-Grip™ are trademarks of SBM Life Science Corp.

PRODUCED FOR [DISTRIBUTED BY]

SBM Life Science Corp. 1001 Winstead Drive, Suite 500 Cary, North Carolina 27513

Triclopyr 8.8% Concentrate (PENDING) 03/31/2017 10/12/2017

#### [Marketing Claims]

- Controls Woody Plants, Vines, Brush, Stumps, and Other Listed ][\*] Broadleaf Weeds Contains Hammer\* Herbicide
- Makes Up To 8 Gallons
- Covers up to [4,000] [X] Square Feet ([32] [X] fl oz size)
- Kills Down to the Root
- Kills the Listed [\*] Weed Above and the Root Below
- Kills the Toughest [Listed] [\*] [Weeds], [Vines], [and] [Woody Plants] [Roots] [and All]
- Special Penetrating Formula Kills Even the Toughest Listed [\*] Plants
- Special Penetrating Formula Kills the Toughest [Listed] [\*] [Vines] [and] [Woody Plants]
- Works Systemically Killing Listed [\*] Weeds Right Down to the Root
- Begins Working in 1 3 Days
- Also Use to Kill Stumps
- Rainfast in hours
- Kills Tough Brush Roots & All
- Kills [Poison Ivy], [Poison Oak], [Blackberry], [Kudzu] [&] [other listed Brush]
- Plus Kills Stumps
- Rainproof in hours
- Kills Roots
- 100% Satisfaction Guaranteed \* (or your money back)
- Treats [up to] [4,000] [X] Square Feet ([32] [X] fl oz size)
- Kills Kudzu to the Root
- Kills Kudzu Roots & All
- Attach to Hose and Spray
- Hook to Hose and Go
- Plus Kills Hard to Control [Listed] [\*] Weeds
- Also Kills [Poison Ivy], [Poison Oak], [Blackberry] [choose from weed list] & [Other [listed] [\*] Weeds]
- Plus [Even] Kills Kudzu [choose from weed list]
- [Now] [XX]% more\* (\*vs. [X][fl oz] size)
- Easy hold
- EZ Spray
- One-touch sprayer
- EZ<u>-G</u>grip <u>One Touch Sprayer™</u>
- Ergo<mark>-Gg</mark>rip<mark>™</mark>
- Simple spray
- EZ<mark>-Gg</mark>rip <u>One Touch Sprayer™</u>
- One touch
- Spray n go
- Thumb switch
- Handy spray
- EZ touch
- One-touch application
- Free Refill for 1.3 Gallon Ergo-Grip<sup>™</sup> [Sprayer]
- Free Bonus Refill
- xxx fl oz. makes xxx [gallons] [gals] of spray
- Refills [INSERT ABN PRODUCT NAME HERE Brush Killer Plus] [1.3 Gallon] [Ergo-Grip<sup>™</sup>] [Sprayer]
- Synthetic Technology Protection Lawn Garden Home
- Synthetic Technology
- Synthetic Based Technology
- Effective Synthetic Technology
- Proven Synthetic Technology
- Effective Synthetic Protection

Marketing Claim for Brand Name Change: New Name. Same Great Results. New Name. Same Familiar Formula. New Name. Same Performance.

\*listed (Note to PM: The word "listed" can appear as a footnote with the appropriate phrase, such as \*listed plants/pests/weeds)

(Label for outer packaging/box of a multi-pack with full label affixed on container in box)

# Triclopyr 8.8% Concentrate Herbicide

#### ACTIVE INGREDIENT:

Triclopyr, triethylamine salt	8.8 %**
OTHER INGREDIENTS:	. <u>91.2 %</u>
TOTAL:	100.00%

EPA Reg. No. 92564-6

EPA Est. No. XXXX-AA-XX

## KEEP OUT OF REACH OF CHILDREN CAUTION

## **PRECAUTIONARY STATEMENTS**

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

- Causes moderate eye irritation.
- Harmful if swallowed, inhaled or absorbed through skin.
- Avoid contact with eyes, skin, or clothing.
- Avoid breathing spray mist.
- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.
- Remove contaminated clothing and wash before reuse.
- Wear a long-sleeved shirt, long pants, shoes, and socks when applying this product.

### Read the label on the container in the box for full directions for use.

[Marketing claims] [For promotional use only. Not for resale.] [Not for individual sale]

Net contents: 11.5 fl oz (340 mL)

BioAdvanced™, EZ-Grip One Touch Sprayer™ and Ergo-Grip™ are trademarks of SBM Life Science Corp.

PRODUCED FOR [DISTRIBUTED BY]

SBM Life Science Corp<mark>.</mark> 1001 Winstead Drive, Suite 500 Cary, North Carolina 27513