


9688-138

06/15/2006

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Please read instructions on reverse before completing form.

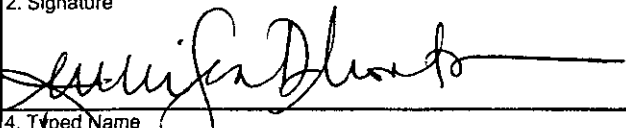
Form Approved. OMB No. 2070-0060. Approval expires 11-30-93

	United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460 <b>Application for Pesticide:</b>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Section I		
1. Company/Product Number 9688-138	2. Product Manager J. Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Brush Killer Concentrate	PM# 23	
5. Name and Address of Applicant (include ZIP Code) Chemsico, Division of United Industries Corporation PO Box 142642 St. Louis, Missouri 63114-0642 <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 labelling to: EPA Reg. No. _____ Product Name _____	

Section II		NOTIFICATION
<input type="checkbox"/> Amendment - Explain below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed label in response to Agency letter dated <b>JUN 15 2006</b> <input type="checkbox"/> "ME TOO" Application. <input type="checkbox"/> Other - explain below	
<b>Explanation:</b> Use additional page(s) if necessary. (For section I and Section II)		
Notification per PR Notice 98-10 to add the following optional marketing claim, as requested by the state of California: "Kills the Root".		

Section III			
1. Material in Which This Product Will Be Packaged:			
Child-Resistant Packaging <input type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Unit package wgt    No. per container	Water-Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "YES," Package wgt    No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted.			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) of Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section IV		
1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Jennifer D. Morton	Title Regulatory Affairs Specialist	Telephone No. (include Area Code) 1-800-242-1166 Ext 2737
Certification 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 Regulatory Affairs Specialist	
4. Typed Name Jennifer D. Morton	5. Date June 1, 2006	

# CHEMSICO

## Brush Killer Concentrate

[Fast acting • Starts working overnight • Overnight brush killer • Works in 24 hours • Results in 24 hrs. • Controls [kills] 120+ types of brush & weeds • Controls [kills] over 120 types of brush & weeds • Controls [kills] more than 120 types of brush & weeds • Controls [kills] ash, aspen, brambles, kudzu, oak, willow, dandelion, chickweed, knotweed, plantain, henbit, spurge and many other species of brush and broadleaf weeds • Controls [kills] multiflora rose, brambles, cedars, locusts, poison oak and poison ivy, honeysuckle, thistles, kochia, kudzu and many other trees, vines and broadleaf weeds. • Also kills poison ivy, poison oak, kudzu & stumps • Makes 10 gallons of spray • Also kills stumps • Use to Kill Stumps • Rainproof in Hours • Guaranteed Results or Your Money Back\* • Kills the Root]

Active Ingredients	
2,4-D, 2-ethylhexyl ester .....	9.74%
Dichlorprop-p, 2-ethylhexyl ester .....	4.78%
Dicamba .....	1.65%
Other Ingredients .....	83.83%
Total	100.00%

This product contains: 0.51 lbs. 2,4-D equivalent per gallon or 6.46%; 0.24 lbs. Dichlorprop-p per gallon or 3.23%; 0.13 lbs. Dicamba equivalent per gallon or 1.65%. Contains single isomer form of Dichlorprop-p. Contains aromatic petroleum distillates.

### KEEP OUT OF REACH OF CHILDREN

**WARNING** See back [booklet] for additional precautionary statements.

NET [CONTENTS] 1 QUART (946 mL)

Chemsico Brush Killer Concentrate is intended for control of woody plants, vines and broadleaf weeds. It controls [kills] the listed varieties of brush and control of woody plants, vines and broadleaf weeds. weeds along fence lines, along walkways, driveways, around homes or buildings and other overgrown areas around your property. Brush and weeds can be treated with either foliar applications or cut stump applications.

#### Optional Product Fact Box

*What It Does:*  
 Kills Over 60 Types of Brush, Weeds & Vines including Poison Ivy, Poison Oak, Kudzu & Stumps

*Where To Use:*  
 Outdoors Along Fence Lines, Walkways, Driveways, Around Buildings and Around Your Property

*Questions & Comments:*  
 Call 1-800-332-5553 or Visit our Website at [www.spectracide.com](http://www.spectracide.com)

### [OPTIONAL FORMAT A

#### CONTROLS

Ash, Aspen, Aster (white heath & white prairie), Bedstraw, Beggarweed (creeping), Bindweed, Birch, Blackberry, Black Cherry, Black Locust, Black Medic, Brambles, Broadleaf plantain, Buckbrush, Buckhorn, Buckhorn plantain, Bull thistle, Burclover, Burdock (common), Carpetweed, Cedar, Cherry, Chicory, Chickweed (common), Cinquefoil, Clover, Compassplant, Cottonwood, Curly dock, Dandelion, Dayflower, Deadnettle, Dogfennel, Dogwood, Elm, English Daisy, False Dandelion (\*spoiled catsear & common catsear), Field bindweed (\*morningglory & creeping jenny), Field oxeye-daisy (\*creeping oxeye), Filaree (whitestem & redstem), Florida pusley, Gooseberry, Ground Ivy, Groundsel, Hawkweed, Healall, Henbit, Honey Locust, Honeysuckle, Jimsonweed, English Daisy, Knotweed, Kochia, Kudzu, Lambsquarters, Lawn burweed, Lespedeza (common), Mallow (common), Matchweed, Morningglory, Mouseear chickweed, Multiflora Rose, Mustard, Nettle, Oak, Oxalis (\*yellow woodsorrel & creeping woodsorrel), Parsley-piert, Pennsylvania smartweed (\*smartweed), Pennywort (\*dollarweed), Peppergrass, Pepperweed, Pigweed, Pine, Pineappleweed, Plantain, Poison Ivy, Poison Oak, Prostrate knotweed (\*knotweed), Puncturevine, Purslane, Ragweed, Red Sorrel (\*sheep sorrel), Shepherds purse, Shortleaf Pine, Smartweed, Speedwell, Spruce, Spotted Spurge, Spurge, Sumac, Sunflower, Sycamore, Thistle, Trumpet Vine, Velvetleaf (\*pie marker, Indian mallow), Veronica (\*corn speedwell), Virginia Buttonweed, White clover (\*Dutch clover, honeysuckle clover, white trefoil & purplewort), Wild Carrot, White clover, Wild Garlic, Wild Geranium, Wild Lettuce, Wild mustard, Wild Onion, Wild Plum, Wild Strawberry, Wild Violet, Willow, Yarrow, Yellow rocket]

\*Synonyms

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**[OPTIONAL FORMAT B****BRUSH CONTROLLED**

American Chestnut, Ash, Aspen, Barberry, Birch, Blackberry, Black Cherry, Black Locust, Brambles, Buckbrush, Cedar, Cherry, Cottonwood, Dogwood, Elm, Gooseberry, Honey Locust, Honeysuckle, Kudzu, Multi-flora Rose, Oak, Pine, Sassafras, Shortleaf Pine, Spruce, Sumac, Sycamore, Trumpet creeper, Wild Plum, Willow

**WEEDS CONTROLLED**

Bedstraw, Bindweed, Black Medic, Buckhorn, Burdock, Chicory, Chickweed, Clover, Dandelion, Dock, Ground Ivy, Healall, Henbit, Jimsonweed, Knotweed, Kochia, Lambsquarters, Lespedeza, Mallow, Morning glory, Mustard, Nettle, Oxalis, Peppergrass, Pigweed, Plantain, Poison Ivy, Poison Oak, Purslane, Ragweed, Sheep Sorrel, Shepherds purse, Smartweed, Speed-well, Spurge, Sunflower, Thistle, Trumpet Vine, Velvetleaf, Wild Carrot, Wild Garlic, Wild Lettuce, Wild Onion, Yarrow

**STOP. READ ENTIRE LABEL BEFORE USING.**

[STOP. READ ALL INSTRUCTIONS INSIDE BEFORE USING.]

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. *For outdoor use around the home only.*



[Graphic optional]

**People (other than applicator) or pets should not be allowed in treated areas until spray has dried.**

**USE PRECAUTIONS**

(1) Apply when air is calm to avoid the possibility of drift onto nearby vegetables, ornamental plants, grass or other desirable plantings. (2) Keep away from the roots of desirable plants and trees. (3) Avoid sprays which are too fine because they can drift and damage other plants. (4) Extra care to control spray drift or run-off should be taken around carpetgrass, dichondra, St. Augustine grass or bentgrass to avoid lawn damage. Clover will be damaged by spray. (5) Treating when air temperatures exceed 85° F could cause damage to nearby grass.

**USE TIPS**

1. Use a lawn and garden pressure sprayer or similar sprayer to apply.
2. For best results, treat during warm weather when brush and broadleaf weeds are actively growing.
3. Do not water within 24 hours after treatment. Poor control may result if spray is applied just before rain.
4. Use around established lawns (grass that has been mowed at least three times).

5. Seed can be sown 3 to 4 weeks after treatment
6. Poor performance may result with treatments following a frost.

**HOW TO MIX**

Add half of the water to the sprayer. Slowly add the product. Add the remaining water, close the sprayer and shake well to mix. To prevent separation, mix thoroughly and shake often while spraying. NOTE: 1 fl. oz. = 2 tablespoons; 1 quart = 32 fl. oz. = 2 pints = 4 cups.

**FOLIAGE TREATMENT**

Treating the foliage of brush and weeds is effective throughout the growing season, from the spring when leaves are full until leaves drop in the fall.

**Mix 3 - 5 fl. oz. (6 - 10 tablespoons) [of product] in 1 gallon of water following the directions under *How to Mix*.** Use higher rates for larger plants, dense growth or well established brush. Thoroughly wet all leaves, stems and shoots until run-off begins. Allow 5 - 7 days after treating before cutting or removal of treated area. Reapply to regrowth on resistant plants if needed. This product is most effective against young actively growing brush and weeds.

**CUT STUMP TREATMENT**

This treatment method is most effective on stumps with diameters larger than 3 - 4 inches and works throughout the year except when snow, ice or water prevents complete spray coverage. **Mix 20 fl. oz. (2 ½ cups) [of product] with a gallon of water following the directions under *How to Mix*.** Mineral oil, kerosene or diesel oil (No. 1 or No. 2 fuel oil) may be substituted for water. Apply to freshly cut stumps. Thoroughly wet the cut surface, bark and exposed roots. Treat the entire stump, drench until run-off begins.

**[FOR] STUMP REMOVAL**

Once the stump has been killed, decomposition can be accelerated with a stump removal product such as Spectracide Stump Remover, a ready-to-use formula that won't harm the surrounding soil. Read and follow all directions found on the product label.

**STORAGE AND DISPOSAL**

**Storage:** Store in original container in a locked storage area inaccessible to children. **Disposal: If empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

**WARNING.** Causes substantial but temporary eye injury. Causes skin irritation. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical resistant gloves. Wear goggles when using this product. 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. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

### First Aid

**If in Eyes:** Hold eye open and rinse slowly and gently with water for 15 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a Poison Control Center or doctor for treatment. **If on Skin or Clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a Poison Control Center or doctor for treatment. **If Swallowed:** Immediately call a Poison Control Center or doctor. Do not induce vomiting unless told to do so by a Poison Control Center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a Poison Control Center, doctor, or going for treatment.

**Note to physician:** Contains petroleum distillates – vomiting may cause aspiration pneumonia.

### Environmental Hazards

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non-target plants. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

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

### Physical or Chemical Hazards

Do not use or store near heat or open flame.

**NOTICE:** Buyer assumes all responsibility for safety and use not in accordance with directions.

[\*Guaranteed Results: If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.

**[Questions or comments? Call 1-800-332-5553]**

Made in the USA for Chemsico, Division of United Industries Corporation, P.O. Box 142642, St. Louis, MO 63114-0642

EPA Reg. No. 9688-138

EPA Est. No. 9688-MO-1

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United Industries Corp.

June 1, 2006

Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
United States Environmental Protection Agency  
Room 266A Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington, VA 22202

Attention: Ms. Joanne Miller  
Product Manager 23

Subject: Notification per PR Notice 98-10  
Chemsico Brush Killer Concentrate  
EPA Reg. No. 9688-138

Dear Ms. Miller:

Please find enclosed notification per PR Notice 98-10 to add the following optional marketing claim, as requested by the state of California: "**Kills the Root**".

*This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.*

The following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. Five copies of the proposed label
4. One copy of the EPA stamped approved label

Please call me at 1-800-242-1166, Ext. 2737 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Jennifer D. Morton  
Regulatory Specialist