



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

FEB - 9 2009

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Ms. Paula Bodey The Scotts Company 14111 Scottslawn Road Marysville, OH 43041

Subject: Minor label changes per PR Notice 98-10 EPA Registration Number 239-2516 Notification dated January 27, 2009

Dear Ms. Bodey:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 for the above 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.

However, at the next label printing, the following claims must be removed:

1) "[new]" from "Revolutionary [new] applicator"

2) "Specially" "Special" and "Exclusive blend of ingredients", as these claims imply the product possesses unique characteristics because of its composition.

If you have any questions, please contact Hope Johnson at 703-305-5410.

Sincerely Jim Tompkihs

Product Manager 25 Herbicide Branch Registration Division (7505P)

Please read instructions on EPA	Unite Environmental I	d States		im Approve [[Regis	stration ndment	Approval expires 05-31-5 OPP Identifier Numbe 2392516LBL2009012	
······································		pplication	for Pesticide -	Section	· ·			
1. Company/Product Number 239-2516	1		2. EPA Proc		r mpkins	3. P	roposed Classification	
4. Company/Produc The Ortho Group / Ortho F	t (Name) Fence & Grass Edge	Formula II	PM#					
5. Name and Address of App				PM-25 Low Control of the section of the sectin of the section of the sectin of the section of the sec				
The Scotts Company d/b/a The Ortho Group P.O. Box 190 Marysville, Ohio 43040			product is similar or identical in composition and labeling to:					
			Product Nan	ne				
Check if this	s is a new address		Section II					
					••			
Amendment - Explain be				Final printed labels in response to Agency letter dated XX-XX-XX				
Resubmission in responsion		eu XX-XX-XX		Me Too" Application Other - Explain below.				
1. Material This Product Will	Be Packaged In		Section III					
Child-Resistant Packaging			Water Soluble Pack	er Soluble Packaging 2. Type of C			ner	
Yes⁺	Yes		Yes				<i>l</i> etal	
L No	If "Yes"	No. per	If "Yes"	No. per		Plastic Glass		
*Certification must be submitted	Unit Packaging wgt.	Container	Package wgt.	Containe	r l l	Paper		
3. Location of Net Contents I	oformation	A Size/c) Petr					ecify) Plastic Bag	
	Container	4. 512e(5) Rela	etail Container 5. Location of TBD On Bag			Bag		
6. Manner in Which Label is	Affixed to Broduct	Lithograpt	D Other	•		Labeling acco	mpanying product	
		Paper glue	ed					
1. Contact Point (Complete i	lems directly below for	identification of i	Section IV	ted if neces	sent to ome	ess this ennl	ication)	
Name	Herrington	Title	Director, Federal			7 1	e No. (Include Area Code (937) 644-7426	
I certify that the stateme acknowledge that any ki under applicable law.			achments thereto are				6. Date Application Received (Stamped)	
		. Title Director, Federal Registrations			IS			
4. Typed Name: Claudia S. Herrington 5. Date:		Date: January 27	anuary 27, 2009					



The Scotts Company LLC

and Subsidiaries

January 27, 2009

Mr. Jim Tompkins (PM-25) Registration Division Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202-4501

Re: Ortho Fence & Grass Edger Formula II (EPA Reg. No. 239-2516) Notification for general labeling provisions per PR Notice 98-10 OPP Identifier: 2392516LBL20090127

Dear Mr. Tompkins:

The Scotts Company, d/b/a The Ortho Group, respectfully requests the approval of the attached Application of Registration for a Notification of general labeling revisions. Included with this cover letter are the following:

- Completed Application for Pesticide Registration (EPA form 8570-1);
- One (1) copy of the master label with changes identified by underline and in yellow; and
- Two (2) clean copies of the master label.

The following changes have been made since the last accepted label dated October 23, 2007 and the November 21, 2008 notification that was placed on file per EPA letter dated December 16, 2008:

Added Optional Weeds Controlled section and explanatory notes identifying optional text

"This notification is consistent with 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."

If you have any questions regarding this submission, please do not hesitate to contact me at 937-578-5973 or by e-mail at claudia herrington@scotts.com

Sincerely, Claudia S. Herrington, E.

Director, Federal Registrations Enclosures

Bold, italicized text is information for the reader and is not part of the label. Text separated by / denotes and/or options. [Bracketed information is optional text]. Underline and yellow highlighted text is new.

ORTHO[®] Fence & Grass Edger Formula II [ICON OUTDOOR USE ONLY]

Alternate Brand Names: [Ortho Season-Long Max Weed & Grass Killer Plus Preventer Ready-To-Use] [Ortho Groundclear Superedger Plus Ready-To-Use] [Ortho Season-Long Grass & Weed Killer Ready-To-Use]

Active Ingredients	
Glyphosate, isopropylamine salt**	0.25%
Oxyfluorfen	0.25%
Other Ingredients*	

* Contains petroleum distillates, xylene, or xylene aromatic solvents **Glyphosate acid equivalent is 0.19%

KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel booklet for additional precautionary statements.

NET CONTENTS 32 fl oz (1 Qt) 946 mL NET CONTENTS 1 gal / 3.78 L NET CONTENTS 1.1 gal / 4.16 L NET CONTENTS 1.33 gal / 5.03 L

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Bold, italicized text is information for the reader and is not part of the label. Text separated by / denotes and/or options. (Bracketed information is optional text). Underline and yellow highlighted text is new.

Note to PM: The optional product information below may appear on any panel.

ORTHO[®]Fence & Grass Edger Formula II

[Gives complete kill of weeds and grasses and prevents weed and grass seeds from sprouting for up to 4 months.] [Can be used over root zones without harming ornamental plants.] [WHERE TO USE: Apply only where no vegetation is desired, such as driveways, along fences, sidewalks, walkways, patios, curbs, gutters, landscaped areas, and even cracks in sidewalks.] [DO NOT USE IN VEGETABLE GARDENS.]

Peel open for use directions and further information [or] [illustration] [PULL HERE TO OPEN LABEL. PRESS TO RESEAL.]

2][Computer icon] Questions, Comments or Medical Information [call] 1-800-225-2883 www.ortho.com

[Gives complete kill of weeds and grasses and prevents weed and grass seeds from sprouting for up to 4 months. Can be used over root zones without harming ornamental plants.]

-OR-

[Provides complete kill of weeds (and grasses) PLUS prevents new weeds (and grasses) from growing for up to 4 months. Can be used in landscape[d] areas (over root zones) without harming ornamental plants (trees or shrubs).]

-OR-

[[Ortho GroundClear SuperEdger PLUS is] Specially formulated to kill weeds and grasses PLUS prevent new growth for up to 4 months. Use to eliminate existing weeds [and grasses] OR use in areas where you want to prevent weeds [and grasses] from even growing.]

Product Facts Treats up to [400 sq ft for 1.33 Gal size] [300 sq ft 1.1 Gal size] [75 sq ft for 32 fl oz size]	for 1 Gal size] [330 sq ft for		
KILLS Unwanted weeds & grasses WEEDS	[weed icon]		
PREVENTS For up to 4 months WEEDS			
 WHERE • Driveways, sidewalks, patios, curbs and gutters TO USE • Along fences • In landscape[d] areas (except vegetable gardens) 			
Questions, Comments or Medical Information [Computer icon] [call] 1-800-225-2883 www.ortho.com			

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WHERE TO USE:

[Apply only where no vegetation is desired, such as driveways, landscape[d] areas [around trees and shrubs], along fences, sidewalks, walkways, patios, curbs, gutters and even cracks in sidewalks. [driveways & sidewalks graphic][along fences graphic][patios & walkways graphic][landscaped areas graphic]]

- OR -

[Apply only where no vegetation is desired, such as driveways, PLUS landscape[d] areas, PLUS fence lines, PLUS sidewalks, PLUS walkways, PLUS patios, PLUS curbs, PLUS gutters and even cracks in sidewalks.]

DO NOT USE ON OR AROUND EDIBLE FEED OR FOOD CROPS.

DIRECTIONS FOR USE

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

General Precautions and Restrictions

Do not allow people or pets to enter treated area until sprays have dried. Do not apply this product in a way that will contact people or pets.

WHERE TO USE

Apply only where no vegetation is desired, such as driveways, landscape[d] areas, [around trees and shrubs] along fences, sidewalks, walkways, patios, curbs, gutters and even cracks in sidewalks.

DO NOT USE IN VEGETABLE GARDENS.

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WHEN TO APPLY

Apply to actively growing weeds and grasses. Visible effects will occur within 3 to 5 days with complete kill in 2 to 4 weeks. If rainfall occurs within 6 hours, repeat treatment may be required. To avoid drift to desirable plants, apply only when air is calm. If leaves of desirable plants are accidentally sprayed, immediately wash off plants with water.

This product applies no more than 3 pounds of Oxyfluorfen per acre.

-----OPTION 1 Sprinkle-Pour Spout (1 Gal.)-----

HOW TO APPLY/USE

Remove cap and be certain that applicator head is screwed on firmly. Invert jug and apply to thoroughly cover unwanted vegetation. For killing vegetation around trees, shrubs and buildings and edging around lawns, fences and sidewalks, hold the jug about 2 to 6 inches from the area to be treated depending upon desired width. The width of the spray pattern may be adjusted by either raising or lowering the jug. One gallon will cover a band 2 inches wide and 1200 feet long.

For controlling weeds in walks and patios, hold jug at about waist height away from body to avoid contact with skin or clothing. Walk slowly making sure that all weeds are thoroughly covered. Thoroughly cover all cracks and joints in sidewalks, driveways and patios.

------- End of OPTION 1 -------

----OPTION 2 - Pull 'N Spray (II) (PNSII) (1 gal or 1.33 gal)------

[Illustration #1]

- Remove sprayer from side carrier and unwrap hose completely.
- Insert (color of plug) plug at end of hose into (color of spout) spout on cap until it clicks.
- Flip up spout. Spout must remain up while spraying

[Illustration #2]

• Twist nozzle at end of sprayer to desired spray pattern (narrow, medium or wide stream).

[Illustration #3]

- Point sprayer away from body.
- Grasp sprayer by the handle.
- Slowly pull ring at bottom of sprayer handle until it stops and hold for two (2) seconds to ready the sprayer.

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[Illustration #4]

- Press and hold button on sprayer to begin spraying.
- Pull ring at sprayer bottom again as needed to continue spraying.

HOW TO APPLY/USE

Follow illustrations and instructions above.

- 1. For best results pull out slowly and hold for two (2) seconds.
- 2. Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth.
- 3. Do not spray plants or grasses you like they may die too.
- 4. When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water.

-----End of OPTION 2

-----OPTION 3 Pull 'N Spray 1(1 gal or 1.33 gal) ------

(PNS I EPA Required Language)

(FRONT PANEL - LARGE TYPE, BOLD FACE) DO NOT UNSCREW CAP. DO NOT REFILL CONTAINER.

(wand sticker)

IMPORTANT! Follow directions and illustrations on back to assemble and use Pull N' Spray correctly.

[Illustration] 1. Detach yellow wand and pull plug and tubing from bottom of wand. Insert plug firmly into "T-handle" until it clicks. ONCE CONNECTED, PLUG CANNOT BE REMOVED WITHOUT DAMAGING "T-HANDLE."

[Illustration] 2. Slide white strip on cap, then grab "T-handle" and pull all the way up. JUST PULL UP -- NO NEED TO PUMP.

[Illustration] 3. Point wand at area to be treated and push button to begin spraying. Twist nozzle at end of wand to adjust spray pattern.

UP [Illustration] 4. Pull "T-handle" again as needed to continue spraying. JUST PULL – NO NEED TO PUMP. When finished, push "T-handle" gently down to cap and follow storage instructions.

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HOW TO APPLY/USE:

Adjust nozzle on wand to deliver a narrow or wide spray. Pull up on handle – DO NOT PUMP. Follow illustrations and instructions above. Point wand at area to be treated and push button to begin spraying. Twist nozzle at end of wand to adjust spray pattern. Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth. When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water. Pull "T-handle" again as needed to continue spraying. JUST PULL UP – NO NEED TO PUMP.

---END OF OPTION 3-----

----OPTION 4 – Nested Trigger Sprayer -----

[Illustration #1]

1. Remove sprayer.

[Illustration #2]

2. Insert (color of plug) plug into spout (on cap) until it clicks.

[Illustration #3]

3. Flip up spout. Spout must remain up while spraying.

HOW TO APPLY/USE

Follow illustrations and instructions above.

- 1. Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth.
- 2. Do not spray plants or grasses you like they may die too.
- 3. When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water.

-----End of OPTION 4------

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----OPTION 5 -- Trigger Sprayer -----

HOW TO APPLY/USE

- 1. Twist nozzle at end of sprayer to desired spray pattern.
- 2. Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth.
- 3. Do not spray plants or grasses you like they may die too.
- 4. When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water.

-----End of OPTION 5-----

Optional Weeds Controlled Section

NOTE to PM: Full or partial list may appear on product label.

WEEDS CONTROLLED: NOTE: For best control, apply to actively growing, immature weeds. Heavy lawn grass or well established difficult to control perennial weeds, such as Bermudagrass, Nimblewill, Dandelion, or Canada Thistle may require a repeat application if regrowth occurs.

GRASSES	
Bahiagrass	Orchardgrass
Bentgrass	Perennial Ryegrass
Bermudagrass	Quackgrass
Bluegrass	Sandspur
Bromegrass	St. Augustinegrass
Crabgrass	Tall Fescue
Creeping Bentgrass	Torpedograss
Diffuse Lovegrass	Whitetop
Fescue	Wild Barley
Johnsongrass	Yellow Nutgrass
Maiden Cane	Zoysia

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	BROADLEAF WEEDS	Ге к	
	Bindweed		Knotweed
	Black Medic		Lambsquarters
	Blue Toadflax		Little Bitter Cress
ł	Brassbuttons		London Rocket
	Broadleaf Plantain	:	Mallow
	Bur Clover		Mayweed
	Canada Thistle		Mouseear Chickweed
	Chickweed		Nimblewill
	Common Groundsel		Oldenlandia
	Common Plantain		Oxalis
	Creeping Beggarweed	•	Pennsylvania Smartweed
	Creeping Charlie	1	Pennywort
	Curly Dock	1.	Prostrate Spurge
	Dandelion	1	Primrose
	Dog Fennel		Puncture Vine
	Evening Primrose	2	Ragweed
	False Dandelion		Shepherdspurse
	Fennel	2	Smooth Cat's Ear
	Fiddleneck	. •	Sowthistle
	Filaree	1	Spotted Spurge
	Florida Pusley	÷.,	Tansy Ragwort
	Garden Spurge	3	White Clover
	Henbit		Wild Morningglory
		* .	

End of Optional Weeds Controlled Section

STORAGE AND DISPOSAL [icon]

PESTICIDE STORAGE: Keep from freezing. Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Avoid contamination of feed and foodstuffs. Store in a cool, dry place, preferably in a locked storage area.

PESTICIDE 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

-OR-

Note to PM: This language is required for products released for shipment 8/17/10 or later [40 CFR §156.140(a)].

PESTICIDE DISPOSAL [AND CONTAINER HANDLING]: Nonrefillable container. Do not reuse or refill this container.

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If empty: Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS [icon]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing.

Physical/Chemical Hazards: Combustible. Do not use or store near heat or open flame.

Note to PM: The section header "First Aid" will be highlighted on the printed label to draw the attention of the consumer. Alternatively, this section will be placed in a box.

FIRST AID: [first aid symbol +]

If in eyes: 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.

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 advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Note to Physicians: Emergency Information-call 1-800-225-2883.

ENVIRONMENTAL HAZARDS [icon]: Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinseate.

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

The ORTHO Guarantee

If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

[2][Computer icon] Questions, Comments or Medical Information [call] 1-800-225-2883 www.ortho.com

Manufactured for

1-27-09 Notification EPA Reg. No. 239-2516

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The ORTHO Group P.O. Box 190 Marysville, OH 43040

EPA Reg. No. 239-2516 EPA Est. 239-IA-3¹, 58996-MO-1^A, 84064-IA-001^P, 085652-OH-1^W [Superscript is first letter of lot number.] Made in USA [© [Year] Licensed by The ORTHO Group. World rights reserved.]

APPENDIX

List of Optional Applicator Claims

- [Quick &] Easy to Use
- No Leaks or Mess
- EASY-TO-USE [Store]
- Pull 'N Spray
- The easier (easy) way to spray
- No [More] Hand Fatigue
- No more squeeze, squeeze, squeeze
- 33% more than 1 gallon size
- Precise control for maximum accuracy
- Consistent spray for maximum accuracy
- No more tired hands
- Revolutionary [new] applicator
- Change the way you spray
- Ideal for large or small jobs [areas]
- Great for large or small jobs [areas]
- Ready-to-Use
- Precise control—sprays only what you want
- Adjustable spray nozzle for maximum control
- Adjustable spray pattern for maximum control
- Cut your time spent spraying in half
- You're always ready to spray
- It's always ready to spray
- Targets weeds in tight places
- Save [s] time and energy
- One pull [delivers] [=] 34 trigger sprays
- Improved [Applicator]!/Improved [Application]!
- Improved Applicator System! [Device!]/Improved Application System! [Device!]
- Improved [!]
- No pumping, just pull
- Exclusive [technology]
- Patented [technology]

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- No Mixing, No (or) Measuring
- [water droplet] water based
- Convenient Applicator Top

List of Optional Formula Claims

- Long-lasting [formula] (weed [and grass] control)
- Ideal (great) for use in landscape[d] areas
- For maximum weed [and grass] control [in landscape[d] (mulched) areas] use [Ortho GroundClear SuperEdger PLUS] before spreading (applying) (putting down) mulch around trees, shrubs and in landscape[d] areas.
- Use before putting down (landscaping with) mulch
- Provides long-term weed [and grass] control
- Use around trees and shrubs (in landscape[d] areas) to prevent weed growth (weeds from growing).
- Use to edge (It edges) (It's an edger) (Use as an edger) PLUS so much more!
- Keeps (prevents) weeds [and grasses] from growing in cracks [and joints] in sidewalks, driveways and patios
- Kill and prevent weeds before mulching (putting down mulch)
- [For] Use on driveways, sidewalks, patios, along fence lines and around trees & shrubs
- [For] Use on driveways, sidewalks and patios, PLUS along fence lines, PLUS around trees & shrubs
- Dual-action [formula]
- READY-TO-USE
- NO MIXING
- Spray-Ready
- Before and After
- 2-WAY ACTION [1.] Kills Weeds & Grasses, Roots & All [graphic] [2.] Prevents Weed Seeds from Sprouting for up to 4 Months [graphic]
- Can be Used Over Root Zones Without Harming Ornamental Plants.
- Kills Moss on Brick Walks and Patios
- Prevents re- (new) growth [for up to 4 months]
- Prevents growth [for up to 4 months]
- Prevents weeds [and grasses] from growing [for up to 4 months]
- Use in landscape(d) areas to kill [and prevent] weeds [for up to 4 months]
- Use in flower beds to kill [and prevent] weeds [for up to 4 months]
- Use around trees & shrubs to kill [and prevent] weeds [for up to 4 months]
- Use on driveways [and patios] to kill [and prevent] weeds [for up to 4 months]
- Prevents [weeds and grasses] [for up to 4 months] in landscaped areas
- Prevents [weeds and grasses] [from growing] [for up to 4 months]
- Kills weeds [for up to 4 months]
- Kills and prevents weeds and grasses [for up to 4 months]

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- Blocks weed(s) [growth] [for up to 4 months]
- Works for up to 4 months
- Season long [weed] [and grass] control
- Kills weeds [and grasses] all season long
- Prevents weeds [and grasses] all season long
- Stops weeds [and grasses] from growing for up to 4 months
- Stops weeds [and grasses] all season long
- Works all season
- Up to 4 month extended weed and grass control
- Up to 4 month complete weed and grass control
- Specially formulated to kill weeds [and grasses] [for up to 4 months]
- Keeps weeds from growing [for up to 4 months]
- Rain proof in hours [so you don't have to re-spray]
- Prevents [kills] weeds
- For use in landscape(d) areas
- Special ingredient(s) prevents [kills] weeds [and grasses] [from growing] [for up to 4 months]
- Made [specifically] for use in landscape(d) areas
- Scientifically formulated to prevent [kill] weeds [and grasses] [for up to 4³months]
- Exclusive blend of ingredients
- Easy to use
- Requires no mixing, no measuring and no messy cleanup
- Great [ideal] for spot treatments
- Apply to landscaped areas to kill [prevent] weeds [and grasses]
- Protects against weedsⁱ[and grasses] [for up to 4 months]
- Up to 4 month control
- No weeds for up to 4 months
- [Up to 4 month] long-lasting [weed and grass control]
- Visible Results Overnight
- Overnight Results
- Fast Results
- Fast-acting formula
- Fast Acting Long Lasting.
- [Results/Starts working/Starts to Kill/Visible [see] Results] in [4, 6, 8, 10, 12, 24] Hours
- Same Day [Visible] Results
- [See results/Starts to kill/Visible Results] in hours
- Speedy Results
- Weeds start dying in [4, 6, 8, 10, 12, 24] hours
- Works to the root(s) in [4, 6, 8, 10, 12, 24] hours
- Works in hours

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