

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

SEP 19 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

The Scotts Company d/b/a The Ortho Group 14111 Scottslawn Rd. Marysville, OH 43041

Subject:

2,4-D RED Label Amendment

Weed-B-Gon Ready-Spray Isomer Formula

EPA Reg. No. 239-2666

The labeling referred to above is in compliance with the 2,4-D RED provided that you:

- 1. Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
- 2. Make the following changes to the product labeling:
  - 1. Revise the Ingredients Statement to the following:

Active Ingredients

Mecoprop-p, dimethylamine salt......5.30%
2,4-D, dimethylamine salt......3.05%

Dicamba, dimethylamine salt......1.30%

Other Ingredients.......90.35%

Total ...........100.00%"

2. Add the First Aid section as specified below. Refer to PR Notice 2001-1 for boxed formatting and statement guidance.

### **FIRST AID**

#### 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. Call [insert emergency #] for emergency medical treatment information.

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3. Add the Hazards to Humans and Domestic Animals statement as stated below.

### "HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long-sleeved shirt, long pants, shoes and socks. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals."

4. Revise the first paragraph of the Environmental Hazards section to the following:

"This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. 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."

- 5. In the groundwater contamination statement, replace the phrase "this chemical" with "this product" in both occurrences.
- 6. Delete the paragraph "Do not allow people...until spray has dried." from the Precautionary Statements section.
- 7. Add the following statements in the Directions For Use section:

"Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area until sprays have dried."

"Do not apply as a fine mist because of potential for injury to desirable plants."

"Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day. Rinse applicator over lawn or garden area only."

"Do not use this product on or near desirable plants, including within the dripline of the roots of desirable trees and shrubs, since injury may result."

8. Delete the statement "Reapplication can be made in 2 to 3 weeks if necessary." under When To Apply. A 30-day retreatment interval must be added to the label.

- 9. Revise the Storage and Disposal section as per PR Notices 2007-4 (Container Disposal) and PR Notice 83-3 (Pesticide Storage and Pesticide Disposal).
- 10. Revise the liability notice to read "To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this product not in accordance with directions."
- 11. Remove, modify, or submit efficacy studies to substantiate the following claims, as they are overly broad:
  - "Kills broadleaf weeds roots and all."
  - "Kills all major broadleaf lawn weeds: List of the weed species"
  - "(Brand Name) kills all major broadleaf lawn weeds including..."
  - "Controls Dandelion... and many other broadleaf lawn weeds including those shown on the side panel"
  - "Kills over 2 times/twice as many weeds"
  - "Kills all major broadleaf weeds including..."
  - "Kills more weeds"
  - "Complete root [weed] kill"
  - "Kills all major [common] broadleaf weeds"
  - "Complete kill"
  - "Kills over 200 weeds [lawn weeds]"
  - "100% Root Kill"
  - "Kills All the Toughest Lawn Weeds!"
  - "Kills over 225 weeds"
- 12. Remove the following claims as they imply that the product has unique composition:
  - "Specially formulated for residential use. [For Home Lawns Only]"
  - "How it works Weed-B-Gon's exclusive [special]..."
  - "Specially formulated to kill weeds, not the lawn"
  - "Made [scientifically formulated] [special formula] for use on lawns"
  - "Contains...exclusive [special] [scientific]...formula"
  - "Exclusive Trimec Formula"
  - "Exclusive [special] formula"
  - "Exclusive [special] Lawn Guard..."
  - "Exclusive blend of ingredients"
  - "Patented formula"
- 13. Remove the following claims as this product is no longer new. The claim "new" may only be used on the labeling of a product of new composition for a period of 6 months following labeling approval.
  - "New [LawnGuard] formula"
  - "New"

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14. Remove the following claims as it suggests heightened efficacy and is false and misleading:

"Now for northern and southern lawns"

"Now faster results"

"Now fast acting"

"Now with LawnGuard [LawnProtect]"

"Now"

"Now Kills crabgrass too!"

Please Note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions

Sincerely,

Joanne I. Miller
Product Manager 23

Herbicide Branch

Registration Division (7505P)

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Enclosure

### WEED-B-GON READY-SPRAY® Isomer Formula **EPA REG. NO 239-2666**

Active Ingredients	
Mecoprop, dimethylamine salt *	5.30%
2,4-D, dimethylamine salt **	3.05%
Dicamba, dimethylamine salt***	1.30%
Other Ingredients	90.35%

<sup>\*(+)-(</sup>R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent to 4.38%

## **KEEP OUT OF REACH OF CHILDREN**

**CAUTION** See back panel booklet for additional precautionary statements.

ACCEPTED with COMMENTS In EPA Letter Dated:

SFP 19 2008 Under the Federal Insecticide,

[icon] WATER BASED Fungicide, and Rodenticide Act as amended, for the pesticide

**OPEN** Resealable Label

for Directions & Precautions PRESS TO RESEAL

NET 32 FL OZ (1 QT) 946 m L

239-2666

registered under EPA Reg. No.

Ready-Spray makes lawn and garden care easy. Simply attach the hose to the attached sprayer. Eliminates mixing, measuring and messy clean up. Automatically mixes the right amount of product and water.

Kills weeds in your lawn - won't harm lawn grasses. Weed-B-Gon singles out weeds enters through leaves and moves inside the weed to the roots.

Makes lawn weed control easy. Simply connect hose to attached sprayer. Eliminates mixing, measuring and messy clean-up.

hose to attached sprayer. Eliminates mixing, measuring and messy clean-up.

PRODUCT F	ACTS(32 oz size)		
Treats up to	12,800 sq ft (approx. size of 6 tennis courts)		
KILLS	Dandelion, Clover, Chickweed plus over [illustration]		٠ ،
WEEDS	80 additional broadleaf weeds	, , , , 1 , , , ,	
WHERE	ON LAWNS [illustration]	-;	
TO USE	without harming lawn grasses	ار در در در در در	
[optional]		٠ ،	, t , t , c
[For Sensitive Lawns]			
AMOUNT			ر د د و
TO SPRAY			درد د_دد

<sup>\*\*2,4-</sup>Dichlorophenoxyacetic acid equivalent to 2.53%

<sup>\*\*\*3,6-</sup>dichloro-o-anisic acid equivalent 1.08% Isomer Specific by AOAC Method 6.DO1-5.

	Bentgrass, Buffalograss, Centipedegrass & St. Augustinegrass (EXCEPT Floratam):	
	8 oz (1/4 bottle) treats 3,200 sq. ft.	
[For Hard	y Lawns]	
	Bahiagrass, Bermudagrass, Fescues, Kentucky Bluegrass, Perennial	
	Ryegrass & Zoysiagrass:	
	8 oz (1/4 bottle) treats 1,600 sq. ft.	
? Questions, Comments or Medical Information		
cal	I 1-800-225-2883 http://www.ortho.com	

Specially formulated for residential use. [For Home Lawns Only]

### **DIRECTIONS FOR USE**

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

### **AMOUNT TO SPRAY**

- Measure lawn. Calculate square feet by multiplying length times width. [walking man icon]
- Use the amount indicated for your lawn variety:

[Optional-FOR SENSITIVE LAWNS:] Bentgrass, Buffalograss, Centipedegrass & St. Augustinegrass (EXCEPT Floratam, a variety of St. Augustinegrass widely grown in Florida.): 8 oz (1/4 bottle) treats 3,200 sq. ft.

[Optional- FOR HARDY LAWNS:] Bahiagrass, Bermudagrass, Fescues, Kentucky Bluegrass, Perennial Ryegrass & Zoysiagrass: 8 oz (1/4 bottle) treats 1,600 sq. ft.

# [INSTRUCTIONS WHEN OFFERED IN READ-SPRAY APPLICATOR]

HOW TO USE THE READY-SPRAY®		
CONNECT	Shake well before using. Connect sprayer to hose. Turn on water.	
[illustration]		
[illustration]	[OPTIONAL] Use coin or key to rotate small (color) button to "OPEN".	
SPRAY [illustration]	To begin spraying, point nozzle in the direction you want to spray. Bend small yellow plastic tab on side of sprayer back and turn knob clockwise to ON position. Spray evenly over measured area.	
FINISH [illustration]	To stop spraying, bend small yellow plastic tab back and turn knob counter clockwise to OFF position. Turn off water. Relieve water pressure by bending plastic tab back and turning knob to ON position until water slows to a drip. Then, turn knob back to OFF position. Disconnect sprayer from hose.	

FOR BEST RESULTS		
<u>MOW</u> [illustration/ mower]	Do not mow for 1 to 2 days after application.	
<u>WATER</u> [illustration /hose]	<ul> <li>If soil is dry, water 1 to 2 days before application.</li> <li>Rain or watering 6 hours after application will not wash away effectiveness.</li> </ul>	
WHEN TO APPLY [illustration / weather]	<ul> <li>Spray when:</li> <li>weeds are small and actively growing</li> <li>temperature is below 90°F</li> <li>air is calm to avoid spray drift onto landscape plants as contact with foliage may injure flowers, shrubs, trees and other desirable plants</li> <li>Reapplication can be made in 2 to 3 weeks if necessary.</li> <li>Newly seeded lawn can be sprayed after first mowing.</li> <li>Bare spots can be planted with grass seed 1 week after application.</li> </ul>	

Or

# WHEN TO [MOW & - optional] WATER [icon]

- Do not mow for 1 to 2 days before or after application. [optional]
- If soil is dry, water 1 to 2 days before application.
- Rain or watering 6 hours after application will not wash away effectiveness.

# WHEN TO APPLY [icon]

- · Spray when weeds are small and actively growing.
- [Spray when] temperature is below 90°F.
- [Spray when] air is calm to avoid spray drift onto landscape plants as contact with foliage may injure flowers, shrubs, trees and other desirable plants
- Reapplication can be made in 2 to 3 weeks if necessary.
- Newly seeded lawn can be sprayed after first mowing.
- Bare spots can be planted with grass seed 1 week after application.

### **IMPORTANT**

Do not apply this product in a way that will contact any person or pet, either directly or through drift. If an ornamental shrub or tree is in the lawn, keep spray off foliage and exposed roots. St. Augustinegrass, Centipedegrass or Bermudagrass lawns may have delayed green-up if this product is used when lawns are emerging from dormancy or when temperature drops below 45° F within 72 hours of application. Do not spray Carpetgrass, Dichondra or desirable clovers. Do not use on or around fruits, vegetables or flowers. The maximum number of broadcast applications per treatment site is 2 per year. Do not exceed specified dosages for any area.

#### **HOW IT WORKS**

Because broadleaf weeds and grasses grow differently, Weed-B-Gon® kills broadleaf weeds without harming lawns. Weed-B-Gon singles out weeds, enters through leaves and moves inside the weed to the roots.

### WEEDS [icon]

Additional Weeds Controlled:

White Heath Aster, Bushy Aster, Heath Aster, Purple Aster, White prairie Aster, Catchweed, Marsh Bedstraw, Northern Bedstraw, Hairy Beggarticks, Creeping Beggarweed, Threeflower Beggarweed, Florida Bellflower, Florida Betony, Field Bindweed, Hairy Bittercress, Whitehead Broom, Burclover, Great Burdock, Smallflower Buttercup, Hairy Buttercup, Bushy Buttonweed, Virginia Buttonweed, Smooth chaffflower, Mouseeared Chickweed, Sticky Chickweed, Common Cinquefoil, Oldfield Cinquefoil, Alyce-clover, Crimson Clover, Hop Clover, White Clover, Wandering Cudweed, Purple Cudweed, Narrowleaf Cudweed, Shiny Cudweed, Cupids, Shaving Brush, Oxeye Daisy, Common Dandelion, False Dandelion, Catsear Dandelion, Dayflowers, Purple Deadnettle, Dichondra, Dogfennel, Broadleaf Dock, Curly Dock, Dollarweed, Doveweed, Heartleaf Drymary, Eclipta, Facelis, Oakleaf Fleabane, Rough Fleabane, Wild Garlic, Clammy Groundcherry, Smooth Groundcherry, Groundsel, Yellow Hawkweed, Sprawling Horseweed, Innocense (blue eyed Mary), Prostrate Knotweed, Tufted Knotweed, Kochia, Field Madder, Alkali Mallow, Venice Mallow, Common Mallow, Little Mallow, Dwarf Mallow, Bristly Mallow, Marcela (yellow Joyweed), Marestail, Horseweed, Mat Lippia, Milkweed, Moneywort, Mugwort, Common Mullein, Moth Mullein, Mexican Morningglory, Bigroot Morningglory, Ivyleaf Morningglory, Tall Morningglory, Red Morningglory, Ball Mustard, Black Mustard, Blue Mustard, Indian Mustard, Tumble Mustard, Wild Mustard, Tansy Mustard, White Mustard, Wormseed Mustard, Bitter Nightshade, Wild Onion, Old World Diamond Flower, Birdseye Pearlwort, Florida Pellatory, Pennywort, Asiatic Pennywort, Peppergrass, Virginia Pepperweed, Prostrate Pigweed, Redroot Pigweed, Smooth Pigweed, Tumble Pigweed, Pineappleweed, Buckhorn Plantain, Blackseeded Plantain, Poison Ivy, Poison Oak, Cutleaf Eveneing Primrose,, Showy Evening Primrose, Purple Cudweed, Purslane, Brazil Pusley, Largeflower Pusley, Florida Pusley, Giant Ragweed, Common Ragweed, Western Ragweed, Lanceleaf Ragweed, Redweed, Yellow Rocket, Field Sandbur, Longspine Sandbur, Mexican or Texas Sandbur, Southern Sandbur, Sibara, Red Sorrel, Sheep Sorrel, Shepardspurse, Pennsylvania Smartweed, Swamp Smartweed, Ladysthumb Smartweed, Pale Smartweed, Bitter Sneezeweed, Bilobed Speedwell, Common Speedwell, Corn Speedwell, Ivyleaf Speedwell, Persian Speedwell, Purslane Speedwell, Slender Speedwell, Snow Speedwell, Thymeleaf Speedwell, Winter Speedwell, Common Spiderwort, Spotted Spurge, Prostrate Spurge, Corn Spurry, Swinecress, Bull Thistle, Canada Thistle, Flodman Thistle, Cotton Thistle, Distaff Thistle, Drummonds Thistle, Elk Thistle, Gray Thistle, Italian Thistle, Leafy Thistle, Meadow Thistle, Milk Thistle, Platte Thistle, Plumeless Thistle, Russian Thistle, Scotch Thistle, Slenderflower Thistle, Tall Thistle, Wavyleaf Thistle, Yellowspine Thistle, Stiff Verbena, Camplipoda Veronica, Common Vetch, Hairy Vetch, Winter Vetch, Wooley Vetch, Violet, Field Violet, Wild Carrot, Wild Lettuce, Woodsorrel, Creeping Woodsorrel, Yellow Woodsorrel, Florida Yellow Woodsorrel, Wooleyleaf Bursage, Common Yarrow, Western Yarrow, Yellow Yarrow.

### STORAGE AND DISPOSAL [icon]

**STORAGE:** Store in original container in a locked storage area inaccessible to children or pets. Keep from freezing.

**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.

### PRECAUTIONARY STATEMENTS [icon]

[Reentry Icon] Do not allow people (other than applicator) or pets on treatment area during application. People and pets may re-enter treatment areas until spray has dried.

**ENVIRONMENTAL HAZARDS:** This pesticide is toxic to fish and aquatic invertebrates. Do no apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

This chemical has properties and characteristics associated with chemical detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may results in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

**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 full refund of your purchase price.

? Questions, Comments or Medical Information ? call 1-800-225-2883 <a href="http://www.ortho.com">http://www.ortho.com</a>

Ortho & Your Environment – Your yard is a place for family and pets to enjoy. That's why Ortho products are designed with care to provide effective solutions to weed problems. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.

The ORTHO Group
P.O. Box 190
Marysville, OH 43040
EPA Reg. No 239-2666
EPA Est. 239-IA-3<sup>1</sup>, 58996-MO-1<sup>A</sup>
Superscript is first letter of lot number
Made in USA

### **APPENDIX**

- These claims may be presented on the retail container label or on the labeling accompanying the product.
- Kills Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and many other broadleaf lawn weeds.
- Kills weeds not lawn grasses.
- Kills weeds not lawns
- For Lawns Containing Kentucky Bluegrass, Fescues, Bentgrass, Perennial Ryegrass, Bermudagrass, Bahiagrass, Centipedegrass, Zoysiagrass, St. Augustinegrass, and Buffalograss.
- Kills broadleaf weeds roots and all.
- For northern and southern grasses.
- Won't harm lawn grasses shown on container label.
- Won't harm lawn grasses
- ♦ Kills weeds in your lawn.
- Formulated for use on northern and sensitive southern lawns.
- Kills all major broadleaf lawn weeds: List of the weed species.
- Helps provide a beautiful lawn.
- ♦ For cool and warm season lawn grasses
- (Brand Name) kills all major broadleaf lawn weeds including dandelion, chickweed, knotweed, in lawns without harming lawn grasses.
- ◆ For use on grass lawns especially Kentucky Bluegrass, Fescues, Perennial Ryegrass, Bentgrass, Bermudagrass, Bahiagrass, Centipedegrass, Zoysiagrass, St. Augustinegrass, and Buffalograss.
- ♦ A Trimec® Turf Herbicide Formulation.
- ◆ Controls Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and many other broadleaf lawn weeds including those shown on the side panel.
- "One Quart Covers Up To 12,800 Square Feet".
- Now for northern and southern lawns.
- Kills over 2 times/twice as many weeds.
- Water based.
- Low odor formula.
- Low odor.
- ★ Kills all major broadleaf weeds including Dandelion, Clover, Oxalis, Chickweed, Knotweed Plantain, Henbit, Spurge and others.
- ♦ Concentrate
- Now faster results
- Now fast acting
- For control that doesn't/won't wash away/off.
- ◆ Effective even with rain in [1,2] hours.
- ◆ Does not harm lawn when used properly
- ♦ [Weed-B-Gon] kills [lawn] weeds, not [the] lawn(s) (grass).
- ◆ ORTHO<sup>®</sup> WEED-B-GON<sup>®</sup> for the lawn.
- ♦ For a beautiful Weed-Free Lawn

- Kills weeds down to the root.
- ◆ Rainproof (rain-fast) in [1, 2] hours.
- Kills broadleaf weeds in your lawn.
- Won't harm most lawn grasses.
- Ideal for spot treating individual lawn weeds.
- Rain proof in hours.
- ◆ Kills Dandelion, Clover and Other Broadleaf Weeds—Won't Harm Lawns.
- ♦ Kills Weeds—Not Lawn Grasses
- ♦ Guaranteed [Results]
- Guaranteed not to harm one single blade of grass.
- Won't harm lawns, guaranteed.
- Guaranteed not to harm the lawn.
- Guaranteed to kill weeds, not grass [the lawn].
- Starts working on contact
- ♦ Fast results
- ♦ Fast-acting formula
- Weeds begin wilting overnight
- Weeds begin to wilt and die overnight
- ◆ Rainproof in 2 hours so it [the weed killing power] won't wash away.
- Rainproof in 2 hours so you won't have to respray.
- ♦ Kills to the root so weeds don't [won't] ever come [grow] back.
- ♦ Kills more weeds
- ◆ Complete root [weed] kill
- Kills all major [common] broadleaf weeds
- Complete kill
- Kills even tough lawn weeds
- ♦ Kills over 200 weeds [lawn weeds]
- ♦ Weed-B-Gon singles out weeds leaves [lawn] grass(es) alone [unharmed].
- For use on lawns
- ♦ How it works Weed-B-Gon's exclusive [special] [LawnGuard™] [LawnProtect™] [smart] [proven] formula specifically targets [seeks out] weeds, killing them, while leaving the grass [lawn] unharmed guaranteed.
- ◆ How it works Weed-B-Gon [LawnGuard™] [LawnProtect™] contains [is] a special [unique] [exclusive] blend of proven ingredients that seek out [target] and destroy [kill] weeds, while leaving the [your] grass [lawn] unharmed guaranteed.
- Specially formulated to kill weeds, not the lawn.
- ◆ Targets weeds, leaves grass [the lawn] unharmed.
- ♦ Made [scientifically formulated] [special formula] for use on lawns.
- LawnGuard™ [LawnProtect™]
- With LawnGuard™[LawnProtect™]
- Contains LawnGuard™ [LawnProtect™] [formula].
- Contains Ortho('s) [Weed-B-Gon's] exclusive [special] [scientific] LawnGuard™ [LawnProtect™] formula.
- ♦ Contains Trimec® Formula
- ♦ Exclusive Trimec® Formula
- Exclusive [special] formula.
- Exclusive [special] LawnGuard™ [LawnProtect™] formula.

- ♦ Exclusive blend of ingredients
- ◆ Patented formula
- Now with LawnGuard™ [LawnProtect™]
- ♦ With LawnGuard™ [LawnProtect™] Weed Control
- ◆ LawnGuard™ Formula
- ♦ New [LawnGuard™] Formula!
- ♦ New
- ♦ Now
- ♦ Helps keep lawn[s] healthy and weed-free.
- ♦ Helps keep[s] the lawn look [ing] beautiful.
- ♦ Easy to use
- Ideal for use in between fertilizer applications to spot treat weeds
- Formulated for use on Southern Lawns!
- ♦ 100% Root Kill
- Kills All the Toughest Lawn Weeds!
- For weeds outside the lawn (on driveways, sidewalks, etc.) se Ortho GroundClear Vegetation Killer. It kills weeds and grasses and prevents new growth for up to 1 year.
- ♦ Now Kills crabgrass too!
- ♦ Kills over 225 weeds
- ♦ Results in 24 hours
- ♦ 100% Root Kill