

239-2682

6-7-2002

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:
239-2682

Date of Issuance:
JUN 7 2002

Term of Issuance:
Conditional

Name of Pesticide Product:
EH-1398 Herbicide

NOTICE OF PESTICIDE:
 x Registration
 Reregistration
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):
The Scotts Company D/B/A The ORTHO Group
P.O. Box 1749
Columbus, OH 43216

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit data.
2. Add the phrase "EPA Registration No.239-2682" to your label before you release the product for shipment.
3. Submit one (1) copy of your final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for a further description of final printed labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Signature of Approving Official:

HS

Date:

JUN 7 2002

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EH-1398 HERBICIDE

Alternate Brand Name:

Weed-B-Gon Weed Killer for Lawns² Ready-To-Use

**Kills: Dandelion, Clovers, Plantains, Chickweeds, Oxalis, Spurges,
Henbit, English Daisy, Wild Onion
and (Many) Other Listed Weeds/Broadleaf Weeds.**

For Home Lawns Only

[icon] OUTDOOR USE ONLY

[water droplet icon] WATER BASED

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

JUN 7 2002

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
229-2682**

**KILLS BROADLEAF LAWN WEEDS—ROOTS AND ALL
READY-TO-USE—NO MIXING**

ACTIVE INGREDIENTS:

Mecoprop-p, dimethylamine salt	0.22%
2,4-D, dimethylamine salt	0.12%
Dicamba, dimethylamine salt	0.05%
OTHER INGREDIENTS:	99.61%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent 0.18%
- 2,4-Dichlorophenoxyacetic acid equivalent 0.10%
- 3,6-dichloro-o-anisic acid equivalent 0.04%

Isomer Specific by AOAC Methods

Contains the single isomer form of Mecoprop-p.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See (side panels, back panel, or booklet) for additional Precautionary Statements.

- NET CONTENTS: 6 fl. oz. / 177 mL
- NET CONTENTS: 24 fl. oz. (1 pt, 8 fl. oz.) 710 mL
- NET CONTENTS: 64 fl. oz. (1/2 gallon) 1.89 L
- NET CONTENTS: 1 gallon/3.78 L
- NET CONTENTS: 1.33 gallons/5.03L
- NET CONTENTS: 1.58 gallons/5.98 L
- NET CONTENTS: 1.75 gallons/6.62 L

MANUFACTURED BY:

The ORTHO Group
 Post Office Box 1749
 Columbus, OH 43216
 EPA Reg. No. 239-xxx
 EPA Est. No. 239-1A-3¹, 58996-MO-1^A
 Superscript is first letter of lot number

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves.

Personal Hygiene Statements:

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.

ENVIRONMENTAL HAZARDS:

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwater.

DIRECTIONS FOR USE

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

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment area until spray has dried.

Product Facts

Container treats up to	50 weeds	6 fluid ounce size
Container treats more than	200 weeds	24 fluid ounce size
Container treats more than	500 weeds	Half gallon size
Container treats more than	1000 weeds	Gallon size
Container treats more than	1333 weeds	1.33 gallon size
Container treats more than	1580 weeds	1.58 gallon size

KILLS WEEDS

Dandelion, Clover, Chickweed *[illustration]* and other broadleaf weeds.

WHERE TO USE

ON LAWNS—Bahagrass, bentgrass, bermudagrass, buffalograss, centipede grass, fescue, Kentucky bluegrass, perennial ryegrass, St. Augustine grass (except 'Floritam') (do not use on 'Floritam') and zoysiagrass *[illustration]* without harming lawn grasses



Questions, Comments or Medical Information
Call 1-800-225-2883 www.ortho.com

Kills weeds in your lawn—won't harm lawn grasses. EH-1398 Herbicide singles out weeds, enters through leaves and moves inside the weed to the roots.

-OR-

EH-1398 Herbicide kills broadleaf weeds in lawns—roots and all. Kills weeds—not lawn grasses when used according to directions. Ready-To-Use. No mixing. No measuring.

WEEDS: *[illustration]* Bur Clover, Carpetweeds, Chickweeds, Creeping Charlie, Cudweed, Curly Dock, Dandelion, English Daisy, False Dandelion, Filaree, Florida Pusley, Heartleaf Drymary, Henbit, Oxalis, Pennywort, Plantains, Purslane, Red Sorrel, Sheep Sorrel, Spurges, Spurweed, Thistles, Toadflax, White Clover, Wild Carrot, Wild Geranium, Wild Onion, and other broadleaf weeds.

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WHEN TO APPLY: *[icon]*

- Spray when [any time] weeds are actively growing.
- Spray when temperature is below 90°F.
- Hard to kill [control] weeds may require a repeat application in 2 to 3 weeks.
- Rain or watering 2 hours after application will not wash away effectiveness.

IMPORTANT: Do not use this product for controlling weeds in vegetable gardens, flower beds or around shrubs or ornamental plants. Do not use on or around fruits, vegetables or flowers. Temporary discoloration may occur on St. Augustine, centipede and bentgrass lawns. Do not use on Floratam, a variety of St. Augustine grass.

-----**OPTION 1 (QCS/Trigger)**-----

(Quick Connect Sprayer Package Design Directions:)

NOW with Quick Connect Sprayer. 1. Pull sprayer from bottle. 2. Pull [color] hose connector and coil from sprayer handle. 3. Insert hose connector into [color] sprout on cap until it clicks into place. 4. Flip up spout. Turn sprayer nozzle to open, and spray.

Quick Connect Sprayer. 1. Remove sprayer. Pull cord **ALL THE WAY OUT**. 2. Insert red plug into spout (on cap) until it clicks. 3. Flip up spout. Open nozzle at end of sprayer.

HOW TO APPLY/USE: *[icon]*

Turn sprayer nozzle to open. Adjust spray nozzle to give a coarse spray. Aim at center of weed and spray to lightly cover.

(Trigger Sprayer:)

HOW TO APPLY/USE: *[icon]*

- Turn sprayer nozzle to open.
- Adjust sprayer nozzle as desired.
- Aim at center of weed and spray to lightly cover.

-----**End of Option 1**-----

-----**Option 2 (PNS I)**-----

(PNS I 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.

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(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.

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. Pull "T-handle" again as needed to continue spraying. JUST PULL UP – NO NEED TO PUMP. Aim at center of weed and spray to lightly cover.

-----End of Option 2-----
-----OPTION 3 (PNS II)-----

(Applicator Device Directions)

(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.

(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.

(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: [icon]

Follow illustrations and instructions above. Twist nozzle at end of sprayer to desired spray pattern. Point sprayer away from body and press sprayer button to begin spraying. Pull ring at sprayer bottom again as needed to continue spraying. Aim at center of weed and spray to lightly cover.

(OPTIONAL REUSE AND REFILL INSTRUCTIONS: Only for PNS [II]/Pull 'N Spray [II] (1 gallon/1.33 gallon size containers)

(1.33 gallon size)

To refill 1.33 Gallon EH-1398 Herbicide: Add entire contents (6.8 fl oz) of Weed-B-Gon Weed Killer for Lawns Concentrate (EPA Reg. No. 2217-570) to this empty 1.33 Gallon container. Slowly fill with 160 fl. fl. oz. of clean tap water.)

(1 gallon size)

To refill 1 Gallon EH-1398 Herbicide: Add entire contents (5.1 fl oz) of Weed-B-Gon Weed Killer for Lawns Concentrate (EPA Reg. No. 2217-570) to this empty 1 Gallon container. Slowly fill with 123 fl. fl. oz. of clean tap water.)

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-----End of Option 3-----

STORAGE & DISPOSAL

(Following to be used with all Storage Text) Keep from freezing. Keep pesticide in original container. Do not put into food or drink containers. Avoid contamination of feed and foodstuffs. Store in a cool, dry place, preferably in a locked storage area.

STORAGE: *(for PNS (II)/Pull 'N Spray (II))* Completely discharge/dispense product in sprayer prior to storage. Flip down (color of spout) spout on cap. **DO NOT DISCONNECT SPRAYER HOSE FROM CAP.** Place sprayer back inside carrier on bottle with the nozzle facing down.


STORAGE: *(for Quick Connect Sprayer and bottle)* Flip down spout to close. No need to disconnect trigger sprayer. Close nozzle on trigger sprayer. Snap sprayer back in place.

STORAGE: *(for conventional trigger sprayers larger than 24 fl. oz.)* Place trigger sprayer under handle on container to keep sprayer above the level of contents.

STORAGE: *(for conventional trigger sprayers)* Rotate nozzle to closed position. -OR- Turn sprayer nozzle to "OFF".

CONTAINER DISPOSAL: *(for all package designs except PNS (II)/Pull 'N Spray (II))*
If empty: Do not reuse this container. Place in trash or offer for recycling if available.
If partly filled: Call you local solid waste agency of 1-800-CLEANUP for disposal instruction. Never place unused product down any indoor or outdoor drain.

CONTAINER DISPOSAL: *(only for PNS (II)/Pull 'N Spray (II))*
If empty: Do not reuse empty container except to refill in accordance with the refill instructions listed in the directions for use.
Place in trash or offer for recycling if available. **If partly filled:** Call you local solid waste agency of 1-800-CLEANUP for disposal instruction. Never place unused product down any indoor or outdoor drain.

 Questions, Comments or Medical Information call 1-800-225-2883 www.ortho.com

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

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APPENDIX

- 1. Formula Claims:** These claims may be presented on the retail container label or on the labeling accompanying the product.
- ◆ Weed-B-Gon kills weeds, not the lawn.
 - ◆ Weed-B-Gon kills weeds - not lawns.
 - ◆ ORTHO® WEED-B-GON® for the lawn.
 - ◆ For a beautiful Weed-Free Lawn
 - ◆ Use Weed-B-Gon to control weeds everywhere around [or in] your lawn.
 - ◆ Kills weeds in patios, driveways, sidewalks and other non-lawn areas.
 - ◆ Kills weeds down to the root.
 - ◆ Rainproof in two [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
 - ◆ Kills Weeds—Not Lawns, Rain Proof in Hours
 - ◆ Guaranteed [Results]
 - ◆ Kills weeds the first time, every time, guaranteed.
 - ◆ 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
 - ◆ Stronger
 - ◆ Complete root [weed] kill
 - ◆ Kills all major [common] broadleaf weeds
 - ◆ Complete kill
 - ◆ Kills even tough lawn weeds
 - ◆ Kills over 200 weeds [lawn weeds]
 - ◆ More weed killing power [strength]
 - ◆ 30% more weed killing power [strength]
 - ◆ 30% stronger
 - ◆ Kills twice as many weeds as our previous formula.
 - ◆ Stronger than ever
 - ◆ Weed-B-Gon singles out weeds leaves grass alone [unharmd].
 - ◆ 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] unharmd – guaranteed.

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- ◆ 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.
- ◆ Kills weeds, not grass.
- ◆ 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
- ◆ The Weed-B-Gon Advantage™
- ◆ Now with LawnGuard™ [LawnProtect™]
- ◆ With LawnGuard™ [LawnProtect™] Weed Control
- ◆ New Formula!
- ◆ New
- ◆ Now
- ◆ Help: keep lawn[s] healthy and weed-free.
- ◆ Helps keep[s] the lawn look [ing] beautiful.
- ◆ Easy to use
- ◆ Requires no mixing, no measuring and no messy cleanup
- ◆ Great [ideal] for spot treatments
- ◆ Ideal for use in between [as a supplement to] fertilizer applications
- ◆ Ideal for use in between fertilizer applications to spot treat weeds
- ◆ Trial Size [6 oz. Trial Size]
- ◆ Free [Sample]

II: WEEDS CONTROLLED

- White heath Aster, Bushy Aster, Heath Aster, Purple Aster, White prairie Aster, Catchweed Bedstraw, Marsh Bedstraw, Northern Bedstraw, Hairy Beggarticks, Creeping Beggarweed, Threeflower Beggarweed, Florida Bellflower, Florida Betony, Field Bindweed, Hairy Bittercress, Whitehead Broom, Burclover, Common Burdock, Great Burdock, Lawn Burweed, Smallflower Buttercup, Hairy Buttercup, Bushy Buttonweed, Virginia Buttonweed, Black Medic, Carolina Geranium, Carpetweed, Wild Carrot, Cats-ear, Smooth Chaff-flower, Chicory, Common Chickweed, Mouseeared Chickweed, Sticky Chickweed, Chicory, Common Cinquefoil, Oldfield Cinquefoil, Alyce-clover, Crimson Clover, Hop Clover, White Clover, Wandering Cudweed, Purple Cudweed, Narrowleaf Cudweed, Shiny Cudweed, Cupids Shaving Brush, English Daisy, Oxeye Daisy, Common Dandelion, False Dandelion, Catsear Dandelion, Dayflowers, Purple Deadnettle, Dichondra, Dogfennel, Doveweed, Broadleaf Dock, Curly Dock, Dollarweed, Doveweed, Heartleaf Drymary, Eclipta, Facelis, Oakleaf Fleabane, Rough Fleabane, Wild Garlic, Carolina Geranium, Clammy Ground Cherry, Smooth Ground Cherry, Ground Ivy, Groundsel, Yellow Hawkweed, Healall, Henbit, Sprawling Horseweed, Innocense (blue eyed Mary), Knawel, Prostrate Knotweed, Tufted Knotweed, Kochia, Lambsquarters, Lespedeza, Field Madder, Alkali Mallow, Venice Mallow, Common Mallow, Little Mallow, Dwarf Mallow, Bristly Mallow, Marcela (yellow joyweed), Maretail, 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, Eastern Black Nightshade, Silverleaf Nightshade, Cutleaf Nightshade, Hairy Nightshade, Wild Onion, Old World Diamond Flower, Birdseye Pearlwort,

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Florida Pellitory, Pennywort, Asiatic Pennywort, Peppargrass, Virginia Pepparweed, Prostrate Pigweed, Redroot Pigweed, Smooth Pigweed, Tumble Pigweed, Pineappleweed, Broadleaf Plantain, Buckhorn Plantain, Blackseeded Plantain, Poison Ivy, Poison Oak, Cutleaf Evening 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, Campiloda Veronica, Common Vetch, Hairy Vetch, Winter Vetch, Woolley Vetch, Violet, Field Violet, Wild Carrot, Wild Lettuce, Woodsorrel, Creeping Woodsorrel, Yellow Woodsorrel, Florida Yellow Woodsorrel, Wooleyleaf Bursage, Common Yarrow, Western Yarrow, Yellow Yarrow

III: Applicator Claims

- ◆ Now with Quick Connect Sprayer
- ◆ Quick Click Sprayer
- ◆ Quick & Easy to Use
- ◆ No Leaks or Mess
- ◆ EASY-TO-USE [Store]
- ◆ The easy way to spray Weed-B-Gon
- ◆ The easier 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]
- ◆ 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]!
- ◆ Improve Applicator System! [Device!]/Improved Application System! [Device!]
- ◆ Improved [!]
- ◆ No pumping, just pull
- ◆ The easier way to kill weeds
- ◆ WEED-B-GON WEED KILLER—the easy way to kill lawn weeds
- ◆ Refillable
- ◆ NOW refillable lawn weed control [kill] system [device]
- ◆ Exclusive [technology]
- ◆ Patented [technology]

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