

239-2691

05-22-2009

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

22 MAY 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

Subject: 2,4-D and MCPP-p RED Label Amendments
Weed-B-Gon Spot Weed Killer
EPA Reg. No. 239-2691

The labeling referred to above is in compliance with the 2,4-D and MCPP-p REDs and are amended under the REDs provided that you:

1. Make the following label revisions:

a. Per the Acute Toxicity review, the First Aid section must read as follows:

“IF SWALLOWED:

Call a poison control center or doctor immediately for treatment advice.
Have person sip a glass of water if able to swallow.
Do not induce vomiting unless told to by a poison control center or doctor.
Do not give anything by mouth to an unconscious person.

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.

IF INHALED:

Move person to fresh air.
If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact [insert phone number 1-800-xxx-xxxx] for emergency medical treatment information.”

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- b. The Net Contents/Net Weight must be added to the front panel of the product labelling.
- c. Per the Acute Toxicity review, the Hazards to Humans and Domestic Animals section must be revised to read as specified below:

“Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Avoid contact with eyes, skin or clothing. Avoid breathing spray mist or vapour. Wear long sleeved shirt, long pants, shoes, socks, and chemical resistant gloves made of any waterproof material.”

- d. Per the REDs, the first paragraph of the Environmental Hazards statement must read as follows:

“This pesticide is toxic to fish and aquatic invertebrates **and may adversely affect non-target plants**. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. **Do not contaminate water when disposing of equipment wash waters or rinsate.**”

- e. Per the MCPP-p RED, the following paragraph must be added to the use precautions of this label:

“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 to the point of runoff, or apply when raining or when rain is expected that day.”

In addition, the following statement must be added under the “Important Application Information” heading:

“Do not apply as a fine mist because of potential injury to desirable plants.”

- f. Assure that the Storage and Disposal statements on the final printed label are compliant with PR Notice 2007-1, PR Notice 2007-4, 40 CFR 156.140 and 40 CFR 156.146. As this label includes “Refill Instructions”, the current Storage and Disposal instructions for non-refillable containers are incorrect. Assure that the “Storage” heading is revised to “Pesticide Storage.”

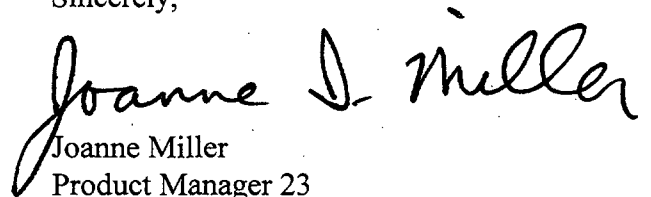
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RED Label Amendments

- g. The rain-fast claim must be revised to indicate the product is rain-fast for 2 hours after 0.25 inches of rain.
 - h. Add the following exclusionary statement to the front panel of the labeling:

“Not for use on turf being grown for sale or other commercial sod, or for commercial seed production, or for research purposes.”
2. 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.
 3. 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 Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Stamped 11-21-0

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Weed-Be-Gon Spot Weed Killer

Kills Weeds – Won't Harm Lawns†
 Control All Major Broadleaf Weeds In Lawns
 Rainproof/Rainfast in [2, 3, 4, 5] 6 Hours
 Kills Broadleaf Weeds: Dandelion, Clover, Chickweed, Plantain, Spurge, Oxalis
 Kills 140 Broadleaf Weeds
 For a beautiful Weed-Free Lawn
 Kills broadleaf weeds in your lawn.
 Won't harm most lawn grasses.†
 Kills even tough lawn weeds

ACTIVE INGREDIENTS:

Dimethylamine Salt of 2,4-D*	0.326%
Dimethylamine Salt of Mecoprop-p**	0.163%
Dimethylamine Salt of Dichlorprop-p***	0.161%
OTHER INGREDIENTS:	99.350%
TOTAL	100.000%

Isomer Specific AOAC Method, Equivalent to:
 *2,4-D Acid 0.270%, 0.022 lbs/Gallon
 **Mecoprop-p Acid 0.135%, 0.011 lbs/Gallon
 ***Dichlorprop-p Acid 0.135%, 0.011 lbs/Gallon
 CONTAINS THE SINGLE ISOMER FORMS OF MECOPROP-p AND DICHLORPROP-p.

†When used as directed

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE BACK PANELS FOR ADDITIONAL
PRECAUTIONARY STATEMENTS

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

Manufactured for
 The ORTHO Group
 P.O. Box 190
 Marysville, OH 43040
 EPA Reg. No. 239-2691
 EPA Est. No. 239-XXX

ACCEPTED
 with COMMENTS
 in EPA Letter Dated
 22 MAY 2009
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.
239-2691

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(Back label)

Open Resealable Label For Directions and Precautions

PEEL HERE
PRESS TO RESEAL

PRODUCT FACTS	
WEEDS KILLED	Alders, artichoke, aster, Austrian fieldcress, beggartick, biden, bindweed, bitterweed, bitter winter cress, black medic, blessed thistle, blue lettuce, box elder, broomweed, buckhorn, bull thistle, burdock, bur ragweed, buttercup, Canada thistle, carpetweed, catnip, chickweed, chicory, clover, cockle, cocklebur, coffeebean, coffeeweed, common sowthistle, creeping Jenny, croton, curly indigo, dandelion, dock, dogbane, dogfennel, elderberry, English daisy, flea bane (daisy), flixweed, Florida pusley, frenchweed, galinsoga, goatsbeard, goldenrod, ground ivy, gumweed, hawkweed, healall, heartleaf drymary, hemp, henbit, hoary cress, honeysuckle, horsetail, Indiana mallow, ironweed, jewelweed, Jimsonweed, kochia, knotweed, lambsquarters, locoweed, lupines, mallow, marshelder, Mexicanweed, morningglory, musk thistle, mustard, nettle, nutgrass, orange hawkweed, oxalis, parsnip, pennycress, pennywort, peppergrass, pepperweed, pigweed, plantain, poison hemlock, poison ivy, poison oak, pokeweed, poorjoe, povertyweed, prickly lettuce, primrose, puncture vine, purslane, ragweed, red clover, red sorrel, rush, Russian thistle, St. Johnswort, sheep sorrel, shepherdspurse, smartweed, sneezeweed, Southern wild rose, sowthistle, Spanishneedle, spatterdock, speedwell, spurge, spurweed, stinkweed, stitchwort, sumac, sunflower, sweet clover, tarweed, thistle, toadflax, tumbleweed, velvet leaf, Veronica, vervain, vetch, Virginia buttonweed, Virginia creeper, wild aster, wild carrot, wild garlic, wild geranium, wild lettuce, wild onion, wild radish, wild rape, wild strawberry, wild sweet potato, willow, witchweed, woodsorrel, wormseed, yarrow, yellow rocket, and other broadleaf weeds.
WHERE TO USE	ON RESIDENTIAL LAWNS—Bahagrass, bentgrass, bermudagrass, buffalograss, centipedegrass, fescue, Kentucky bluegrass, perennial ryegrass, St. Augustinegrass (except 'Floritam') (do not use on 'Floritam') and zoysiagrass without harming lawn grasses
[PHONE/ COMPUTER ICON]	Questions, Comments or Medical Information? Call 1-888-736-7645 www.ortho.com/basics

(Inside Booklet)

DIRECTIONS FOR USE

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

READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

(Icons People/Pets) People and pets may enter treated areas after spray has dried.

SHAKE WELL BEFORE USING

OPTION 1 - (24 oz Trigger Sprayer:)

HOW TO APPLY/USE: *[icon]*

- Turn sprayer nozzle to open.
- Adjust sprayer nozzle as desired.

- Aim at center of weed and spray until foliage is wet.

End of Option 1 _____

OPTION 2 - (1 GAL – BAG SPRAYER)

HOW TO APPLY/USE: *[icon]*

- Remove the cap from container and replace with sprayer hose and cap assembly. Tighten securely.
- Turn sprayer nozzle one-half turn counterclockwise. Hold sprayer below the level of container and prime by pumping trigger 10-15 times until product is dispensed. Adjust the nozzle to a coarse spray. Position sprayer tip approximately 1-2 feet away from the weed. Spray weeds until foliage is wet.
- After each use, thoroughly flush sprayer and hose with water. Return hose and cap assembly to container, tighten securely. Turn nozzle to "OFF" position, and store above level of liquid in container to prevent leakage.

NOTE: If sprayer does not function properly, remove nozzle cover and check nozzle hole and holes in rubber component for obstructions. Check to make sure nozzle is not in "OFF" position. Replace nozzle cover, return sprayer assembly to container and proceed.

End of Option 2 _____

REFILL INSTRUCTIONS:

24 fl oz size - Add 2 teaspoons of Weed-Be-Gon Spot Weed Killer Concentrate to this empty container. Then add 2 ½ cups tap water, replace sprayer, shake well, and use according to directions in this label.

1 Gal size - Add 1 ½ oz (3 Tbs) of Weed-Be-Gon Spot Weed Killer Concentrate to this empty container. Then add 3 quarts tap water, replace sprayer hose and cap assembly, shake well, and use according to directions in this label.

WHEN TO USE

- Use whenever weeds are actively growing in your lawn.
- The best time to apply is in the spring when weeds are small and actively growing with temperatures below 90°F.
- Winter weeds grow in the fall. An application then can prevent many serious weed problems the following spring.

FOR BEST RESULTS

- Do not mow for 1 to 2 days before or after application
- If lawn needs watering, water thoroughly before application
- Rain or watering 48 hrs after application will not wash away effectiveness
- Do not apply if rainfall is expected within 48 hours
- After applying this product, weeds will begin to show visible signs of leaf curl within a few days. One application should be sufficient. Reapplication can be made in 3-4 weeks if the weeds have not been killed.
- Spray when air is calm to avoid any spray drift that might injure desirable plants

IMPORTANT APPLICATION INFORMATION

- Do not apply this product in a way that will contact any person or pet, either directly or through drift.
- Do not apply to newly seeded grasses until they have been mowed 3 times.

- Bare spots can be planted with grass seed 3 – 4 weeks after application
- Do not use this product for controlling weeds around ornamental shrubs, trees or plants, keep spray off foliage and exposed roots
- St. Augustine grass, Centipede grass, and Bermudagrass lawns may have delayed green-up if this product is used when lawns are emerging from dormancy in the Spring or when temperature drop below 45°F within 72 hours of application.
- Do not spray on Carpetgrass, Dicondra, or desirable Clover lawns.
- Do not use on or around fruits, vegetables, or flowers.
- St Augustine lawns may be yellowed following application but will turn green in a 2 to 3 weeks. **Do not use on Floratam, a variety of St Augustine grass.**
- Some hybrid Bermuda grasses may be sensitive to this product. Contact your local Extension Service weed control specialist.

STORAGE & DISPOSAL

24 oz Size Container:

STORAGE: (for conventional trigger sprayers) Rotate nozzle to closed position. —OR— Turn sprayer nozzle to “OFF”. 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.

CONTAINER DISPOSAL:

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.

1 Gal Size Container:

STORAGE: 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. Rotate nozzle on trigger sprayer to closed position.

CONTAINER DISPOSAL:

If Empty: Do not reuse container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste disposal service or 1-800-CLEANUP. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Avoid inhalation of spray mist and contact with eyes or clothing. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Wear long pants, long-sleeved shirt, socks, shoes and chemical resistant gloves when handling or applying this product. After using this product, wash nondisposable gloves thoroughly with soap and water 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.

[Reentry icon] Do not allow people (other than applicator) or pets on treatment area during application. Do not allow people or pets to enter the treated area until sprays have dried.

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.

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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Do not 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 result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

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

The ORTHO Guarantee: If for any reason you are not satisfied with this product, mail use proof of purchase to obtain a full refund.

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.

Manufactured for
The ORTHO Group
P.O. Box 190
Marysville, OH 43040
EPA Reg. No. 239-2691
EPA Est. No. 239-XXX