

432-954

01/31/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Richard M. Gorrell
Manager, Registrations
Bayer Environmental Science
95 Cestnut Ridge Road
Montvale, NJ 07645

JAN 31 2003

Dear Mr. Gorrell:

Subject: Finale[®] Super Concentrate Weed, Grass and Brush Killer
Registration Number 432-954
Applications and Letters Dated November 7, 2002, Request
To Amend Registration To Add First Aid Statements To
Comply with PR Notice 2001-1; To Revise Storage and
Disposal Statements to Comply with PR Notice 2001-6;
Company Name on Label; Warranty Statement; and
Ingredient Statement To Comply with PR Notice 97-5;
Removal of Lawn Renovation Claims

The subject application to amend the labeling of Finale[®]
Ready-To-Use Weed and Grass Killer has been reviewed and found
acceptable under the Federal Insecticide, Fungicide and
Rodenticide Act (FIFRA) as amended, provided that you:

1. Revise the ingredient statement by relating the asterisk directly to the CAS Number for glufosinate-ammonium. As written the CAS Number appears to be a part of the "Protected by U.S. Patent No. 4,400,196" statement.
2. The First Aid section must include the required language for "If Inhaled" as stated in PR Notice 2001-1, as this product is category III based on inhalation toxicity. (Refer to this Agency's Memorandum dated February 2, 1994 for discussion of inhalation toxicity of this product).
3. The "Unit Packaging" indicated on your application is unclear. Resubmit a completed application with Section III blocks clearly indicating the packaging of this product. On the label you indicate "Net Contents: [Various Sizes]" revise this statement to reflect the sizes of packages in which this product may be shipped. Note this should reflect your claim in Section III of your application (EPA Form 8570-1).

- 4. Revise the front panel claims as follows:
 - > "Fast Acting Formula Kills Activity Growing Weeds in 1-4 Days". The word "activity" is inappropriate. This statement may be revised to read: "Fast Acting Formula Will Kill Many Weeds in 1-4 Days Under Favorable Growing Conditions"
 - > Delete the claim: "Kills the Toughest Weeds Fast Roots & All". You claim need for repeat applications on this label, these two claims are disconnected.
 - > The claims: "This super concentrate formula is economical and great for big jobs. Eliminating unsightly weeds, grass and brush from your home's landscape has never been easier." must be deleted.
 - > Delete the Claim: "Super Concentrate Treats Up to 21,333 sq. ft." Note: The claims must be relative to the container size that is used.
- 5. The site of application described under "How To Mix and Apply" and listed in the table as "General and Annual Weed Control" must be revised to name the pests that are the "Targets", e.g. "annual weeds".
- 6. Submit one (1) copy of the final printed label prior to your shipment of this pesticide product under the enclosed revised stamped label, with revised application EPA Form 8570-1.

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 under this labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

Sincerely yours,

Eugene M. Wilson
 for Joanne I. Miller
 Product Manager (23)
 Herbicide Branch
 Registration Division (7505C)

FINALE SUPER CONCENTRATE WEED, GRASS AND BRUSH KILLER

- For Control of Weeds and Grasses for Home Use Only
- Has No Soil Activity
- Fast Acting Formula Kills Activity Growing Weeds in 1-4 Days
- Fast Acting Formula
- Kills Weeds in 1-4 Days
- Kills Weeds – Roots and All
- Treated Areas Can Be Reseeded or Replanted 4 Days after Application or When Brush, Vines and Weeds Are Dead
- Rainfastness in as Little as 4 Hours for Most Species
- Rain proof in as little as 4 hours for Most Species
- Works in 24 Hours
- Results in 24 Hours
- Starts to Kill in the Same Day
- For Home Use Only
- Makes up to *[insert maximum number for finished gallons per container]* Gallons
- Covers up to *[insert maximum number for square feet per container]* Square Feet
- Kills the Toughest Weeds Fast Roots & All
- Super Concentrate Treats up to 21,333 sq. ft.
- Kills Roots
- Finale Super Concentrate Weed, Grass and Brush Killer quickly kills unwanted weeds, grass and brush – roots and all. It can be used on and around walkways, driveways and patios, in flower beds and around fences, buildings, trees and shrubs. This super concentrated formula is economical and great for big jobs. Eliminating unsightly weeds, grass and brush from your home's landscape has never been easier.
- Made in USA

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

JAN 31 2003

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
432-954**

ACTIVE INGREDIENT:	
Glufosinate-ammonium*	11.33%**
OTHER INGREDIENTS:	88.67%
	TOTAL 100.00%

*Protected by U.S. Patent No. 4,400,196 (CAS # 77182-82-2)
**Equivalent to 1.00 pound of active ingredient per U.S. gallon.

KEEP OUT OF REACH OF CHILDREN WARNING

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-800-334-9745

EPA Registration Number 432-954

EPA Est. No.

Net Contents: [Various Sizes]

**Bayer Environmental Science
A Business Group of Bayer CropScience LP
95 Chestnut Ridge Road
Montvale, New Jersey 07645**

PRECAUTIONARY STATEMENTS

FIRST AID ⁺

- 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 by a poison control center or doctor.

- If in eyes:
 - Hold eyes open and rinse slowly and gently with water for 15-20 minutes
 - Remove contact lenses, if present, after the first 5 minutes, then rinsing.
 - Call a poison control center or doctor for treatment advice.

- If on skin:
 - 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.

IN CASE OF MEDICAL EMERGENCIES OR HEALTH AND SAFETY INQUIRIES, OR IN CASE OF FIRE, LEAKING OR DAMAGED CONTAINERS, INFORMATION MAY BE OBTAINED BY CALLING: (800) 228-5635, EXT. 202


For product use information, call toll free: (800) 331-2867.

HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Wear protective eyewear (safety glasses). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Do not allow children or pets to enter treated areas until the spray has dried.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate.

	<p>For questions or comments, call toll-free 1-877-229-3724 or visit us online at www.BayerAdvanced.com</p>
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Read The Label First!

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PRODUCT STORAGE:

Store this product in its original container. Do not put concentrate or diluted product into food or drink containers. Store product in a secure storage area.

PRODUCT and CONTAINER DISPOSAL:



If empty: Do not reuse this container. Place in trash or offer recycling if available.

If partly filled: Call your local solid waste agency or 1-800-CLEANUP (1-800-253-2687) for disposal instructions. Never pour unused product down any indoor or outdoor drain.

Directions for use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read the entire label before using this product and use only according to the label instructions. In California, this product is for homeowner use only.

Finale Super Concentrate is formulated for home use only for killing weeds, grass, brush and vines around trees, shrubs, fences, walks, patios, driveways, sidewalks, in flower beds, around houses, buildings, wooded lots, storage and recreational areas and to non-selectively spot kill weeds in lawns. This product is an all-purpose weed, grass, brush and vine killer **that will injure or kill all green vegetation contacted**. It will kill most annual and perennial weeds, grasses and other unwanted vegetation. Finale Super Concentrate will control or suppress the brush and vines listed on the label. Finale Super Concentrate will not interfere with seed germination or root growth of desirable plants. While treated areas can be reseeded or replanted immediately after the spray has dried, waiting at least 4 days after application is recommended before reseeding, replanting, or disturbing the treated vegetation to ensure that the herbicide has had sufficient time to control the weeds.

To avoid spray drift onto desirable plants, do not spray during windy conditions. If spraying in areas adjacent to desirable plants, use a shield made of cardboard, plywood, or sheet metal while spraying to help prevent spray from contacting foliage of desirable plants. If spray contacts desirable plant foliage, immediately rinse the foliage with water. To avoid tracking product on to desirable vegetation, keep people and pets off treated areas until the spray is thoroughly dried.

HOW TO MIX AND APPLY

Mix 1.5 fl. oz. (3 TBS) to 4 fl. oz. (8 TBS) of Finale Super Concentrate per gallon of water to treat up to 1,000 square feet. Apply Finale Super Concentrate as a coarse spray with a pump-up or other type offhand-held sprayer. Fill the sprayer with water first and then measure and add the appropriate amount of this product. No agitation is needed. Thorough spray coverage of undesirable vegetation is necessary, but avoid spray run-off.

Target	fl. oz.*per gal. of water	TBS* per gal. of water
General and Annual Weed Control	1.5 to 3	3 to 6
Perennials, Brush, Vines, and Woody Plants	3 to 4	6 to 8

* Do not use measuring devices for any other use.

Repeat treatments may be necessary to control plants generating from underground parts or seed. Finale Super Concentrate works best in warm sunny weather with daytime temperatures above 60°F. Weed control may be reduced when applications are made to weeds under stress due to drought or cool temperatures. Always use the high rate of this product within the recommended range when weed growth is heavy, dense and when weeds are well established.

HOW TO CLEANUP

To cleanup after application, triple rinse the spray tank and flush all sprayer components with water to remove residues of this product. Empty rinse water on to bare soil or gravel. After through cleaning, equipment may be used to apply other products.

USE IN AND AROUND FLOWER AND ORNAMENTAL BEDS

Apply Finale Super Concentrate to control weeds growing in and around flowers, ornamentals, trees, and shrubs. Avoid spray contact of foliage and green bark of desirable plants. Once the weeds are dead, any adapted ornamental variety may be planted in the treated area.

TRIMMING AND EDGING

Apply Finale Super Concentrate to trim and edge around trees, shrubs, landscape beds, sidewalks, driveways and sprinkler heads. A straight trimming edge can be obtained on turf species such as: Ryegrasses, Bermudagrass, Bahiagrass, Kentucky Bluegrass, Fescues and St. Augustinegrass.

USE ON BRUSH AND VINE SPECIES

When applied as recommended, Finale Super Concentrate will provide control or suppression of the following brush and vine species. Mix 4 fl. oz. (8 TBS) per gallon of water and apply as a coarse spray with a pump-up or other type of hand-held sprayer.

- | | |
|------------------------|------------------|
| Blackberry, European | Oak |
| Cedar | Pine |
| Deer brush | Poison ivy |
| Douglas fir | Poison oak |
| Gal berry | Rose, multiflora |
| Greenbrier, round leaf | Salmonberry |
| Hazel | Sumac |
| Honeysuckle | Sweet gum |
| Huckleberry, evergreen | Thimbleberry |
| Maple, big | Trumpet creeper |
| Maple, vine | Varnish leaf |

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control Bayer Environmental Science. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: Bayer Environmental Science MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Bayer Environmental Science disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER ENVIRONMENTAL SCIENCE ELECTION, THE REPLACEMENT OF PRODUCT

Finale is a registered trademark of Bayer AG.