217-539

08-09-2011



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

AUG - 9 2011

James L. Kunstman, Ph.D. PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101

Subject: Label Notification; Per PR-Notice 98-10 Gordon's BL 8000 Lawn Weed Killer EPA Reg. No. 2217-539 Date Submitted: July 29, 2011

Dear Mr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated July 29, 2011 for the product referenced above. 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.

If you have any questions regarding this letter, please contact Jasmine Branch at (703) 347-0351 or branch.jasmine@epa.gov.

Sincerely,

Kathryn Montague Product Manager 23 Herbicide Branch Registration Division (7505P)

Please read instructions on	reverse before completing f	orm.	Form	Approved. OMB No	2070-0060). Approval Expires 2-28
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€EDA		al Protection A	Agency			
		ington, DC 20460	Agency	Amenc	iment	
				Other		
<u></u>	Ар	plication for F	<u>Pesticide - Se</u>	ction I		
1. Company/Product Nur			2. EPA Product I	-	3. P	roposed Classification
	2217-539	· · · · · · · · · · · · · · · · · · ·		V. Montague		_
4. Company/Product (Na Gordon's F	^{me)} 3 L 8000 Lawn Weed	Killer	PM# Product Ma	nagerTeam 23	, ∣Ľ	🖌 None 🔲 Restri
5. Name and Address of						IFRA Section 3(c)(3)
PBI/Gordon Corpora	••	,				nposition and labeling
Post Office Box 014	090		EPA Reg. No			
Kansas City, Missou	ıri 64101		Product Name			
Check if t	his is a new address			·····		······································
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Amendment - Explain	n below.		Final print	ed labels in respons	Notifi	CATION
Resubmission in resu	ponse to Agency letter date	d	Agency le	tter dated		0.004
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Notification - Explain		· ·	Other - Ex	plain below.		
Explanation: Use additiona NOTIFICATION: La			ugi nu nga una			_
e-mail to jkunstman@pbigorde	on.com FAX: 816-421-2731	Sect	ion – III			· · · · · · · · · · · · · · · · · · ·
1. Material This Product Wi	I Be Packaged In:				<u> </u>	· · · · · · · · · · · · · · · · · · ·
Child-Resistant Packaging	Unit Packaging	Water	Soluble Packaging	2. Type of	Container	
Yes*	Yes	Y	es	Mei		
		И 🖂 И	0	Pla		
* Certification must		o. per If "Yes	" No. per			
be submitted	Unit Packaging wgt. co	ontainer Packag	ge wgt. Containe		er (Specify,)
3. Location of Net Contents I	nformation 4.	Size(s) Retail Contain	ner	5. Location of La		
Label Con	itainer	1pint to 1	1pint to 1 gallon On Label On Labeling accompanying product			
		7			accompanying product	
6. Manner in Which Label is	Affixed to Product	∐ Lithograph	Othe	er		
	· L	Paper glued				
	L	_ Stenciled	on – IV			
. Contact Point (Complete i	tems directly below for iden			cessary, to process	his applicat	tion.)
Name		Title		······································		e No. (Include Area Cod
James L.	Kunstman, Ph.D.		ector of Regulato	ry Services	L,	816-460-6292
I certify that the statem	ents I have made on this for	Certification m and all attachments	thereto are true acc	urate and complete		6. Date Application
I acknowledge that any	knowingly false or misleadi					eReceived در (Stamped)
both under applicable la 2. Signature	1W	3. Title				
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1. Typed Name	(unatman Dh D	5. Date	July 20, 2044		CCCCC C C CC	c c c
James L. I	Kunstman, Ph.D.		July 29, 2011		cccc	ссссс с
EPA Form 8570-1 (Rev. 3-9-	4) Previous editions are obs	olete.	Wh	ite - EPA File Copy	(original)	Yellow - Applicant Co
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1217 WEST 12th STREET P.O. BOX 014090 KANSAS CITY, MISSOURI 64101-0090 816-421-4070 · 1-800-821-7925 FAX: 816-474-0462

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July 29, 2011

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard (South Building) 2777 South Crystal Drive Arlington, VA 22202-4501 Attn: Kathryn V. Montague, PM-23

Dear Ms Montague:

NOTIFICATION: Labeling notification per PRN 98-10: Notifications, Non-notifications and Minor Formulation Amendments. Section II (N): Other revisions. Gordon's BL 8000 Lawn Weed Killer (EPA Reg. No. 2217-539)

- I. Request for advertising/marketing claims:
- 1. We ask to add advertising claims that are consistent with the Directions for Use previouslyapproved. This phrase that may be presented on the container labels of Gordon's BL 8000 Lawn Weed Killer (EPA Reg. No. 2217-539).
 - · Controls dandelion, spurge, chickweed and many other listed weeds
- One (1) copy of the proposed labeling is enclosed for your review. Please refer to page 7 of the draft labeling.

II. Certification statement:

This notification is consistent with the 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 the 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 Section 12 and 14 of FIFRA.

III. Enclosures:

- 1. Application for Pesticide Amendment (EPA Form 8570-1)
- 2. One (1) copy the draft labeling.

If you have any questions, please call me at 816-460-6292 or contact me at jkunstman@pbigordon.com.

Sincerely,

James L. Kunstman, Ph.D. Director of Regulatory Services

GORDON'S BL 8000 LAWN WEED KILLER

EPA Reg. No. 2217-539

Alternate Brand Names: GroundWork Concentrate Weed Killer

ACTIVE INGREDIENT: 2,4-D, dimethylamine salt	
Dicamba, dimethylamine salt	
OTHER INGREDIENTS:	
THIS PRODUCT CONTAINS:	
0.54 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 0.13 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equ	ivalent per gallon or 1.51%
0.06 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 0.70% Isomer Specific by AOAC Method.	NOTIFICATION
Trimec [®] is a registered trademark of PBI/GORDON CORPORATI	ON. AUG 0 9 2011
2,4-D,dimethylamine salt (CAS Registry No. 2008-39-1) Mecoprop-p, dimethylamine salt (CAS Registry No. 66423-09-4)	
Dicamba, dimethylamine salt (CAS Registry No. 2300-66-5)	

Note: If the design, format, or small size of the container labels makes it impractical to present the entire ingredient statement on the front panel, then add a referral statement and present this substatement on the back panel: "See back panel for substatement of ingredient statement".

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin. Harmful if swallowed. Avoid contact with skin, eyes, or clothing. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear long-sleeved shirt, long pants, socks, shoes and gloves. Remove and wash contaminated clothing before reuse.

First Aid			<u> </u>		
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, the continue rinsing 				
	 eye. Call a poison control center or doctor for treatment adv 	οενεικ ίce εί	ςςις ς ς αςςιςς		
An Employee-Owned Company 1217 West 12th Street 1 of 7		ζοτις ι ι ιιιτο			
Kansas Cily, Mi		oc	ι ς ζευιί 6		

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 do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
If on skin or on 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 treatment advice.
	BER: Have the product container or label with you when calling a poison control or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical

Environmental Hazards

treatment information.

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical has properties and characteristics associated with chemicals 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.

[Environmental Hazards (alternate per PRN 2008-1)

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.

This chemical has properties and characteristics associated with chemicals 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.]

DIRECTIONS FOR USE

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

PRECAUTIONS AND RESTRICTIONS:

- 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 during application. Do not allow people or pets to enter the treated area until sprays have dried.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed comproduction, or for research purposes.
- Use only lawn-type sprayers. Do not spray on carpetgrass, dichondra, nor on lawns or turf where desirable clovers are present. Do not exceed specified dosages for any area.
- Schedule the herbicide applications when air temperatures are 60° to 90°F with good soil meisture. Avoid applications during the spring transition of the warm season grasses and during periods of contract.

2 of 7 002217-00539.20110729.notif-proposed-clean.doc extremely high temperatures. The tolerance of warm season grasses decreases at air temperatures greater than 90°F and when turfgrass is drought stressed.

- The turf tolerance of centipedegrass and St. Augustinegrass can range from sensitive to tolerant. Do not apply this product to 'Floratam' St. Augustinegrass in Florida.
- Do not apply as a fine mist because of potential for injury to desirable plants.
- Do not use this product on or near desirable plants, including contact of spray on exposed root systems or adventitious shoots within the drip line of desirable trees and shrubs, since injury may result.
- 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 sprayer over lawn area only.

WHERE TO USE:

Gordon's BL 8000 Lawn Weed Killer may be used on bahiagrass, bermudagrass, Kentucky bluegrass, fescue, perennial ryegrass, zoysiagrass, centipedegrass, and St. Augustinegrass lawns, vacant lots, playgrounds and other similar areas where broadleaf weeds are present. This product is especially effective on all hard-to-kill weeds such as poison ivy, poison oak, sheep sorrel and spurge. In addition, BL 8000 Lawn Weed Killer controls most other broadleaf weeds, including sensitive weeds such as chickweed, clover, dandelion, knotweed and plantain. A partial list is given on the side panel.

WHEN TO USE:

- 1. Spray during the growing season when weeds are actively growing.
- 2. On new lawns, wait until the grass has reached a height of 2 inches before making an overall spray treatment. However, a spot treatment may be made at any time with a small pressure sprayer. Wait 3 weeks before seeding or planting stolons, plugs, or sprigs.
- 3. Poor weed control may result if spray is applied during drought or just before rain.
- 4. For best results, mow before treating.
- 5. Do not water lawn within 24 hours after treatment.

HOW MUCH TO USE (Entire Lawn):

Hose End Sprayer:

turf.

Use a hose end sprayer designed for lawns. Pour specified amount of product (Column 1) in bottle and add water to indicated level (Column 2), and spray on area shown in Column 3. For example, to spray 2,500 square feet measure 10 fluid ounces (20 tablespoons) in jar, add water to the 10 gallon level, and mix. Turn on hose and spray as evenly as possible over 2,500 square feet.

 Chart 1: Amounts of Gordon's BL 8000 Lawn Weed Killer for bahiagrass, bermudagrass, Kentucky bluegrass, fescues, perennial ryegrass, and zoysiagrass lawns applied with hose end sprayers.

 Column 1
 Column 2
 Column 3

 Amount of Lawn Weed Killer to Use
 Fill Bottle to
 Area to Treat

 (Tablespoons)
 (Fluid Ounces)
 (Gallons)
 (Square Feet)

10	5	55	1,250
20	10	10	2,500
30	15	15	3,750
40	20	20	5,000
Note: For the grasses in Cha	rt 1, apply the entire contents	of this container (32 fluid our	nces) on 8,000 square feet of

Column 1 Amount of Lawn Weed Killer to Use		Column 2 Fill Bottle to	Column 3 Area to Treat
(Tablespoons)	(Fluid Ounces)	(Gallons)	(Square Feet)
10	5	5	2,500
20	10	10	5,000
30	15	15	7,500
40	20	20	10,000

Pressure Sprayers:

Measure indicated amount of Gordon's BL 8000 Lawn Weed Killer, pour into tank, and dilute with water according to the following chart. Use a spray pattern that gives small [coarse] spray droplets without any fine mist, and cover the area indicated.

Chart 3. For bahiagrass, bermudagrass, Kentucky bluegrass, fescues, perennial ryegrass, and zoysiagrass lawns with pressure or tank type sprayers.

Amount of Lawn Weed Killer to Use		Amount of Water in Sprayer	Area To Treat
(Tablespoons)	(Fluid Ounces)	(Gallons)	(Square Feet)
2	1	1	250
4	. 2	2	500
. 6	. 3	3	750

Amount of Lawn Weed Killer to Use		Amount of Water in Sprayer	rayers. Area To Treat
(Tablespoons)	(Fluid Ounces)	(Gallons)	(Square Feet)
2	1	1	500
4	2	2	1,000
6	3	3	1,500

Limitations on broadcast applications to residential turfgrass:

The maximum application rate is 4.0 fl.oz. of product per 1,000 sq.ft. per application (0.74 lb 2,4-D ae, 0.18 lb MCPP-p ae and 0.08 lb dicamba ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 8.0 fl.oz. of product per 1,000 sq.ft. (1.47 lb 2,4-D ae, 0.35 lb MCPP-p ae and 0.16 lb dicamba ae per acre).

Spot Spraying [Treatment]:

To spray small areas or individual weeds, do not use a hose end sprayer. Refer to Chart 3 or Chart 4 for mixing instructions. Spray as needed and be certain to wet the weeds.

Limitations on spot treatments to residential turfgrass:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 4.0 fl.oz. per 1,000 sq.ft. per application (0.18 lb MCPP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

BROADLEAF WEEDS				
Annual yellow sweetclover	Cockle	Mugwort	Speedwell	
Aster	Cocklebur	Musk thistle	Spiny amaranth	
Austrian fieldcress	Common mullein	Mustard	Spiny cocklebur	

BROADLEAF WEEDS

Bedstraw Beggarticks Betony, Florida Bindweed, field Bird vetch Bitter wintercress Bittercress, hairy Bitterweed Black-eyed Susan Black medic Black mustard Blackseed plantain Blessed thistle Bloodflower milkweed Blue lettuce Blue vervain Bracted plantain Brassbuttons Bristly oxtongue Broadleaf dock Broadleaf plantain Broomweed Buckhorn Buckhorn plantain Bulbous buttercup Bull thistle Bullnettle Burclover Burdock Burning nettle Burweed Buttercup Buttonweed Canada thistle Carolina geranium Carpetweed Catchweed bedstraw Catnip Catsear Chickweed, common Chickweed, mouseear Chicory Cinquefoil Clover, crimson Clover, hop Clover, red Clover, strawberry Clover, sweet Clover, white

Creeping Jenny (Creeping Charlie) Cudweed Curly dock Daisy, English Daisy fleabane Daisy, oxeye Dandelion Dichondra Dogbane Dogfennel Dollarweed Elderberry False dandelion Falseflax False sunflower Fiddleneck Florida pusley Frenchweed Galinsoga Goathead Goldenrod Ground ivv Gumweed Hairy fleabane Hawkweed Healall Heartleaf drymary **Heathaster** Hedge bindweed Hedge mustard Hemp Henbit Hoary cress Hoary plantain Hoary vervain Horsenettle Jimsonweed Knawel Knotweed Kochia Lambsquarters Lespedeza Mailow Matchweed Mexicanweed Milk vetch Morningglory

Mouseear hawkweed

Narrowleaf plantain Narrowleaf vetch Nettle Orange hawkweed Oriental cocklebur Oxalis Parsley-piert Parsnip Pearlwort Pennycress Peppergrass Pepperweed Piqweed Pineywoods bedstraw Plains coreopsis (tickseed) Plantain Poison ivy Poison oak Pokeweed Poorioe Prairie sunflower Prickly lettuce Prickly sida Prostrate knotweed Prostrate pigweed Prostrate spurge Prostrate vervain Puncturevine Purslane, common Ragweed Red sorrel Redroot pigweed Redstem filaree Rough cinquefoil Rough fleabane Russian pigweed Russian thistle Scarlet pimpernel Scotch thistle Sheep sorrel Shepherdspurse Slender plantain Smallflower galinsoga Smooth dock Smooth pigweed Sorrel Sowthistle Spanishneedles Spiny sowthistle

Spotted catsear Spotted spurge Spurweed Stinging nettle Strawberry, India mock Tall nettle Tall vervain Tansy ragwort Tansy mustard Tanweed Thistle Trailing crownyetch Tumble mustard Tumble pigweed Velvetleaf Venice mallow Virginia buttonweed Virginia creeper Virginia pepperweed Wavyleaf bullthistle Western clematis Western salsifv White mustard Wild aster Wild buckwheat Wild carrot Wild four-o'clock Wild garlic Wild geranium Wild lettuce Wild marigold Wild mustard Wild onion Wild parsnip Wild radish Wild rape Wild strawberry Wild sweet potato Wild vetch Woodsorrel Woolly croton Woolly morningglory Woolly plantain Wormseed Yarrow Yellow rocket Yellowflower pepperweed and other broadleaf weeds

STORAGE AND DISPOSAL

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

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

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or <u>www.website.com</u> for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTIAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- · See next panel for additional Precautionary Statements and First Aid
- Net Contents:
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- One quart covers up to 8,000 square feet.
- Keep from freezing.
- Controls dandelion, chickweed, knotweed, henbit, plantain, clover, spurge and many other broadleaf lawn weeds including those shown on the side panel.
- Kills even the tough weeds...roots and all!
- Controls even the tough weeds...roots and all!
- Treats northern and southern grasses.
- Kills the root.
- One guart treats up to 16,000 square feet. (Southern grasses)
- Water based.
- One quart covers up to _____ square feet.
- Won't harm lawn grass when used according to label directions.
- Kills [Controls] 200+ broadleaf weeds.
- Starts working overnight
- Won't harm lawn grass (when used as directed)
- · Controls (Number) weeds!
- Mixes with Water Concentrate

- Treated areas for this container vary from 16,000 square feet (Northern Grasses) to 32,000 square feet (Southern Grasses)
- CONTROLS
 - SENSITIVE WEEDS: Bedstraw, Black Medic, Buckhorn, Chickweed, Clover, Dandelion, Knotweed, Lambsquarters, Peppergrass, Plantain, Purslane, Ragweed, Sheperdspurse, and Wild Lettuce.
 - HARD-TO-KILL WEEDS: Chicory, Creeping Charlie, Creeping Jenny, Dock, Ground Ivy, Heal-All, Lespedeza, Mallow, Morningglory, Oxalis, Pigweed, Poison Ivy, Poison Oak, Sheep Sorrel, Speedwell, Spurge, Wild Carrot, Wild Onion, Yarrow and many other broadleaf weeds.
- For 16 fl.oz. retail container: Lawn areas for this container vary from 4,000 sg.ft. (Northern grasses) to 8,000 sq.ft.(Southern grasses).
- . For 32 fl.oz. retail container: Lawn areas for this container vary from 8,000 sq.ft. (Northern grasses) to 16,000 sq.ft.(Southern grasses).
- For One Gallon retail container: Lawn areas for this container vary from 32,000 sg.ft. (Northern grasses) to 64,000 sq.ft.(Southern grasses).
- For outdoor use
- Controls dandelion, spurge, chickweed and many other hard-to control weeds.
- · Controls dandelion, spurge, chickweed and many other listed weeds
- Won't harm lawns when used as directed.
- Contains Trimec® Herbicide
- Kills Over 200 Weeds -- [see complete weed listing inside]

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00539.20110729.notif-proposed-clean.doc

2. Reason for Issue: ad claim