

2217-639

9/4/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 4 2009

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

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 3, 2009 for:

EPA Registration 2217-639 Trimec 875 Herbicide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number <p style="text-align: center;">2217-639</p>	2. EPA Product Manager <p style="text-align: center;">Joanne I. Miller</p>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <p style="text-align: center;">Trimec 875 Herbicide</p>	PM# <p style="text-align: center;">Product Manager—Team 23</p>	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name: _____

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
SEP - 4 2009

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Labeling notification per Pesticide Registration Notice (PRN 2007-4).


Please refer to cover letter for details and certification statements.

e-mail to jkunstman@pbiqordon.com FAX: 816-421-2731

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt. No. per Container	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <p style="text-align: center;">1 quart, 1 gallon, 275 gallons</p>	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name <p style="text-align: center;">James L. Kunstman, Ph.D.</p>	Title <p style="text-align: center;">Director of Regulatory Services</p>	Telephone No. (Include Area Code) <p style="text-align: center;">816-460-6292</p>
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title <p style="text-align: center;">Director of Regulatory Services</p>	
4. Typed Name <p style="text-align: center;">James L. Kunstman, Ph.D.</p>	5. Date <p style="text-align: center;">August 3, 2009</p>	

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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

August 3, 2009

Document Processing Desk (PRN)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attn: Ms. Joanne I. Miller (PM-23)

Dear Ms. Miller:

Subject: Labeling notifications according to Pesticide Registration Notices (PRN) 2007-4 and PRN 2008-1. Trimec 875 Herbicide (EPA Reg. No. 2217-639)

I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

1. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment."

Please refer to pages 6-7 of the draft labeling.

2. **Certification:** This notification is consistent with the guidance PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. 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 amended labeling is not consistent with the terms of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

II. Enclosures:

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. One (1) copy of 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

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TRIMEC® 875 HERBICIDE

NOTIFICATION

SEP - 4 2003

EPA Reg. No. 2217-639

ACTIVE INGREDIENT:

Dimethylamine salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid	12.55%
Dimethylamine salt of 2,4-dichlorophenoxyacetic acid	23.45%
Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid)	4.24%
INERT INGREDIENTS	59.76%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

0.96 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 10.37%	
1.81 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 19.49%	
0.32 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 3.52%	

Isomer Specific by AOAC Methods.

KEEP OUT OF REACH OF CHILDREN

DANGER

KEEP FROM FREEZING

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Harmful if absorbed through skin. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are natural rubber. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:

- protective eyewear,
- long-sleeved shirt and long pants,
- shoes and socks, plus
- chemical-resistant gloves and
- chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.



User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

First Aid

If in eyes:	<ul style="list-style-type: none"> • 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 on clothing:	<ul style="list-style-type: none"> • 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 swallowed	<ul style="list-style-type: none"> • 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 inhaled:	<ul style="list-style-type: none"> • 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

Environmental Hazards

This pesticide may be 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.

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.

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GENERAL PRECAUTIONS AND RESTRICTIONS:

- Do not enter or allow people (or pets) to enter the treated area until sprays have dried.
- Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.
- Not for use on turf grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

ROADSIDES, DRAINAGE DITCH BANKS, FENCEROWS, RIGHT-OF-WAYS, FARM BUILDINGS AND OTHER SIMILAR NONCROP AREAS:

**BRUSH & BROADLEAF WEEDS
USE PRECAUTIONS**

Do not apply this product through any type of irrigation system. Do not apply when temperature exceeds 85° and humidity is high.

DIRECTIONS, RESTRICTIONS AND LIMITATIONS FOR USE IN NON-CROPLAND

Applications to non-cropland areas are not applicable to treatment of commercial timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Broadcast applications to annual and perennial weeds: Apply to emerged weeds. For best results, treat when weeds are young and actively growing.

The maximum application rate to general noncropland sites is 1.1 gallon of product per acre per application per site.

When multiple applications of up to 2.0 lb 2,4-D acid equivalent per acre are utilized to reach the maximum seasonal use rate, do not make a repeat application within 30 days of the previous application.

Minimum spray volume: Use 2 or more gallons of spray solution per acre.

Number of applications: Limited to 2 applications per year.

Broadcast applications to woody plants: Apply to trees and brush when foliage is fully expanded and plants are actively growing.

Up to 2.2 gallons of product per acre (4.0 lb 2,4-D acid equivalent per acre) may be applied in a single application to rights-of-way, including electrical power lines, communication lines, pipelines, highways and railroads that intersect wooded areas or stands of trees, brush and woody plants.

The maximum noncropland application rate for tree, brush and woody plant control is 2.2 gallons of product per acre per application per site. Limited to one application per year.

Target species	Application schedule	Maximum application rate, Gallons of product per acre	Maximum application rate, Pounds of 2,4-D acid equivalent per acre per application	Maximum number of applications per year	Minimum days between applications	Minimum spray volume, gallons per acre
Annual and perennial weeds	Broadcast	1.1 gal/A	2.0 lb ae/A	2	30 days	2
Woody plants	Broadcast and high volume foliar	2.2 gal/A	4.0 lb ae/A	1	NA	See Tables 1-2.

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High volume foliar applications (100 to 400 gallons per acre):

Apply 0.55 to 2.2 gallons of product per acre with adequate water or apply a 0.55 to 2.2% vol/vol spray solution as a full cover spray with high volume equipment. Use the lower spray concentrations in the range for susceptible species and use the higher spray concentrations within the range for hard-to-control species, for mature plants during the late summer or under adverse environmental conditions (e.g. drought).

Spray broadleaf weeds, woody plants or mixed brush uniformly and thoroughly by wetting all leaves, stems, bark and root collars. The total volume of spray solution required for adequate coverage of solid stands of mixed brush can range from 100 to 400 gallons of spray solution per treated acre. The spray preparation chart for applications on a spray-to-wet basis is shown below in Table 1.

Table 1. Instructions for preparing 100 to 400 gallons of spray solution at 0.55 to 2.2% spray concentration with water for high volume foliar applications.

Spray solution per acre, Gallons	Amount of Product Needed for Spray Concentration of:			
	0.55%	0.74%	1.1 %	2.2%
100	0.55 gal	0.73 gal	1.1 gal	2.2 gal
200	1.10 gal	1.48 gal	2.2 gal	---
300	1.66 gal	2.2 gal	---	---
400	2.2 gal	---	---	---

Equal measures: 1 gallon = 4 quarts = 8 pints = 128 fl.oz.

The maximum seasonal application rate for trees, brush and woody plant control is 2.2 gallons of product per acre per application per site.

For Backpack Sprayers, Knapsack Sprayers, And Hand-pressurized Pump Sprayers

Table 2. Instructions for preparing 1 to 3 gallons of spray solution at 0.55 to 2.2% spray concentration with water for high volume foliar applications.

Gallons Of Water	Amount Of Product Needed for Spray Concentration of :			
	0.55%	0.74%	1.1%	2.2%
1	4 teaspoons	2 tablespoons	3 tablespoons	6 tablespoons
2	3 tablespoons	4 tablespoons	6 tablespoons	12 tablespoons
3	4 tablespoons	6 tablespoons	4 fl.oz.	8 fl.oz.

Equal measures: 1 fl.oz. = 2 Tablespoons (Tbs.) = 6 Teaspoons (tsp.)

BRUSH CONTROLLED:

Ash	Buckbrush	Honey locust	Poplar
Aspen	Cedar	Honeysuckle	Pine
Birch	Cottonwood	Kudzu	Spruce
Blackberry	Dogwood	Maple	Sycamore
Black cherry	Elm	Multiflora rose	Wild plum
Black locust	Gooseberry	Oak	Willow
Brambles			

FOR USE ON RESIDENTIAL AND OTHER TURF SITES EXCLUDING SOD FARMS:

BROADLEAF WEEDS/ORNAMENTAL LAWNS AND TURF (COOL SEASON GRASSES OTHER THAN BENTGRASS):

USE PRECAUTIONS.

Do not use on carpetgrass, dichondra, St. Augustinegrass, bentgrass, nor on lawns or turf where desirable clovers are present. Use only lawn-type sprayers. Do not exceed specified dosages for any area. Do not apply to newly seeded grasses until well established. Do not spray when air temperature exceeds 85°. Seed can be sown 3 to 5 weeks after herbicide application.

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Maximum control of weeds will be obtained from spring or early fall applications when weeds are actively growing. Avoid spraying during long excessively dry or hot periods unless adequate irrigation is available. Do not irrigate within 24 hours after application.

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.

APPLICATION RATES:

Apply 2.5 to 3.5 pints of product in 20 to 260 gallons of water per acre (1 to 1.25 fluid ounces in 0.5 to 6 gallons of water per 1,000 square feet). Use higher rates within the specified range when using the higher volume of water per acre.

Limitations of broadcast treatments for ornamental turfgrass:

The maximum application rate is 3.5 pints of product per acre per application (0.79 lb 2,4-D ae, 0.42 lb MCP-p ae, and 0.14 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 7.0 pints of product per acre (1.58 lb 2,4-D ae, 0.84 lb MCP-p ae, and 0.28 lb dicamba ae per acre).

Limitations on spot treatments for ornamental turfgrass:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 1.25 fl.oz. per 1,000 sq.ft. per application (0.41 lb MCP-p acid equivalent per acre). Do not make a repeat application within 30 days of the previous application.

WEEDS CONTROLLED:			
Bedstraw	Ground ivy	Nettle	Speedwell
Bindweed	Healall	Peppergrass	Spurge
Black medic	Henbit	Pigweed	Sunflower
Buckhorn	Jimsonweed	Plantains	Thistles
Burdock	Kochia	Poison ivy	Velvetleaf
Chicory	Knotweed	Poison oak	Wild carrot
Chickweed	Lambsquarters	Purslane	Wild garlic
Clover	Lespedeza	Ragweed	Wild lettuce
Cocklebur	Mallow	Sheep sorrel	Wild onion
Dandelion	Morningglory	Shepherdspurse	Yarrow
Dock	Mustard	Smartweed	

Spray Drift Management

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of ground application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

Use only Medium or coarser spray nozzles according to ASAE (S 572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind.

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Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

STORAGE AND DISPOSAL

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

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

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

~~CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.~~

[For Plastic Containers - Nonrefillable with capacities equal to or less than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse [or pressure rinse] container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

[OR

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over

application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.]

[For Plastic Containers – Nonrefillable with capacities greater than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse [or pressure rinse] container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

[OR

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.]

[For Refillable Containers:]

CONTAINER HANDLING: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Container cleaning: Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in *Washington Toxics Coalition, et.al. v. EPA*, C01-0132C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

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 INCIDENTAL, 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:

- TRIMEC® is a registered trademark of PBI/GORDON CORPORATION.
- A Brush and Broadleaf Weed Killer
- Controls Ash, Birch, Brambles, Kudzu, Multiflora Rose, Willow, Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and other species of brush and broadleaf weeds

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00639.20090803.notif-proposed.doc

2. Reason for Issue: PRN 2007-4