

2217-640



7/7/2010
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

1069

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

James Kunstman, Ph.D.
PBI/Gordon Corporation
1217 West 12th Steet
P.O. Box 014090
Kansas City, MO 64101-0090

JUL -7 2010

Subject: Label Amendment – Response to PBI/Gordon’s Rebuttal of Reregistration letter dated January 14, 2009 that required changing the signal word from “Caution” to “Danger”
Product Name: Gordon’s Trimec Weeder Granules
EPA Registration Number: 2217-640
Decision Number: 429553

The label amendment referred to above (maintaining the “Caution” signal word and associated language), submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you make the following change to the product labeling:

- 1) Per the acute toxicity review completed in the Registration Division, revise the ‘Hazards to Humans and Domestic Animals’ statement to read as follows:

“CAUTION:

Harmful if absorbed through skin. Harmful if inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing dust. 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 and long pants, socks, shoes and gloves. Remove and wash contaminated clothing before reuse.”

- 2) Reorder the First Aid sections to the following:
“IF ON SKIN OR CLOTHING...
IF INHALED...
IF IN EYES...”

Note that “IF SWALLOWED...” section is not required and may be removed.

- 3) Replace “Inert Ingredients” with “Other Ingredients” in the ingredient statement.
- 4) Remove the claim “Apply anytime broadleaf weeds are actively growing” as this contradicts the limitation of 2 applications per year.

Note: While no additional data is being requested at this time, marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.

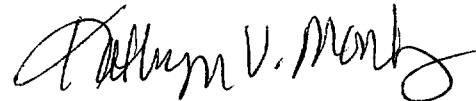
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EPA Reg. No. 2217-640
Label Amendment
D# 429553

Note: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

One copy of the label stamped "Accepted with Comments" is enclosed for your records. Products shipped after 18 months from the date on this notice or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of this product constitutes acceptance of these conditions. This label supersedes all previous accepted labels. You must submit one copy of the final printed label before the product is released for shipment.

Sincerely,



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

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GORDON'S TRIMEC® WEEDER GRANULES

EPA Reg. No. 2217-640

ACTIVE INGREDIENT:

2,4-dichlorophenoxyacetic acid	1.37%
(+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid	0.31%
Dicamba: 3,6-dichloro-o-anisic acid	0.13%

INERT INGREDIENTS:	98.19%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 27.4 lb 2,4-dichlorophenoxyacetic acid equivalent per ton.
- 6.2 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per ton.
- 2.6 lb 3,6-dichloro-o-anisic acid equivalent per ton.

Isomer Specific by AOAC Methods
 TRIMEC® is a registered trademark of PBI/Gordon Corporation.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
JUL -7 2010
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.

KEEP OUT OF REACH OF CHILDREN

CAUTION

2217-640

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.



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If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferable mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. For additional information in case of emergency, call toll free 1-877-800-5556.</p>	

Environmental Hazards

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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent 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 dusts have settled.
- Apply when the air is calm. Do not apply to newly seeded lawns. Do not exceed specified dosages for any area. During application, close spreader openings when turning.
- Do not use this product on or near desirable plants, including within the drip line of the roots 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. Apply this product directly to your lawn, and sweep any product landing on the driveway, sidewalk, gutter, or street back onto the treated area. 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.

INSTRUCTIONS:

Gordon's Trimec® Weeder Granules controls a wide range of lawn weeds including dandelion, chickweed, knotweed, plantain, henbit, spurge and many others commonly found in home lawns. Possible retreatment may be necessary if (a) lawn is heavily overrun by weeds, or, (b) if adverse low moisture conditions prevail and weeds are in a state of poor growth. A second application may be made in 30 days.

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For use on established turf of warm season grasses includes bermudagrass, centipedegrass, and zoysiagrass. Established turf of cool season grasses includes Kentucky bluegrass, perennial ryegrass, tall fescue, and turf-type tall fescues. Do not apply this product on carpetgrass, dichondra, St. Augustinegrass, or established turf containing desirable clovers.

The maximum broadcast application rate is 2.0 pounds of product per 1,000 sq.ft. per application (1.2 lb 2,4-D ae, 0.27 lb MCP-p ae and 0.12 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 4.0 pounds of product per 1,000 sq.ft. (2.4 lb 2,4-D ae, 0.54 lb MCP-p ae and 0.24 lb dicamba ae per acre).

1. Mow lawn to normal height 1 to 2 days before application.
2. Water lawn thoroughly at least 1 day before application to sustain moisture until the next watering (see step 4).
3. Apply when weeds are young and actively growing, preferably in the morning when dew is on the grass. If grass is not moist at time of application, sprinkle lightly with water to allow the granules to adhere and to remain on the leaf surface of the weeds.
4. Do not wash from weed leaves for 1 to 2 days after application. At this time a thorough watering should be made.

[Option 1: Coverage and Spreader Settings]

Spreader Settings	
Scotts	5.5
Sears	6

The above spreader settings are approximate. Calibrate your spreader on 100 square feet and adjust to apply at the rate of 1 pound of product per 500 square feet.

[Option 2: Alternate Coverage and Spreader Settings]

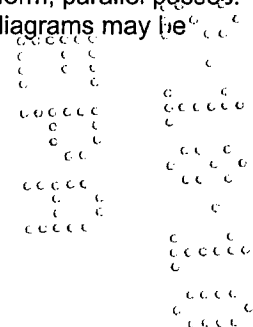
COVERAGE: To determine how much fertilizer you need to apply, multiply the length of your lawn by its width. This equals your total square footage. Deduct any non-lawn areas (house, garden, etc.). One bag covers 5,000 sq.ft. [Length x Width = Total Sq.Ft. - Non-Lawn Areas = Total Sq.Ft. Coverage You Need]

SPREADER SETTINGS:

IMPORTANT: It is important to follow the directions as indicated on this quality lawn care product as over application may cause injury to your lawn. Spreader settings are approximate. Differences may occur due to condition of spreader, speed at which applied and roughness of area treated. Be sure to check spreader before beginning, adjusting if necessary. Consult Owner's Manual. Never apply by hand.

Spreading Hints: These granular settings are approximate. Calibrate your spreader on 100 sq.ft. and adjust to apply at the rate of 1 lb. of product per 500 sq.ft.. This bag covers ____ sq.ft. of lawn area.

To avoid gaps and streaks, first spread border of lawn and then fill in center with uniform, parallel passes. Walk at a steady pace so as to apply evenly throughout the lawn. [Graphics and/or diagrams may be presented on the container label].

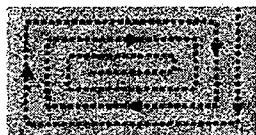


Rotary Spreaders	Setting	Drop Spreaders	Setting
Ames	see spreader instructions	Ames	see spreader instructions
EV-N-Spread	13	Bandini	2
Ortho	3	Ortho	6.25
Precision	5	Precision	6.5
Quaker	4	Republic EZ	6.25
Republic EzSPRAY(TM)	7.25	Scotts AccuGreen	8.75
Republic EZ Grow	3	Scotts Drop	6.5
Scotts Easy Green	27.25	Scotts Even Green	6.5
Scotts Speedy Green	5	Vigoro	2.5
Scotts Speedy Green 1000	6		
Scotts Speedy Green 2000	7		
Scotts Speedy Green 3000	6		
True Temper	4		
Vigoro	7.25		

[Option 3: Alternate Coverage and Spreader Settings]

Spreader Settings

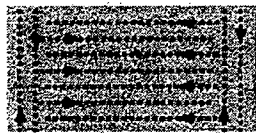
The spreader settings below are approximate. Calibrate your spreader on 100 sq. ft. and adjust to apply at the rate of 1 pound of product per 500 sq. ft. (2 lbs. of material per 1,000 sq. ft.). Rate of walk, moisture and spreader condition can vary the spreader setting necessary to apply the correct amount.



Apply in a single pass at a rate of 2 lbs. per 1,000 sq. ft. Start on the outside border and apply in a circular path working toward the center. Overlap the coverage slightly, and shut off spreader before making hard turns.

Broadcast Spreaders Setting

Agri-Fab® Rotary	5
Cyclone® Rotary	4
Earthway® Rotary	16
Greenview® Jet-Spread® SS1	16
Lesco® Rotary (dial A-S) (number dial) G-15	16
Red Devil® Rotary (1-26)	5
Republic® Rotary	2
Scotts® EasyGreen®	26
Scotts® EdgeGuard®	5
Scotts® SpeedyGreen® 2000, 3000	5
Sears® Craftsman Rotary	5
Sta-Green® Rotary (1-10)	3
True Temper® Rotary	4
Vigoro® Rotary (1-10)	3



Apply in a single pass at a rate of 2 lbs. per 1,000 sq. ft. Start on the outside border and apply in a rectangular path working back and forth across the length of the lawn. Overlap the coverage slightly, and shut off spreader before making hard turns.

Drop Spreaders Setting

Agri-Fab® Drop	4
Greenview® Drop-Spread® KP1	16
Red Devil® Drop (1-5)	4
Republic® Drop	5 1/2
Scotts® Drop AccuGreen (2-18)	5 1/2
Scotts® Drop PF1 (2-18)	7 1/2
Sta-Green® Drop (1-5)	4



If your spreader model does not appear above, go to our website at www.preen.com, or call toll-free (800) 233-1067, 8 A.M. - 5 P.M. EDT. Monday - Friday, for additional model settings.

[Note: Additional spreader models and settings may be added or substituted by the supplemental registrant provided they deliver the labeled rate of product.]

[Note: Spreader settings may be varied by the supplemental registrant as different grades of fertilizer are used, provided they deliver the labeled rate of pesticide.]

WEEDS			
Annual yellow sweetclover	Clover, white	Musk thistle	Spiny cocklebur
Aster	Cockle	Mustard	Spiny sowthistle
Austrian fieldcress	Cocklebur	Narrowleaf plantain	Spotted catsear

WEEDS			
Bedstraw	Common mullein	Narrowleaf vetch	Spotted spurge
Beggarticks	Creeping jenny	Nettle	Spurweed
Betony, Florida	Cudweed	Orange hawkweed	Stinging nettle
Bindweed, field	Curly dock	Oriental cocklebur	Strawberry, India mock
Bird vetch	Daisy, English	Oxalis	Tall nettle
Bitter wintercress	Daisy fleabane	Parsley-piert	Tall vervain
Bittercress, hairy	Daisy, oxeye	Parsnip	Tansy ragwort
Bitterweed	Dandelion	Pearlwort	Tansy mustard
Black-eyed Susan	Dichondra	Pennycress	Tanweed
Black medic	Dogbane	Pepperweed	Thistle
Black mustard	Dogfennel	Pigweed	Trailing crownvetch
Blackseed plantain	Dollarweed	Pineywoods bedstraw	Tumble mustard
Blessed thistle	False dandelion	Plains coreopsis	Tumble pigweed
Bloodflower milkweed	Falseflax	Plantain	Velvetleaf
Blue lettuce	False sunflower	Poison ivy	Venice mallow
Blue vervain	Fiddleneck	Poison oak	Virginia buttonweed
Bracted plantain	Florida pusley	Pokeweed	Virginia creeper
Brassbuttons	Frenchweed	Poorjoe	Virginia pepperweed
Bristly oxtongue	Galinsoga	Prairie sunflower	Wavyleaf bullthistle
Broadleaf dock	Goldenrod	Prickly lettuce	Western clematis
Broadleaf plantain	Ground ivy	Prickly sida	Western salsify
Broomweed	Gumweed	Prostrate knotweed	White mustard
Buckhorn	Hairy fleabane	Prostrate pigweed	Wild aster
Buckhorn plantain	Hawkweed	Prostrate spurge	Wild buckwheat
Bulbous buttercup	Healall	Prostrate vervain	Wild carrot
Bull thistle	Heartleaf drymary	Puncturevine	Wild four-o'clock
Bullnettle	Heath aster	Purslane, common	Wild garlic
Burclover	Hedge bindweed	Ragweed	Wild geranium
Burdock	Hedge mustard	Red sorrel	Wild lettuce
Burning nettle	Hemp	Redroot pigweed	Wild marigold
Burweed	Henbit	Redstem filaree	Wild mustard
Buttercup	Hoary cress	Rough cinquefoil	Wild onion
Buttonweed	Hoary plantain	Rough fleabane	Wild parsnip
Canada thistle	Hoary vervain	Russian pigweed	Wild radish
Carolina geranium	Horsenettle	Russian thistle	Wild rape
Carpetweed	Jimsonweed	Scarlet pimpernel	Wild strawberry
Catchweed bedstraw	Knawel	Scotch thistle	Wild sweet potato
Catnip	Knotweed	Sheep sorrel	Wild vetch
Catsear	Kochia	Shepherdspurse	Woodsorrel
Chickweed, common	Lambsquarters	Slender plantain	Woolly croton
Chickweed, mouseear	Lespedeza	Smallflower galinsoga	Woolly morningglory
Chicory	Mallow	Smooth dock	Woolly plantain
Cinquefoil	Matchweed	Smooth pigweed	Wormseed
Clover, crimson	Mexicanweed	Sorrel	Yarrow
Clover, hop	Milk vetch	Sowthistle	Yellow rocket
Clover, red	Morningglory	Spanishneedles	Yellowflower pepperweed
Clover, strawberry	Mouseear hawkweed	Speedwell	and other broadleaf weeds
Clover, sweet	Mugwort	Spiny amaranth	

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container and keep any bags containing unused product in a locked storage area inaccessible to children and domestic animals.

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 www.website.com 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 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.

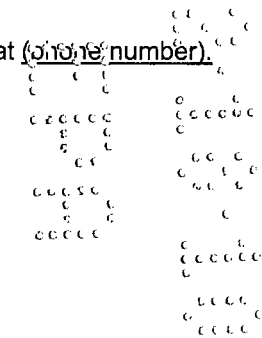
APPENDIX

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

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

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

- Guarantee of customer satisfaction to be offered by supplemental registrants:
 - **The [BRAND NAME] Promise.**
YOUR SATISFACTION [100%] GUARANTEED OR YOUR MONEY BACK. If you apply Brand Name as directed and are not completely satisfied, just send a proof of purchase from this package and a cash register receipt to the address below. We will promptly send your money back [refund your money].
 - **LOOK**
For other quality [BRAND NAME] Lawn and Garden products. For more information about Sta-Green® products, visit us on the Internet at www.fertilizer.com or give our customer service a call at 1-800-874-8892.
- Ten pounds covers up to 5,000 square feet.
- Twenty pounds covers up to 10,000 square feet.
- Controls dandelion, chickweed, knotweed, plantain, henbit, spurge and many other broadleaf weeds including those listed on the back panel.
- Covers 5,000 square feet.
- America's Best Value For All Your Lawn & Garden Needs, [BRAND NAME] Lawn Weed Control.
- Try Brand Name Premium Garden Products
- Kills (Controls) these weeds & 150 others
- Visit us on the internet at www.XXXXXXX or call our customer service Hotline at (phone number).
- Controls dandelions and 200 other broadleaf weeds.
- Will not burn your lawn.
- Apply anytime weeds are growing — Spring, Summer or Fall.
- Proven Trimec® Lawn Weed Control.
- Apply once in Spring when weeds are growing
- Apply anytime broadleaf weeds are actively growing
- Apply in Spring and Fall
- Enjoy a Beautiful Weed-Free Lawn



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- Special guidelines may apply to the specific timing of fall fertilizer applications to Centipedegrass and St. Augustinegrass lawns. Contact your local Extension Service for information specific to your geographic region.

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00640.20100216.resub-proposed-clean.doc
2. **Reason for Issue:** First Aid, Environmental Hazards, dripline statement, PRN 2007-4, ad claims

