

2217-648

1/25/2002

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND  
TOXIC SUBSTANCES

JAN 25 2002

Mr. Craig Martens  
PBI/Gordon Corporation  
Post Office Box 014090  
Kansas City, Missouri 64101

Dear Mr. Martens:

Subject: Conversion from 2,4-DP to 2,4-DP-p  
Gordon's Brush Killer 801  
EPA Registration Number: 2217-648  
Your Amendment Application  
Submission Dated November 12, 2001

The Agency is conditionally approving an amendment to the registration of the above-referenced product under the authority of section 3(c)(7)(A) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Under this amendment the Agency is approving the conversion of the active ingredient dichlorprop from its racemic form [2-ethylhexyl ester of 2-(2,4-dichlorophenoxy)propionic acid, or applicable salt thereof] to its single isomer form [2-ethylhexyl ester of (+)-R-2(2,4-dichlorophenoxy)propionic acid, or applicable salt thereof]. The revised labeling and Confidential Statement(s) of Formula submitted in support of the conversion are acceptable with the following provisions:

1. This acceptance is based on your certification that no changes have been made to the Confidential Statement(s) of Formula (CSF) or the product labeling other than those specified within the body of your certification statement. No other revisions are being reviewed or considered with this action.
2. You may sell or distribute product containing the racemic form of dichlorprop and bearing the previously approved labeling for 18 months from the date of this letter.

A copy of the revised Confidential Statement of Formula (Basic Formulation, dated 11/09/01) has been placed in the Agency's file for the subject product. This CSF supersedes all previously submitted CSFs for this product.

M. HOWARD  
PM TEAM 23  
(713) 305-6784

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A stamped copy of the labeling is enclosed for your records. Submit one copy of your final printed labeling before you release the product for shipment.

Sincerely yours,

Joanne I. Miller  
Product Manager (23)  
Herbicide Branch  
Registration Division (7505C)

Enclosures

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# GORDON'S BRUSH KILLER 801

A TRIMEC® BRUSH HERBICIDE FORMULATION

Controls Ash, Aspen, Brambles, Kudzu, Oak, Willows,  
and other species of brush and weeds.

**ACTIVE INGREDIENTS:**

Isooctyl (2-ethylhexyl) ester of 2,4-dichlorophenoxyacetic acid.....	17.07%
2-ethylhexyl ester of (+)-R-2-(2,4-dichlorophenoxy) propionic acid.....	8.06%
Dicamba: 3,6-dichloro-o-anisic acid.....	11.32%
<b>INERT INGREDIENTS.....</b>	<b>63.55%</b>
<b>TOTAL</b>	<b>100.00%</b>

This product contains:

- 0.96 lb. 2,4-Dichlorophenoxyacetic acid equivalent per gallon or 11.32%
- 0.46 lb. 2-ethylhexyl ester of (+)-R-2-(2,4-dichlorophenoxy) propionic acid equivalent per gallon or 5.45%.
- 0.96 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 11.32%

Contains Petroleum Distillates.  
 Contains the single isomer form of 2,4-DP-p.  
 Isomer Specific by AOAC Methods  
 TRIMEC® is a registered trademark of PBI/GORDON CORPORATION

## KEEP OUT OF REACH OF CHILDREN

## WARNING

### Statement of Practical Treatment

**IN CASE OF CONTACT WITH EYES:** Flush with water for 15 minutes. Get medical attention.  
**IN CASE OF CONTACT WITH SKIN:** Wash with plenty of soap and water. Get medical attention.  
**IF SWALLOWED:** Call a physician or Poison Control Center immediately. Contains petroleum solvent. Do not induce vomiting because of danger of aspirating liquid into lungs, causing serious damage and chemical pneumonia. If spontaneous vomiting occurs, keep head below hips to prevent aspiration, and monitor for breathing difficulty.  
**IF INHALED:** Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

See side panels for additional Precautionary Statements.

### NET CONTENTS: ONE (1) U.S. GALLON

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated**  
 JAN 25 2002

**Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act  
 as amended, for the pesticide  
 registered under EPA Reg. No.  
 221-648**

801/ AP  
 EPA REG. NO. 2217-648 Amend  
 EPA EST. NO. 2217-KS-1

MANUFACTURED BY:





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

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans and Domestic Animals**

**WARNING:** Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through skin. Do not get in eyes, on skin or clothing. Avoid breathing vapor.

When mixing, loading or applying this product, or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks, and shoes. It is recommended that safety glasses include front, brow, and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required.

Wash hands, face, and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face, and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower.

*Containers over 1 gallon and less than 5 gallons:* Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron.

*Containers of 5 gallons or more:* A mechanical system (probe and pump) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

**ENVIRONMENTAL HAZARDS:** This product is toxic to fish and aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. For terrestrial uses, do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not apply when weather conditions favor drift from target area.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and 2,4-DP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D and 2,4-DP pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

If spills occur, collect the material and dispose of by following disposal instructions on this label.

**PHYSICAL OR CHEMICAL HAZARDS:** Do not use or store near heat or open flame.

**DIRECTIONS FOR USE**

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

**STORAGE & DISPOSAL**

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

**STORAGE:** Store in original container in a locked storage area.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. 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 by incineration, or if allowed by state and local authorities by burning. If burned stay out of smoke.

**USE PRECAUTIONS:**

- ◆ Avoid drift of spray mist to vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants. Do not pour spray solutions near these plants. Clover present will be damaged if sprayed. Coarse sprays are less likely to drift away from target area. Do not apply when weather conditions favor drift away from target area.
- ◆ Do not apply this product through any type of irrigation equipment.
- ◆ Avoid spray drift to cotton, soybeans, tomatoes, tobacco, grapes, fruit trees, flowers or garden crops and all other hormone herbicide-sensitive desirable plants. Do not apply near sensitive plants since small quantities of wind-drifted herbicides may cause severe injury.
- ◆ Do not apply herbicide when wind speed is sufficient to cause drift. Do not apply herbicide when a temperature air inversion exists. An air inversion may be detected by creating a smoke column and observing a layering effect.
- ◆ Do not apply when temperature exceeds 90°F and humidity is high.
- ◆ To aid in avoiding spray drift, use coarse sprays and low pressure. Do not use nozzles which produce fine spray droplets under high pressure. The use of thickening agents or anti-drift additives and drift reducing equipment is of value in preventing spray drift.
- ◆ Care should be taken not to make applications where runoff could contaminate bodies of water or spray drift could carry the chemical to food crops or grazing lands where cattle, sheep, goats, swine or poultry would be exposed.

**ROADSIDE, DRAINAGE—DITCHBANKS, RIGHT-OF-WAYS, RAILROADS, FIREBREAKS, FENCEROWS, INDUSTRIAL SITES AND OTHER SIMILAR NONCROP AREAS:** To effectively control brush, all leaves, stems and suckers should be thoroughly wet to the ground. Apply Gordon's Brush Killer 801 when plants come into full leaf (spring) to the time plants begin to go dormant. Best results are obtained when brush and weeds are young and actively growing. Do not cut brush or weeds until the herbicide has translocated throughout the plant.

**High Volume:** Use Gordon's Brush Killer 801 at the rate of ½ to 2 gallons in water to make 100 to 300 gallons of spray per acre. The amount of water used must allow for full wetting of plants. For small broadleaf weeds, use the lower rate. Heavy dense stands of brush require the high rate with high water volume.

**Ground or Aerial Foliage Spray:** Use Gordon's Brush Killer 801 at the rate of ½ to 2 gallons in water to make 15 to 25 gallons of spray per acre. Use enough water to ensure uniform wetting of plants.

**Basal Bark Method:** Thoroughly wet the base and root collar of all stems until the spray collects around the root collar at ground line. Mix 1 to 2 gallons of Gordon's Brush Killer 801 in 20 gallons of water. Apply with low volume knapsack sprayer or power equipment. Concentration will depend on volume of spray used, species present and season applied. Use a coarse spray to avoid drift.

For winter dormancy spraying, mix 1 to 2 gallons Gordon's Brush Killer 801 in 20 gallons of oil.

**Modified Basal Method:** Drench the base of plants, then wet the lower 4/5 of remaining stems and leaves to runoff. Treat when brush is in full foliage. This method may be used where susceptible species have been controlled by prior sprays and resistant species such as maple and gum remain. Drenching the base of the plant and wetting all stems to runoff is essential for complete control.

**Cut Surface - Stump:** This method can be used at any time of year, but is more effective when applied as soon as possible after trees are cut. Spray the entire stump, particularly bark and exposed roots. Complete control requires a thorough drenching. Use this method after original or capital clearing. It is the primary step toward a chemical brush control program on newly cleared highways and right-of-ways. Spray is most effective and economical on stumps 3 to 4 inches or larger. Mix 1 to 2 gallons of Gordon's Brush Killer 801 in 20 gallons of water. Apply with low volume knapsack sprayer using solid cone nozzle

of medium orifice.

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**LIMITED WARRANTY AND DISCLAIMER.**

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.