



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

12 JAN 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

James L. Kunstman
PBI/Gordon Corporation
1217 West 12th Street
P.O. Box 014090
Kansas City, MO 64101

Dear Dr. Kunstman:

SUBJECT: RED Label Amendment
Trimec ® 800 Herbicide
EPA Registration No. 2217-651

The labeling referred to above is in compliance with the 2,4-D RED provided that you make the following changes to the labeling:

- 1) Per the acute toxicity review, the text "Probable mucosal damage may contraindicate the use of gastric lavage" must be added to the Note to Physician. The Agency also recommends that the Note to Physician be revised to include text that addresses eye irritation concerns.
- 2) Per the acute toxicity review, the text "protective eyewear" appearing in the handler PPE section should be revised to read "goggles or face shield."
- 3) The text "This pesticide may be toxic to fish and aquatic invertebrates" should be revised to read "This pesticide is toxic to fish and aquatic invertebrates."
- 4) Per Page 49 of the 2,4-DP-p RED, the maximum single broadcast application application rate is 0.75 lb ae per acre. Any directions for use exceeding this rate must be revised.

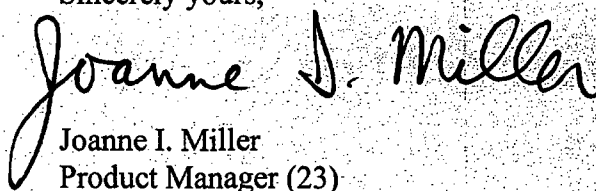
5) Add the following statements to the labeling:

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>.

Please note that final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of your final printed labeling before you release the product for shipment. A stamped copy of the labeling is enclosed for your records

Sincerely yours,



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

Enclosure

TRIMEC® 800 HERBICIDE

EPA Reg. No. 2217-651

ACTIVE INGREDIENT:

(2-ethylhexyl) ester of 2,4-dichlorophenoxyacetic acid	32.48%
2-ethylhexyl ester of (+)-(R)-2-(2,4-dichlorophenoxy) propionic acid	15.33%
Dicamba: 3,6-dichloro-o-anisic acid	5.38%
INERT INGREDIENTS:	46.81%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 2.00 lb. 2,4-dichlorophenoxyacetic acid equivalent per gallon or 21.54%
- 0.96 lb. (+)-(R)-2-(2,4-dichlorophenoxy) propionic acid equivalent per gallon or 10.36%
- 0.50 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 5.38%

CONTAINS PETROLEUM DISTILLATES:

Isomer Specific by AOAC Methods.

TRIMEC® is a registered trademark of PBI/GORDON CORPORATION

**ACCEPTED
with COMMENTS**
In EPA Letter Dated:
12 JAN 2009

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

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

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

2217-651

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin. Harmful if inhaled. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment

Some materials that are chemical-resistant to this product are barrier laminate, nitrile rubber, neoprene rubber, or viton. If you want more options, follow the instructions for category E 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 (except for applicators using ground boom equipment) 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	
<ul style="list-style-type: none"> • 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 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"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. 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.
<p>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.</p> <p>Note to Physician: Contains petroleum distillates—vomiting may cause aspiration pneumonia.</p>	

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.

Physical Or Chemical Hazard

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.

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.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Chemical-resistant gloves made of any water-proof material,
- Shoes plus socks
- Protective eyewear.

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter or allow people (or pets) to enter the treated area until sprays have dried.

ROADSIDES, RIGHT-OF-WAYS, RAILROADS, FIREBREAKS, FENCE-ROWS, INDUSTRIAL SITES AND OTHER SIMILAR NONCROP AREAS

PREPARATION OF THE SPRAY:

Add one-half the required amount of oil or water to the spray tank, then add this product with agitation and finally the balance of the water or oil with continued agitation. Use diesel oil. If this material is to be used in straight oil mixtures, do not let water get into it or the finished mixture. This material forms an emulsion in water - not a solution. This tends to separate on standing. Provide agitation to prevent such separation and ensure a uniform spray mixture.

USE PRECAUTIONS:

- Do not apply this product through any type of irrigation system.

INSTRUCTIONS:

Apply when plants come into full leaf (spring) to the time plants begin to go dormant. Best results are obtained when brush and broadleaf weeds are young and actively growing.

Noncropland including Roadsides, Rights-of-way, Firebreaks, Fencerows, Industrial Sites, and Utility Rights-of-way

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 1.0 gallon of product per acre per application per site.

When multiple applications of up to 2.0 lbs. 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 2.0 gallons of product per acre (4.0 lbs. 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 2.0 gallons of product per acre per application per site.

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	1.0 gal/A	2.0 #/A	2	30 days	2
Woody plants	Broadcast and high volume foliar	2.0 gal/A	4.0 #/A	1	NA	See Tables 1-2.

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

Apply 0.5 to 2.0 gallons of product per acre with adequate water or apply a 0.5 to 2.0% 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 0.5 to 2.0% spray concentration with water for high volume foliar applications.

Spray solution per acre, Gallons	Amount of Product Needed for Spray Concentration of:			
	0.5%	0.67%	1.0%	2.0%
100	0.5 gal.	0.67 gal.	1.0gal.	2.0 gal.
200	1.0 gal.	1.34 gal.	2.0 gal.	----
300	1.5 gal.	2.0 gal.	----	----
400	2.0 gal.	----	----	----

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

The maximum seasonal application rate for trees, brush and woody plant control is 2.0 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 0.5 to 2.0% spray concentration with water for high volume foliar applications.

Gallons of Water	Amount Of Product Needed for Spray Concentration of :			
	0.5%	0.67%	1.0%	2.0%
1	4 teaspoons	5 teaspoons	2.5 tablespoons	5 tablespoons
2	2.5 tablespoons	3.5 tablespoons	5 tablespoons	10 tablespoons
3	2 fl.oz.	2.5 fl.oz.	4 fl.oz.	8 fl.oz.

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

Individual Plant Treatments:

Use only one basal spray, frill or cut surface application per year.

Basal Bark Method:

Apply with low volume backpack sprayer or power equipment. Volume sprayed per acre will depend on method used and number of stems per acre. Use a coarse spray to avoid drift.

- **High Volume:** Mix 3 to 5 gallons of herbicide per 95 to 97 gallons of diesel oil. Thoroughly wet the base and root collar of all items until the spray collects around the root collar at ground line. Concentration of spray mix will depend on volume of spray used, species present and season applied.
- **Low Volume:** Make up a solution of 33% Trimec® 800 Herbicide, 10 to 20% surfactant (such as Cide-Kick, Cide-Kick II, or Arborchem Basal Oil) and 47 to 57% diesel oil. Spray to wet stems up to a height of 18 to 24 inches. Use higher concentration of surfactant in colder weather.

Cut Surface - Stump:

This method can be used at any time of the 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 and larger. Mix 1/2 to 1 gallon of herbicide with 25 gallons of diesel oil. Apply with a low volume knapsack sprayer using a solid cone nozzle of medium orifice.

Frill:

Make a frill by using an axe to cut overlapping notches in a continuous ring around the trunk near its base. Cut through the bark, but do not remove chips. This method is recommended for cull trees 5 to 6 inches in diameter and larger. Treat freshly cut frills at any time of year. Mix 3 to 4 gallons of herbicide in 100 gallons of diesel oil. Pour in as much spray mixture as the frill will hold without wasting chemical.

Tank-Mixing with Garlon® 4:

For any of the above methods, this product can be mixed with Garlon® 4 for use in roadsides, right-of-ways, railroads, fencerows, industrial sites and other similar noncrop areas. Use at the rate of 1 gallon Trimec® 800 Herbicide per acre plus 1 pint Garlon® 4 per acre. Do not mix the chemicals simultaneously. The best way to prepare the spray mixture is to start with 1/3 the water or oil to the spray tank. Add the Trimec® 800 Herbicide with agitation. Next add another third of the water or oil to this mixture. Then add the Garlon® 4 and finally the balance of the water or oil, each step with continued agitation. A mixture of Trimec® 800 Herbicide and Garlon® 4 should be used in accordance with the more restrictive of label limitations and precautions. No label dosage rates should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

BRUSH CONTROLLED			
Ash	Buckbrush	Honey locust	Shortleaf pine
Aspen	Cedar	Honeysuckle	Spruce
Birch	Cherry	Kudzu	Sumac
Blackberry	Cottonwood	Multiflora rose	Sycamore
Black cherry	Dogwood	Oak	Wild plum
Black locust	Elm	Pine	Willow
Brambles	Gooseberry		
WEEDS CONTROLLED			
Bedstraw	Healall	Oxalis	Speedwell
Bindweed	Henbit	Peppergrass	Spurge
Black medic	Jimsonweed	Pigweed	Sunflower
Buckhorn	Knotweed	Plantain	Thistle
Burdock	Kochia	Poison ivy	Trumpetvine
Chicory	Lambsquarters	Poison oak	Velvetleaf
Chickweed	Lespedeza	Purslane	Wild carrot
Clover	Mallow	Ragweed	Wild garlic
Cocklebur	Morningglory	Sheep sorrel	Wild lettuce
Dandelion	Mustard	Shepherdspurse	Wild onion
Dock	Nettle	Smartweed	Yarrow
Ground ivy			

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

USE PRECAUTIONS:

- Do not apply this product through any type of irrigation system.
- 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°F. Seed can be sown 3 to 4 weeks 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.

INSTRUCTIONS:

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.

Apply 2 to 3 pints of product in 20 to 260 gallons of water per acre (3/4 fluid ounce to 1.1 fluid ounces in 0.5 to 6 gallons of water per 1,000 square feet). Use higher rates when using the higher volume of water per acre.

Limitations on broadcast treatments for ornamental turfgrass and sod farms:

The maximum application rate is 3.0 pints of product per acre per application (0.75 lbs 2,4-D ae, 0.36 lb 2,4-DP-p ae, and 0.19 lb dicamba ae per acre per application). For ornamental turfgrass, the maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. For sod farms, the maximum number of broadcast applications is limited to 2 per year with a minimum of 21 days between applications. The maximum seasonal rate is 6.0 pints of product per acre (1.5 lbs 2,4-D ae, 0.72 lb 2,4-DP-p ae, and 0.38 lb dicamba ae per acre).

CONTROLLED DROPLET APPLICATOR:

Add 1.5 pints to the HERBI container and fill with water. Spray contents over 33,000 square feet. Avoid overlapping between spray patterns.

Spot treatments

Not recommended for hose end sprayers. Spray during the growing season when weeds are actively growing. On new lawns - wait until the grass has hardened off - usually after it has been mowed at least three times. Poor weed control may result if spray is applied during drought or just before rain. Do not water within 24 hours after treatment.

Amount of Product		Amount of Water	Area to be Treated
1.5 Tablespoons	3/4 fluid ounces	1 Gallon	1,000 Square Feet
3 Tablespoons	1.5 fluid ounces	2 Gallons	2,000 Square Feet
4.5 Tablespoons	2.25 fluid ounces	3 Gallons	3,000 Square Feet

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 0.75 fl.oz. per 1,000 sq.ft. per application (0.25 lbs 2,4-DP-p acid equivalent per acre).

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.

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.

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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.

2,4-D esters may volatilize during conditions of low humidity and high temperatures. Do not apply during conditions of low humidity and high temperatures.

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 target site.

Aerial applications of this product are prohibited.

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 pets.

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 incineration, or if allowed by state and local authorities by burning. If burned stay out of smoke.

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. _____

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

- A brush and broadleaf weed killer for broadleaf weed control
- One gallon covers up to 4 acres.
- Eight ounces covers up to 11,000 square feet.
- Controls ash, aspen, brambles, kudzu, oak, willows, dandelion, chickweed, knotweed, plantain, henbit, spurge, and many other species of brush and broadleaf weeds.

3. Trademark acknowledgements:

- GARLON® is a registered trademark of Dow AgroSciences, LLC.

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00651.20080807.proposed.doc

2. Reason for Issue: Various changes pertaining to re-registration. Re-format label.