

2217-655

9/8/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

SEP 8 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 2217-655      Gordon's Trimec Broadleaf Herbicide for Sensitive Grasses**

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

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval Expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration

Amendment

Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number <b>2217-655</b>	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification
4. Company/Product (Name) <b>Gordon's Trimec® Broadleaf Herbicide For Sensitive Grasses</b>	PM# Product Manager—Team 23	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
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"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  <b>SEP - 8 2009</b>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

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 explanation and certification statement.

e-mail to [kunstman@pbigordon.com](mailto:kunstman@pbigordon.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 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 checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 quart, 1 gallon, 2.5 gallons, 30 gallon, 55 gallon	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input checked="" 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 James L. Kunstman, Ph.D.	Title Director of Regulatory Services	Telephone No. (Include Area Code) 816-460-6292
2. Signature 		6. Date Application Received (Stamped)
3. Title Director of Regulatory Services		
4. Typed Name James L. Kunstman, Ph.D.	5. Date August 3, 2009	

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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:

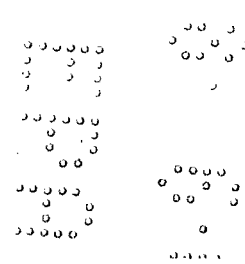
**Subject: Labeling notifications according to Pesticide Registration Notices (PRN) 2007-4.**  
**Gordon's Trimec Broadleaf Herbicide for Sensitive Grasses**  
**(EPA Reg. No. 2217-655)**

***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 5-6 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.




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**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](mailto:jkunstman@pbigordon.com).

Sincerely,



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

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# GORDON'S TRIMEC® BROADLEAF HERBICIDE FOR SENSITIVE GRASSES

NOTIFICATION

EPA Reg. No. 2217-655

SEP - 8 2009

**ACTIVE INGREDIENT:**

Dimethylamine salt of (+)-(R)-2-(2 methyl-4-chlorophenoxy)propionic acid .....	17.37%
Dimethylamine salt of 2,4-dichlorophenoxyacetic acid .....	18.74%
Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) .....	3.85%

INERT INGREDIENTS: ..... 60.04%

TOTAL ..... 100.00%

**THIS PRODUCT CONTAINS:**

1.32 lb (+)-(R)-2-(2 methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 14.35%.

1.44 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 15.57%.

0.30 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 3.20%.

Isomer Specific by AOAC Methods.

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

**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. Do not get in eyes, on skin or on clothing. Harmful if absorbed through skin. Harmful if swallowed. 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.



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### 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

<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 - 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<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><b>Note to Physician:</b> Probable mucosal damage may contraindicate the use of gastric lavage.</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.

### DIRECTIONS FOR USE

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

For use on residential and other turf sites excluding sod farms.

## GENERAL PRECAUTIONS AND RESTRICTIONS

- 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. Do not enter or allow people (or pets) to enter the treated area until sprays have dried.
- Do not use on lippia or dichondra nor on lawns or turf where desirable clovers are present. Be careful not to overdose centipedegrass or St. Augustinegrass. These species are sensitive to 2,4-D, a component of this product.
- Apply when weeds are young and actively growing. Do not spray while grass is emerging from dormancy. Do not apply to newly seeded turf until after the second or third mowing.
- Mix in spray volumes ranging from 2 to 300 gallons per acre.
- Use higher rates within the range when weeds are dense or in flower. If hardy weeds persist, make a second application. Avoid applications during long excessively dry or hot periods. When grasses are under stress, use reduced rates within the range to reduce potential injury. Do not spray when air temperatures exceed 90°F.
- Do not irrigate within 24 hours of application.
- Seed can be sown 3 to 4 weeks after application at recommended rates.
- 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 the roots of desirable trees and shrubs, since injury may result.
- Do not apply this product through any type of irrigation system.
- After using this product, clean sprayer with soap or detergent and water, and rinse thoroughly before applying other pesticides. Failure to observe the above precautions may result in injury.

## How Much to Use and Where

### Bermudagrass and Bentgrass:

Use 0.75 fluid ounces per 1,000 sq.ft., or use 2.0 pints of product per acre. Do not overdose closely-mowed bentgrass. Read the use precautions and observe carefully. Do not use more than the recommended rate. Bermudagrass and bentgrass are moderately sensitive to 2,4-D.

### Bluegrass, Fescues, and Zoysiagrass:

Use 0.75 to 1.1 fluid ounces per 1,000 sq.ft., or use 2.0 to 3.0 pints of product per acre. These species are tolerant to 2,4-D. However, do not overdose.

### St. Augustinegrass and Centipedegrass:

Use 0.37 to 0.55 fluid ounces per 1,000 sq.ft., or use 1 to 1.5 pints of product per acre. Do not overdose. Do not apply this product to St. Augustinegrass or centipedegrass during spring green-up which is the transition period between dormancy and active growth. Do not make applications when ambient temperature is below 50°F or above 90°F, or expected to be within 72 hours of application. Do not make applications when grass is under stress from drought, insects, or other herbicides.

St. Augustinegrass and centipedegrass are sensitive to 2,4-D and great care should be taken to prevent over-application. Cultivars vary in tolerance to this product. Do not apply this product to 'Floritam' St. Augustinegrass.

### Limitations of broadcast treatments for ornamental turfgrass:

The maximum application rate is 3.0 pints of product per acre per application (0.54 lb 2,4-D ae, 0.50 lb MCP-p ae, 0.11 lb dicamba 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 6.0 pints of product per acre (1.08 lb 2,4-D ae, 1.0 lb MCP-p ae, and 0.22 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 1.1 fl.oz. of product per 1,000 sq.ft. per application (0.5 lb MCPP-p acid equivalent per acre). Limited to 2 applications per year. Minimum of 30 days between applications.

**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.

**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.

WEEDS CONTROLLED			
annual fleabane	dogfennel	lawn burweed	roundleaf greenbriar
aster, white heath & white prairie	dovefoot geranium	lespedeza, common	shepherdspurge
bedstraw	English daisy	mallow, common	spotted spurge
beggarticks	false dandelion (*spotted	matchweed	spurge
beggarweed, creeping	catsear & common catsear)	mouseear chickweed	sunflower
bindweed	field bindweed	mustard	thistle
birdsfoot trefoil	(*morningglory & creeping jenny)	nettle	velvetleaf (*buttonweed)
black medic	field madder	old world diamond flower	Venice mallow
broadleaf plantain	field oxeye-daisy (*creeping	<i>Oxalis</i> (*yellow woodsorrel & creeping woodsorrel)	<i>Veronica</i> (*corn speedwell)
buckhorn plantain	oxeye)	parsley-piert	Virginia buttonweed
bull thistle	field pennycress	Pennsylvania smartweed	Virginia-creeper
burclover	filaree, whitestem & redstem	pennywort (*dollarweed)	western salsify
burdock, common	Florida pusley	pepperweed	white clover (*Dutch clover, honeysuckle clover, white trefoil & purplewort)
buttercup, creeping	ground ivy	pigweed	wild carrot
Carolina geranium		pineappleweed	



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WEEDS CONTROLLED			
carpetweed	groundsel	plantain	wild garlic
chickweed, common	hairy bittercress	poison ivy	wild geranium
chicory	hawkweed	poison oak	wild lettuce
cinquefoil	healall	prostrate knotweed	wild mustard
clover	henbit	(*knotweed)	wild onion
cocklebur	horsenettle	puncturevine	wild strawberry
compassplant	horseweed	purple cudweed	wild violet
curly dock	innocence (Blue-eyed Mary)	purslane	yarrow
dandelion	jimsonweed	ragweed	yellow rocket
dayflower	kochia	redweed	and many other broadleaf
deadnettle	lambsquarters	red sorrel (*sheep sorrel)	weeds
dock			
*Synonyms			

## STORAGE AND DISPOSAL

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

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

**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:** Plastic containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. If burned, stay out of smoke. Metal Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.~~

**[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.

**LIMITED WARRANTY AND DISCLAIMER**

**IMPORTANT:** Read this LIMITED WARRANTY AND DISCLAIMER before buying or using this product. By opening and using this product, buyer and all users agree to accept the terms of this LIMITED WARRANTY AND DISCLAIMER in their entirety and without exception. If the terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full.

It is impossible to eliminate all risks inherently associated with use of this product. Damage to the treated article, ineffectiveness, or other unintended consequences can result from use of the product under abnormal conditions such as weather, presence of other materials, or the manner of use or application, etc. Such factors and conditions are beyond the control of the manufacturer, and **BY PURCHASING AND USING THIS PRODUCT THE BUYER AND ALL USERS OF THIS PRODUCT AGREE TO ACCEPT ALL SUCH RISKS.** Buyer and all users further agree to assume all risks of loss or damage from the use of the product in any manner that is not explicitly set forth in or that is inconsistent with label instructions, warnings and cautions.

The manufacturer warrants only that this product conforms to the chemical description given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use, subject to the inherent risks described below. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 HEREBY EXPRESSLY DISCLAIMED.**

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**THE EXCLUSIVE REMEDY OF BUYER AND ALL USERS OF THIS PRODUCT, AND THE EXCLUSIVE LIABILITY OF THE MANUFACTURER, FOR ANY AND ALL LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. 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.** The Manufacturer must be promptly notified in writing of any claims, whether based in contract, tort, negligence, strict liability, or otherwise, to be eligible to receive either remedy stated above.

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. No employee or agent of the manufacturer or seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

## **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.
- Bermudagrass, Bentgrass, Bluegrass, Fescues, Zoysiagrass, Centipedegrass, and St. Augustinegrass
- KEEP FROM FREEZING

## **DOCUMENT CONTROL INFORMATION**

- 1. Unique Label Identifier:** 002217-00655.20090803.notif-proposed.doc
- 2. Reason for Issue:** PRN 2007-4, clarify dripline statement