

2217-656

02/10/2009

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

10 FEB 2009

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

PBI/Gordon Corp.  
1217 West 12<sup>th</sup> Street  
Kansas City, MO 64101

Subject: 2,4-D RED Label Amendment  
Trimec 992 Broadleaf Herbicide  
EPA Reg. No. 2217-656

The labeling referred to above is in compliance with the 2,4-D RED and are amended under the RED provided that you:

1. Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
2. Make the following changes to the product labeling:
  - a. Per the acute toxicity review, the text "Harmful if absorbed through skin" should follow "Harmful if swallowed"
  - b. Per the acute toxicity review, the First Aid headings should be in the following order:  
"IF IN EYES:...  
IF SWALLOWED:...  
IF ON SKIN OR CLOTHING:...  
IF INHALED:..."
  - c. The Note to Physician should address the primary eye irritation Toxicity Category I. The following statements are some suggested types of information that could be included, if applicable:
    - technical information on symptomatology;
    - use of supportive treatments to maintain life functions;
    - medicine that will counteract the specific physiological effects of the pesticide;
    - company telephone number to specific medical personnel who can provide specialized medical advice.

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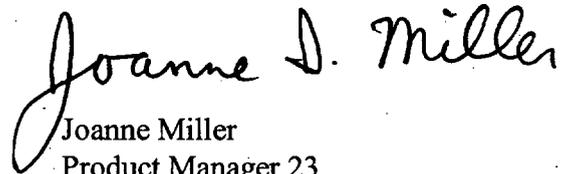
- d. Remove “(except for applicators using ground boom equipment)” under the PPE section on Pg. 2.
- e. Per the 2,4-D RED, the first sentence of the Environmental Hazards section should read:  
“This pesticide is toxic to fish and aquatic...”
- f. Remove the text “recommendations” under the Application Rates for Sod Farms heading on Pg. 4.
- g. Remove the text “excluding spot treatments” in the second sentence on Pg. 7.
- h. Per the 2,4-D RED, revise the following for the Spray Drift Management section:
  - 1. The Droplet Size text should read:  
  
“When applying sprays that contain 2,4-D mixed with other active ingredients that require a Medium or more fine spray, apply only as a Medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.”
  - 2. Add the following text as the last sentence of the Wind Speed section:  
  
“If applying a Medium spray, leave one swath unsprayed at the downwind edge of the treated field.”
- i. 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: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

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A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Sincerely,



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

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# TRIMEC® 992 BROADLEAF HERBICIDE

## EPA Reg. No. 2217-656

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170.

ACTIVE INGREDIENT:	
Dimethylamine salt of 2,4-dichlorophenoxyacetic acid .....	30.56%
Dimethylamine salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid .....	8.17%
Dimethylamine salt of dicamba: 3,6-dichloro-o-anisic acid .....	2.77%
INERT INGREDIENTS: .....	<u>58.50%</u>
TOTAL .....	100.00%

### THIS PRODUCT CONTAINS:

- 2.38 lbs. 2,4-dichlorophenoxyacetic acid equivalent per gallon or 25.38%.
  - 0.63 lbs. (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 6.75%.
  - 0.21 lbs. 3,6-dichloro-o-anisic acid equivalent per gallon or 2.30%.
- Isomer Specific by AOAC Methods.  
 TRIMEC® is a registered trademark of PBI/Gordon Corporation.

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**10 FEB 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

## DANGER - PELIGRO

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 some one to explain it to you in detail.)

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### 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,
- 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.

See engineering controls for additional requirements.

### Engineering Control Statements

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

### 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:

- 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:

- 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

- 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:

- 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.

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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.

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 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 worn over short-sleeved shirt and short pants,
- chemical-resistant footwear plus socks,
- chemical-resistant gloves made of any water-proof material,
- 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.

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

### **SOD FARMS:**

Trimec® 992 Broadleaf Herbicide is intended for use on sod farms. Trimec® 992 Broadleaf Herbicide provides selective broadleaf control in warm season and cool season turfgrass established for commercial sod production.

**APPLICATION SCHEDULES FOR SOD FARMS:**

Apply Trimec® 992 Broadleaf Herbicide to broadleaf weeds that are actively growing. Follow-up applications may be required for dense infestations of perennial and biennial weeds. Do not apply this product to 'Floritam' St. Augustinegrass.

**NEWLY SEEDED AREAS:**

The application of Trimec® 992 Broadleaf Herbicide to grass seedlings is recommended after the second mowing

**NEWLY SODDED, SPRIGGED, OR PLUGGED AREAS:**

The application of Trimec® 992 Broadleaf Herbicide to newly sodded, sprigged, or plugged grasses should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations. Also, applications to dormant bermudagrass, dormant zoysiagrass, and dormant bahiagrass are suggested.

**APPLICATION RATES FOR SOD FARMS:**

Dosage rates and spray volume recommendations of Trimec® 992 Broadleaf Herbicide for use in commercial sod production are presented in Table 1.

Generally, the lower application rates within the specified range will provide satisfactory control of sensitive weed species. The higher application rates within the specified range will be required for dense infestations of perennial weeds, for adverse/extreme environmental conditions, or for weeds beyond the appropriate growth stages.

TABLE 1. RATE RECOMMENDATIONS FOR SOD FARMS.		
Species	Amount of Product Pints/Acre	Spray Volume Gallons/Acre
<b>Cool Season Turf</b>		
Kentucky Bluegrass	3.0 to 4.0	5 to 175
Perennial Ryegrass	3.0 to 4.0	5 to 175
Fescue spp.	3.0 to 4.0	5 to 175
Creeping Bentgrass	1.8	5 to 175
<b>Warm Season Turf</b>		
Common Bermudagrass	2.0 to 2.5	5 to 175
Hybrid Bermudagrass	2.0 to 2.5	5 to 175
Bahiagrass	2.0 to 2.5	5 to 175
Zoysiagrass	2.0 to 2.5	5 to 175
St. Augustinegrass	2.0 to 2.5	5 to 175

**ORNAMENTAL LAWNS AND TURFGRASS:**

**WHERE TO USE:**

Trimec® 992 Broadleaf Herbicide is intended to be applied by lawn care operators and landscape personnel for use in ornamental lawns and turf established in institutional, ornamental, and residential/domestic sites. Institutional sites are defined as turf areas around properties or facilities providing a service to public or private organizations including, but not limited to hospitals, nursing homes, schools, museums, libraries, sport facilities, golf courses, and office buildings. Ornamental sites include turfgrass established around residences, parks, streets, retail outlets, cemeteries, industrial and institutional buildings. Finally, residential/domestic sites are defined as areas associated with the household or home life including, but not limited to apartment complexes, condominiums, and patient care areas of nursing homes, mental institutions, hospitals, or convalescent homes.

**HOW MUCH TO USE:**

**For Kentucky Bluegrass, Fescue spp., Perennial Ryegrass, Bermudagrass and Zoysiagrass:**

Apply 3.0 to 4.0 pints of Trimec® 992 Broadleaf Herbicide per acre with spray volumes ranging from 5 to 220 gallons per acre. Or, apply 1.1 to 1.5 fluid ounces of Trimec® 992 Broadleaf Herbicide per 1,000

square feet with spray volumes ranging from 0.5 to 5.0 gallons per 1,000 square feet of turf. For mature weeds, apply 3.25 to 4.0 pints of Trimec® 992 Broadleaf Herbicide per acre. The best time to control clover is in the fall. When making a spring application to control clover a 4 pints per acre rate is recommended.

**For Closely Managed Bentgrass:**

Apply a maximum rate of 1.8 pints of Trimec® 992 Broadleaf Herbicide per acre with spray volumes greater than 145 gallons per acre. The equivalent application rate would be 1.0 fluid ounce of Trimec® 992 Broadleaf Herbicide mixed with 5.0 gallons of water and applied to 1,500 square feet.

Note: Care should be taken to avoid overdosing bentgrass or injury may result. High spray volumes will provide uniform coverage.

**For St. Augustinegrass:**

Apply 2.3 pints of Trimec® 992 Broadleaf Herbicide per acre with spray volumes ranging from 40 to 150 gallons per acre. The equivalent application rate would be 1.3 fluid ounces of Trimec® 992 Broadleaf Herbicide in 5.0 gallons of water per 1,500 square feet.

Do not spray St. Augustinegrass when stressed from heat or drought. Slight turf yellowing should disappear after about one week. Cultivars vary in tolerance to this product. Do not apply this product to 'Floritam' St. Augustinegrass. Note: Care should be taken to avoid overdosing St. Augustinegrass or injury may result. High spray volumes will provide uniform coverage.

Refer to the chart below for additional application instructions.

APPLICATION METHODS	REMARKS
<b>A. Kentucky Bluegrass, Fescue spp., Perennial Ryegrass, Bermudagrass and Zoysiagrass.</b>	
Conventional Equipment:	Use 5 to 80 gallons of water per acre. (0.5 to 2.0 gallons of water per 1,000 square feet.)
Professional Lawn Maintenance:	Use 0.5 to 5.0 gallons of water per 1,000 square feet. Higher spray volumes may be used when tank mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.
Controlled Droplet Applicators (CDA):	Reduced rates of Trimec® 992 Broadleaf Herbicide must be used when grass is stressed from heat or drought. Add 2.0 pints Trimec® 992 Broadleaf Herbicide to the Herbi container then fill with 3.0 pints of water. Keeping the container agitated, spray entire contents over 33,000 square feet (approximately 0.75 acre). Do not overlap between spray patterns. Do not use this application rate on warm season grasses.
<b>B. Closely Managed Bentgrass.</b>	
	On closely managed bentgrass (e.g. bowling greens) apply Trimec® 992 Broadleaf Herbicide at a maximum rate of 1.0 fluid ounce in 5.0 gallons of water per 1,500 square feet preferably in May or mid-August through September. Slight turf yellowing will disappear after about one (1) week. (See Note.)
<b>C. St. Augustinegrass.</b>	
	Apply Trimec® 992 Broadleaf Herbicide at 2.3 pints in up to 150 gallons of water per acre (1.3 fluid ounces Trimec® 992 Broadleaf Herbicide in 5.0 gallons of water per 1,500 square feet). Do not spray St. Augustinegrass when stressed from heat or drought. Slight turf yellowing should disappear after about one (1) week. (See Note.)
Note: Care should be taken to avoid overdosing bentgrass and St. Augustinegrass or injury may result. High spray volumes will aid in obtaining uniform coverage.	

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**Trimec® 992 Broadleaf Herbicide Controls:**

<b>BROADLEAF WEEDS</b>			
annual fleabane	dock	jimsonweed	ragweed
aster, white heath & white prairie	dogfennel	kochia	redweed
bedstraw	dovefoot geranium	lambsquarters	red sorrel (*sheep sorrel)
beggarticks	English daisy	lawn burweed	roundleaf greenbriar
beggarweed, creeping	false dandelion (*spotted catsear & common catsear)	lespedeza, common	shepherdspurse
bindweed	field bindweed	mallow, common	spotted spurge
birdsfoot trefoil	(*morningglory & creeping jenny)	matchweed	spurge
black medic	field madder	mouseear chickweed	sunflower
broadleaf plantain	field oxeye-daisy	mustard	thistle
buckhorn plantain	(*creeping oxeye)	nettle	velvetleaf (*buttonweed)
bull thistle	field pennycress	old world diamond flower	Venice mallow
burclover	filaree, whitestem & redstem	<i>Oxalis</i> (*yellow woodsorrel & creeping woodsorrel)	<i>Veronica</i> (*corn speedwell)
burdock, common	Florida pusley	parsley-piert	Virginia buttonweed
buttercup, creeping	ground ivy	Pennsylvania smartweed	Virginia-creeper
Carolina geranium	groundsel	pennywort (*dollarweed)	western salsify
carpetweed	hairy bittercress	pepperweed	white clover (*Dutch clover, honeysuckle clover, white trefoil & purplewort)
chickweed, common	hawkweed	pigweed	wild carrot
chicory	healall	pineappleweed	wild garlic
cinquefoil	henbit	plantain	wild geranium
clover	horsenettle	poison ivy	wild lettuce
cocklebur	horseweed	poison oak	wild mustard
compassplant	innocence (Blue-eyed Mary)	prostrate knotweed (*knotweed)	wild onion
curly dock		puncturevine	wild strawberry
dandelion		purple cudweed	yarrow
dayflower		purslane	yellow rocket
deadnettle			
*Synonyms			

**USE PRECAUTIONS AND LIMITATIONS FOR SOD FARMS, ORNAMENTAL LAWNS, AND TURFGRASS:**

- Do not apply this product through any type of irrigation system.
- Delay mowing 1 to 2 days before and after the application of this product.
- Do not apply this product immediately before rainfall or irrigation. Do not irrigate or water the turfgrass within 24 hours after application.
- Treated areas may be reseeded 3 to 4 weeks after application.
- Do not spray on carpetgrass, dichondra, 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 broadcast apply when air temperatures exceed 85°F; some injury may be expected with spot treatments when air temperatures exceed 85°F.
- After using this product, clean sprayer with soap or detergent and water, or an approved spray tank cleaner and rinse thoroughly before applying other pesticides. Failure to observe the above precautions may result in injury.
- Some hybrid bermudagrass may be sensitive to this product. Contact your local Extension Service Weed Control Specialist.
- Do not apply this product to St. Augustinegrass during spring green-up which is the transition period between dormancy and active growth.
- 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.

**Limitations on broadcast treatments for ornamental turfgrass and sod farms:**

The maximum application rate is 4.0 pints of product per acre per application (1.19 lbs 2,4-D ae, 0.32 lb MCP-p ae, and 0.11 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

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minimum of 21 days between applications. The maximum seasonal rate is 8.0 pints of product per acre (2.38 lbs 2,4-D ae, 0.63 lb MCPP-p ae, and 0.21 lb dicamba ae per acre), excluding spot treatments.

**Limitations on spot treatments to residential turfgrass:**

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 1.5 fl.oz. per 1,000 sq.ft. per application (0.32 lbs MCPP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a 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 target site.

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## **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 or pets. Keep from freezing.

**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: For 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** - 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**

**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.**

**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.

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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:**

Advertising claims which may be presented on the container labels of supplemental registrants.

- 3-Way Herbicide
- Contains TRIMEC® Herbicide
- Peel here to open [instructions for fix-a-form label]
- PROKOZ® Delivering Solutions [logo/graphic]
- Consumer Access Numbers:
  - For TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-424-9300
  - For PRODUCT USE Information Call 1-770-619-9832.
- Controls Dandelion, Clover, Knotweed, Henbit, Chickweed,
- Plantain, Spurge and many other broadleaf weeds.
- One Gallon Covers Up To 2.5 Acres.

## **DOCUMENT CONTROL INFORMATION**

**1. Unique Label Identifier:** 002217-00656.20081105.proposed.doc

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