

2217-756


5-25-2004

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NOTIFICATION

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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 2217-756	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Vegetation Killer 250	PM# Product Manager --Team 25	
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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.	NOTIFICATION MAY 25 2004
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION per Pesticide Registration Notice (PRN) 98-10: Addition of advertising claims.• **Gordon's Total Vegetation Killer**

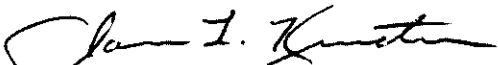
One copy of the revised label enclosed for your review.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or 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 notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	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) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 quart, 2 quarts, 1 gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" 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	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Director of Regulatory Services		
4. Typed Name James L. Kunstman, Ph.D.	5. Date May 17, 2004		

MAY 25 2004

VEGETATION KILLER 250

FOR TOTAL VEGETATION CONTROL

Prevents plant growth for up to one year.

One gallon covers up to 800 square feet.

ACTIVE INGREDIENT:

Prometon: 2,4-bis(isopropyl-amino)-6-methoxy-s-triazine..... 2.5%

OTHER INGREDIENTS: 97.5%

TOTAL 100.0%

*Contains petroleum distillates.

This product contains 0.25 lbs. of prometon per gallon.

KEEP OUT OF REACH OF CHILDREN

WARNING

See back of container for Precautionary Statements and First Aid.
or—See back panel of booklet for additional precautionary statements.

NET CONTENTS ONE U.S. GALLON

AP051704

EPA REG. NO. 2217-756

EPA Est. No. 2217-KS-1

MANUFACTURED BY:



Telephone: 1-800-821-7925

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

PRECAUTIONARY STATEMENTS

Hazards to Human and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with eyes, skin or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear: protective eyewear, long-sleeved shirt and long pants, shoes and socks.

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"> • Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • 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:	<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.
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: Contains petroleum distillate—vomiting may cause aspiration pneumonia.	

ENVIRONMENTAL HAZARDS:

Do not use on slopes or in areas where runoff is likely to occur (apply only to level surfaces). Do not contaminate water used for irrigation or domestic purposes. 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 washwater. Apply this product only as specified on this label.

PHYSICAL OR CHEMICAL HAZARDS: Do not use, pour, spill, 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

CONTAINER DISPOSAL:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partially filled: Call your local solid waste agency or toll free number (1-800-CLEANUP) for disposal instructions. Never place unused product down any indoor or outdoor drain.

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USE PRECAUTIONS:

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.

Apply when air is calm to avoid the possibility of drift onto desirable plants or grass. Keep away from the roots of desirable plants or trees. Use only in areas where complete control of all vegetation is desired. This product should not be used on cultivated areas, on ground that is to be cultivated, in greenhouses, or near the dripline of trees or shrubs. Do not use on slopes or in areas where runoff is likely to occur. Apply only to level surfaces. Avoid using where adjacent desirable trees, shrubs, or plants may be injured from leaching of the chemical through the soil. Keep children and animals off treated areas until these areas are dry.

GENERAL INFORMATION:

For total weed control on certain areas around the home, the business, or workplace where no plant growth is desired, use as specified in label directions.

Controls bindweed, common mullein, and other hard-to-kill weeds.

Prevents plant growth for up to one year.

Vegetation Killer 250 is a nonselective product intended for use after dilution with water, or an appropriate oil, or other approved carrier. For best results, apply to bare ground or when weed growth is just starting. Weeds taller than 4 to 6 inches should be hoed before treatment or it may be necessary to make a second application. A second application may be necessary to control deep-rooted perennial weeds. Use for bare ground vegetation control in driveways, brick walks, paths, patios, parking areas, play areas, along fences and curbs, around buildings, and under graveled pathways where plant growth has come through these surfaces.

For control of annual and susceptible perennial weeds such as downy brome grass, oat grass, goose grass, quack grass, puncture vine, goldenrod, and plantain. To cover 100 square feet, add (apply) 1 to 1½ pints by use of a sprinkling can or other watering or spraying device in sufficient water to get good coverage of the area (e.g. 2½ gallons in sprinkling can).

For control of hard-to-kill perennial broadleaf and grass weeds such as bindweed and Johnson grass as well as the biennials common mullein and wild carrot. To cover 25 square feet, add (apply) 1 pint to 1 pint 6 fl. oz. by use of a sprinkler can or other watering or spraying device in sufficient water to get good coverage (e.g. 2½ qts, (or 5 pints) in sprinkling can).

Different grades of mineral oil, diesel fuel, petroleum based oil, fuel oil, or kerosene may be substituted for water.

When using a sprinkling can, triple rinse and pour rinsate on area treated once application is completed. Mix only the quantity needed and use immediately. Do not store diluted solution once container is opened. To minimize lateral movement, sprinkle lightly with a watering can or similar sprinkler device immediately after application.

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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.

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APPENDIX

I. Advertising claims, guarantee statements that may be presented on the retail containers of supplemental registrants.

- ◆ Kills weeds and prevents plant growth for up to one year.
- ◆ Use On: Driveways, brick walks, paths, patios, parking areas, play areas. Along fences and curbs. Around buildings.
- ◆ Amount to use: 1 - 1½ pints for annual and susceptible perennial weeds. 2 - 2¾ quarts for hard-to-kill perennial weeds and grasses.
- ◆ ? (Information) 1-888-xxx-xxxx.
- ◆ + (First aid cross) 1-800-xxx-xxxx.
- ◆ **KILLS WEEDS**—Unwanted plants and grasses. Controls bindweed, common mullien, and other hard-to-kill weeds.
- ◆ **PREVENTS PLANT GROWTH**—Up to 1 year.
- ◆ **WHERE TO USE**—On driveways, brick walks, paths, patios. Parking areas, play areas. Along fences and curbs. Around buildings.
- ◆ **AMOUNT TO USE**—1 qt. (32 fl. oz.) for annual and susceptible perennial weeds will cover up to 200 sq. ft.
- ◆ **Treats up to 200 sq. ft.**
- ◆ **NOTICE:** Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.
- ◆ **The ORTHO Guarantee:** If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.
- ◆ [alternative warranty statement]:

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 Directions for Use. No other express or implied warranties are made or intended. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

- ◆ **Distributed by Excel Marketing, Inc.**

PRODUCT USAGE	
<i>Kills</i>	Kills weeds and prevents plant growth for up to one year.
<i>Use On</i>	Driveways, brick walls, paths, patios, parking areas. Along fences and curbs. Around buildings.
<i>Amount to Use (to cover 100 sq. ft.)</i>	1 to 1½ pints for annual and susceptible perennial weeds. 2 to 2¾ quarts for hard-to-kill perennial weeds and grasses.