

2217-758

5/29/2009

1 of 13 Jacket



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

James L. Kuntsman, Ph.D.  
PBI/Gordon Corp.  
P.O. Box 014090  
1217 West 12<sup>th</sup> Street  
Kansas City, MO 64101

MAY 29 2009

Subject: 2,4-D RED Label Amendment  
Trimec 937 Herbicide  
EPA Reg. No. 2217-758

Dear Dr. Kuntsman:

The label referred to above is in compliance with the 2,4-D RED and is acceptable 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. Change the heading from "Inert Ingredients" to "Other Ingredients".
  - b. Per the acute toxicity review, child resistant packaging (CRP) is required for this product.
  - c. Remove the Hazards to Humans and Domestic Animals statement "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet." since it is repeated under User Safety Recommendations.
  - d. Revise the heading to read "Personal Protective Equipment (PPE)".
  - e. Remove the phrase "(except for applicators using ground boom equipment)" from the chemical-resistant gloves PPE statement.
  - f. Revise the "If Swallowed" statement "Do not give anything by mouth to an unconscious person." as a separate bullet.
  - g. Revise the first sentence of the Environmental Hazards section to read "This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants."

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- h. Per the dicamba RED, revise the early entry PPE to read as follows:  
  
“Coveralls worn over short-sleeved shirt and short pants,  
Chemical-resistant footwear plus socks,  
Chemical-resistant gloves made of any waterproof material,  
Chemical-resistant headgear for overhead exposure, and  
Protective eyewear.”
- i. On page 3, revise the text to read “Trimec 937 Herbicide ~~is recommended to~~ **controls** perennial broadleaf weeds and undesirable woody plants established in noncropland.”
- j. On page 3, revise the heading from “Recommended Noncropland Sites” to “Noncropland Sites”.
- k. Add the application restriction “Do not use this product on or near desirable plants, including within the dripline of the roots of desirable trees and shrubs, since injury may result.”
- l. Revise the label to reflect the application restrictions specified below for noncrop areas and remove any conflicting text:

**Broadcast Treatment**

Limited to 2 applications per year  
Maximum of 0.75 lb ae 2,4-DP-p per acre per application  
Minimum of 30 days between applications

**Spot Treatment**

Limited to 2 applications per year  
Maximum of 2.0 lbs ae 2,4-DP-p per acre per application  
Minimum of 30 days between applications  
“Broadcast application is prohibited at this use rate.”  
“Spot treatment is defined as a treatment area no greater than 1,000 ft<sup>2</sup> per acre.”

- m. On page 8, under Wind Speed, add the text “If applying a Medium spray, leave one swath unsprayed at the downwind edge of the treated field.”
- n. Revise the Storage and Disposal statement to read “Do not contaminate water, food, or feed by storage **and** disposal.”
- o. Revise the Container Disposal section as stated in PR Notice 2007-4.

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p. Add the following statement to the labeling:

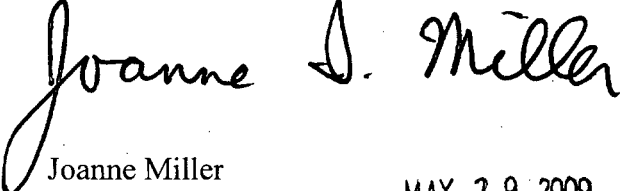
“Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. vs. EPA, C01-0132C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.”

The basic Confidential Statement of Formula (CSF) dated July 21, 2008, and alternate CSFs dated July 21, 2008 and January 19, 2009 are acceptable, and will supercede all previously accepted basic and alternate CSFs.

Please Note: 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. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Letter or the next printing of the label whichever occurs first, must bear the new revised label. 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)

MAY 29 2009

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ACCEPTED  
with COMMENTS  
In EPA Letter Dated:

MAY 29 2009  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

# TRIMEC® 937 HERBICIDE

## EPA Reg. No. 2217-758

2217-758

### ACTIVE INGREDIENT:

(2-ethylhexyl) ester of 2,4-dichlorophenoxyacetic acid .....	32.45%
2-ethylhexyl ester of (+)-R-2-(2,4-dichlorophenoxy)propionic acid .....	15.90%
Dicamba: 3,6-dichloro-o-anisic acid .....	5.38%
INERT INGREDIENTS: .....	<u>46.27%</u>
TOTAL .....	100.00%

### THIS PRODUCT CONTAINS:

- 1.89 lb. 2,4-dichlorophenoxyacetic acid equivalent per gallon or 21.54%
- 0.94 lb. (+)-R-2-(2,4-dichlorophenoxy)propionic acid equivalent per gallon or 10.77%
- 0.47 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 5.38%

Isomer Specific by AOAC Method

Contains petroleum distillates

TRIMEC® is a registered trademark of PBI/GORDON CORPORATION

## 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.**

## 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.

<b>User Safety Recommendations</b>	
<ul style="list-style-type: none"> <li>• Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.</li> <li>• 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.</li> <li>• 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.</li> </ul>	

<b>First Aid</b>	
<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 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 swallowed:</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.</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 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> 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.

Trimec® 937 Herbicide is recommended to control perennial broadleaf weeds and undesirable woody plants established in noncropland. It is effective for buckbrush, poison ivy, multiflora rose, and sumac established in the uncultivated areas presented below:

#### **UNCULTIVATED AGRICULTURAL AREAS AND UNCULTIVATED NONAGRICULTURAL AREAS:**

##### **A. Recommended Noncropland Sites.**

- Barrier strips
- Farmyards
- Fencerows or fence lines
- Firebreaks
- Highway rights-of-way (principal, interstate, county, private, and unpaved roads): Roadsides, roadside ditches, road shoulders, road embankments, dividers, and medians.
- Industrial sites: Lumberyards, tank farms, fuel or equipment storage areas.
- Municipal, state, and federal lands: Airports and military installations
- Railroad rights-of-way
- Recreation areas: Fairgrounds, golf courses, parks, and areas adjacent to athletic fields.

- Utility rights-of-way: Telephone, pipeline, electrical powerlines, and communication transmission lines
- B. Prohibitions for Noncropland Sites.**
- Do not apply to any body of water such as lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays). Do not apply to any shorelines (noncropland sites adjacent to the edges of a body of water) for lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays).
  - Do not apply to wetlands (swamps, bogs, potholes, or marshes).
  - Do not apply to agricultural irrigation water or on agricultural irrigation ditchbanks and canals.
  - Do not apply to agricultural drainage water or on agricultural ditchbanks.

**INSTRUCTIONS:**

To effectively control brush, all leaves, stems and suckers should be thoroughly wetted to the ground. Apply when plants come into full leaf (spring) until plants begin to go dormant. Best results are obtained when brush and broadleaf weeds are young and actively growing. Do not cut brush until the herbicide has translocated throughout the plant causing root death.

**USE PRECAUTIONS:**

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

**SPRAY PREPARATION AND TANK MIXTURES:**

**Water Spray:** Add one-half the required amount of water to the spray tank, then add Trimec® 937 Herbicide slowly with agitation, and complete filling the tank with water. To prevent separation of the emulsion, mix thoroughly and continue agitation while spraying.

**Full Oil Spray:** Use diesel oil, No. 1 or No. 2 fuel oil, kerosene, mineral oil, or basal oils. Add one-half the required amount of oil to the spray tank, then add Trimec® 937 Herbicide with agitation and complete filling the tank with oil. Mix thoroughly and provide adequate agitation during mixing and spraying.

**Tank Mixing with Garlon® 4 Herbicide:** Trimec® 937 Herbicide can be mixed with Garlon® 4 Herbicide for use in, roadsides, rights-of-way, railroads, fencerows, industrial sites and other similar noncrop areas. Garlon® 4 Herbicide is a butoxyethylester formulation containing 4.0 pounds per gallon of the active ingredient triclopyr. A mixture of Trimec® 937 Herbicide and Garlon® 4 Herbicide 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.

Three steps for tank mixing with Garlon® 4 Herbicide are suggested. First, add one-third of the required amount of diesel oil or water to the spray tank. Next, add the Trimec® 937 Herbicide slowly with agitation, then add another one-third of the carrier to the tank. Finally, add slowly the Garlon® 4 Herbicide and the balance of the carrier. Do not mix the chemicals simultaneously and continue the agitation during each step.

**DIRECTIONS, RESTRICTIONS AND LIMITATIONS FOR USE IN NON-CROPLAND**

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.

<b>Table 1.</b> 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: 1 gallon = 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:** 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 Basal Bark:** For high volume applications, apply a coarse spray as a drench treatment to the base of stems and trunks up to a height of 18 to 24 inches. Total coverage of the stems and root collars is essential. Spray until runoff and pooling at the ground line is noticed.

Mix 3.0 to 4.0 gallons of Trimec® 937 Herbicide with 95 to 97 gallons of oil (diesel oil, No. 1 or No. 2 fuel oil, kerosene, or mineral oil). Spray volumes will depend upon the sizes, types, and densities of the species present.

**Low Volume Basal Bark:** For low volume applications, apply a uniform spray pattern to all sides of the stems and trunks up to a height of 18 to 24 inches. Treat the entire circumference of the tree.

Mix a full oil spray containing 33% Trimec® 937 Herbicide, 10 to 20% surfactant, and 47 to 57% diesel oil. Suggested surfactants include Cide-Kick, Cide-Kick II, or other surfactants/penetrants appropriate for oil soluble herbicides. Substitutes for diesel oil as a diluent include the following basal oils: Androc Oil, Hy-Grade I, Arborchem Basal Oil, JLB Oil Plus, and other blends formulated for basal bark applications.

**Cut Surface – Stump:** This method can be used at anytime 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 rights-of-way. Spray is most effective and economical on tree stumps with diameters larger than 3 to 4 inches.

Mix 0.5 to 1.0 gallon of Trimec® 937 Herbicide with 25 gallons of diesel oil, basal oils, penetrant oils, or mineral oil. Apply to freshly cut tree stumps with a low volume knapsack sprayer using a cone nozzle. Spray thoroughly the cut surfaces, bark, and exposed roots. Treat the entire circumference of the tree. Drench until runoff to the soil surface is noticed.

For painting freshly cut stumps, mix 2 quarts of Trimec® 937 Herbicide with 1.0 gallon of basal oil and thoroughly paint all surfaces of the stump.

**Frill Treatment:** This treatment is recommended for culling trees with trunk diameters greater than 5 to 6 inches. 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.

Mix 3.0 to 4.0 gallons of Trimec® 937 Herbicide in 100 gallons of diesel oil or mineral oil and treat freshly cut frills anytime of the year. Spray or pour the spray mixture into the frills without runoff.

BRUSH CONTROLLED:			
Ash	Buckbrush	Honey locust	Shortleaf pine
Aspen	Cedar	Honeysuckle	Spruce
Birch	Cherry	Kudzu	Sumac
Blackberry	Cottonwood	Maple	Sycamore
Black cherry	Dogwood	Multiflora rose	Trumpet creeper
Black locust	Elm	Oak	Wild plum
Brambles	Gooseberry	Pine	Willow

BROADLEAF WEEDS			
Aster, white heath & white prairie	Dock	Matchweed	Shepherdspurse
Bedstraw	Dogfennel	Mouseear chickweed	Spotted spurge
Beggarweed, creeping	English daisy	Mustard	Spurge
Bindweed	False dandelion (*spotted catsear & common catsear)	Nettle	Sunflower
Black medic	Field bindweed	Oxalis (*yellow woodsorrel & creeping woodsorrel)	Thistle
Broadleaf plantain	(*morningglory & creeping jenny)	Parsley-piert	Velvetleaf (*pie marker, Indian mallow)
Buckhorn plantain	Field oxeye-daisy (*creeping oxeye)	Pennsylvania smartweed (*smartweed)	Veronica (*corn speedwell)
Bull thistle	Filaree, whitestem & redstem	Pennywort (*dollarweed)	Virginia buttonweed
Burclover	Florida pusley	Pepperweed	White clover (*Dutch clover, honeysuckle clover, white trefoil & purplewort)
Burdock, common	Ground ivy	Pigweed	Wild carrot
Buttercup, creeping	Groundsel	Pineappleweed	Wild garlic
Carpetweed	Hawkweed	Plantain	Wild geranium
Chickweed, common	Healall	Poison ivy	Wild lettuce
Chicory	Henbit	Poison oak	Wild mustard
Cinquefoil	Jimsonweed	Prostrate knotweed (*knotweed)	Wild onion
Clover	Kochia	Puncturevine	Wild strawberry
Cocklebur	Lambsquarters	Purslane	Wild violet
Compassplant	Lawn burweed	Ragweed	Yarrow
Curly dock	Lespedeza, common	Red sorrel (*sheep sorrel)	Yellow rocket
Dandelion	Mallow, common		
Dayflower			
Deadnettle			
*Synonyms			

**FOR USE ON RESIDENTIAL AND ORNAMENTAL TURFGRASS SITES AND SOD FARMS (COOL-SEASON GRASSES OTHER THAN BENTGRASS):**

**USE PRECAUTIONS:**

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 temperatures exceed 85°F. Seed can be sown 3 to 4 weeks after application.

**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 2.0 to 3.0 pints of product in 20 to 260 gallons of water per acre (0.75 to 1.1 fluid ounces of product in 0.5 to 6.0 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 (0.71 lbs 2,4-D ae, 0.35 lb 2,4-DP-p ae, and 0.18 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 (1.42 lbs 2,4-D ae, 0.71 lb 2,4-DP-p ae, and 0.35 lb dicamba ae per acre).

**Controlled Droplet Applicator (CDA)** - 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.

Spray Preparations For Hand Operated Sprayers			
Amount of Product to Use:		Gallons of Water	Area To Treat Square Feet
Tablespoons	Fluid Ounces		
1.5	3/4	1	1,000
3	1.5	2	2,000
4.5	2.25	3	3,000

**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 (0.24 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.

**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:** 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. 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.

**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.

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:**

- A Brush Killer & Broadleaf Weed Herbicide
- For Broadleaf Weed Control In Turf
- One Gallon Covers Up To 4 Acres. - 8 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 including those listed on this label.

### **3. Trademark acknowledgements**

- Garlon® Herbicide is a registered trademark of Dow AgroSciences, L.L.C.
- Cide-Kick and Cide-Kick II, JLB Oil Plus are products of JLB International Chemical, Inc.
- Arborchem Basal Oil is a product of Arborchem Products Co.
- Hy-Grade I is a product of CWC Chemical, Inc.
- Androc Oil is a product of Androc Products, Inc.

## **DOCUMENT CONTROL INFORMATION**

1. Unique Label Identifier: 002217-00758.20080807.proposed.doc

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