

2217-803

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7505P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:

2217-803

Date of Issuance:

AUG 11 2009

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

EH 1180 Herbicide

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA section 4(g)(2)(C) provided you:

1. Submit and/or cite all data required for registration review/reregistration of your product when the Agency requires all registrants of similar products to submit data.
2. Make the following revisions to the final printed labeling:
  - a. Per the acute toxicity review, add "Probable mucosal damage may contraindicate the use of gastric lavage." to the 'Note to Physicians' section.
  - b. Per the MCPP-p RED, add the following statement to the 'User Safety Requirements' section:  
"Discard clothing and other absorbent materials that have been heavily drenched or heavily contaminated with this product's concentrate. Do not reuse them."

Continued on Page 2

Signature of Approving Official:

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

Date:

AUG 11 2009

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- c. Per the acute toxicity review, the PPE section must be revised to read:

**“Personal Protective Equipment (PPE)**

Some materials that are chemical-resistant to this product are barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators and other handlers must wear:

- Goggles or face shield,
- Coveralls over short-sleeved shirt and short pants,
- Chemical-resistant gloves
- Chemical-resistant footwear and socks
- Chemical-resistant headgear for overhead exposure, and
- Chemical-resistant apron when mixing, loading or cleaning equipment”

- d. Per the MCPP-p RED, add the following sentence to the Environmental Hazards statement:  
“This pesticide may adversely affect non-target plants.”

- e. 1) Per the MCPA RED, the application rates must be revised to a **“maximum of 1.5 lbs MCPA ae/ acre/ year, including spot treatments”**. Currently the label allows 1.5 lbs MCPA ae/acre/**application, excluding spot treatments**, with a maximum of 2 applications per year; which allows more than double the permissible seasonal rate of MCPA. If applied in 2 broadcast applications, only 0.75 lbs MCPA ae/A may be applied on each occasion.

- 2) Per the MCPP-p RED, the minimum retreatment interval is 30 days. Revise “21 days” to “30 days” for the use limitations sections (broadcast and spot treatments) on page 4 of 7.

- f. Per the MCPP-p RED, the following must be added to the ‘Spray Drift Management’ section following the ‘Wind Speed’ paragraph:

“Temperature Inversions

If applying at wind speeds less than 3 mph, applicator must determine if 1) conditions of temperature inversion exist, or 2) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.”

- g. In reference to comment #1 in the ‘Appendix’, the ‘net contents’ must appear on the front panel of the product label See FIFRA 2(q)(2)(C)(iii); 40 CFR 156.10(a)(1)(iii).

3. 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 Notice 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.

Enclosure

3099

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
6002 11 907

# EH1180 HERBICIDE

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

## EPA Reg. No. 2217-803

2217-803

### ACTIVE INGREDIENT:

MCPA, 2-ethylhexyl ester .....	26.83%
Mecoprop-p acid .....	3.44%
Dicamba acid .....	1.72%
INERT INGREDIENTS: .....	<u>68.01%</u>
TOTAL .....	100.00%

### THIS PRODUCT CONTAINS:

- 1.40 lb 2-methyl-4-chlorophenoxyacetic acid equivalent per gallon or 17.20%.
- 0.28 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 3.44%
- 0.14 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 1.72%.

\*CONTAINS PETROLEUM DISTILLATES.

## KEEP OUT OF REACH OF CHILDREN

## DANGER - PELIGRO

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

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate or Viton. If you want more options, follow the instructions for category **G** on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment, and
- protective eyewear.

### 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.



<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.</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. 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 on 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>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor.</li> <li>• Do not give any liquid to the person.</li> <li>• 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>
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.	
<b>NOTE TO PHYSICIAN:</b> Contains petroleum distillates - vomiting may cause aspiration pneumonia.	

**Environmental Hazards**

This pesticide may be toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, 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 or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

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.

**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 entry to the treated area until sprays have dried.



**TABLE 1. Dosage Rates of EH1180 Herbicide for broadcast treatments with postemergent applications.**

Species	Amount of EH1180 Herbicide	
	Gallons/Acre	fl.oz./1,000 sq.ft.
<b>I. Cool Season Turf</b> Kentucky Bluegrass Perennial Ryegrass Tall Fescue Turf Type Tall Fescues Fine Fescues (Hard, Chewings, and Red Fescues) Mixtures of Species Listed Above.	0.85 to 1.07	2.5 to 3.0
<b>II. Warm Season Turf</b> Common bermudagrass Hybrid bermudagrass Bahia grass Zoysiagrass	0.85 to 1.07	2.5 to 3.0

**Limitations on broadcast treatments for turfgrass on all use sites:**

The maximum application rate is 1.07 gallons of product per acre per application (1.5 lbs MCPA ae, 0.30 lb MCPP-p ae, and 0.15 lb dicamba ae per acre per application). 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 2.14 gallons of product per acre per year (3.0 lb MCPA ae, 0.60 lb MCPP-p ae, and 0.30 lb dicamba ae per acre per year), excluding spot treatments.

**Limitations on spot treatments for turfgrass on all use sites:**

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 3.0 fl.oz. per 1,000 sq.ft. per application (0.30 lb MCPP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 21 days between applications.

**USE PRECAUTIONS:**

- Do not spray on dichondra, carpetgrass, St. Augustinegrass nor on lawns or turf where desirable clovers are present.
- Do not encircle or spray a complete band around the trunks of trees, shrubs, and other ornamentals established in the turfgrass.
- Application to grass emerging from dormancy may result in injury; do not apply to bermudagrass or zoysiagrass during this time, unless injury can be tolerated.
- Do not apply to newly seeded lawns until well established, or after two to three mowings.
- Low rates of this product may be used on newly sodded, sprigged or plugged lawns of hybrid bermudagrass and zoysiagrass. Treatments of newly established areas should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations. Use one-half of the recommended dosage rate per application.
- Treated areas of common bermudagrass, Kentucky bluegrass, perennial ryegrass, and the fescues may be reseeded 3 to 4 weeks after application.
- Do not use broadcast applications when air temperatures exceed 85°F.
- Do not apply this product through any type of irrigation system.
- After using this product, clean sprayer with [brand name] spray tank cleaner and water, and rinse thoroughly before applying other pesticides. If disposal of rinsates is to the site, then do not pour rinsates near vegetables, flowers, shrubs, trees, and other desirable plants.
- Failure to observe the above precautions may result in injury.
- 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.

**SPRAY DRIFT MANAGEMENT**

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

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.

**Wind Speed**

Apply only when the wind speed is 2 to 10 mph at the application site. Do not apply at wind speeds greater than 10 mph.

**Additional requirements for ground boom application:**

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

<b>WEEDS CONTROLLED</b>			
Bedstraw	Ground ivy	Peppergrass	Sheperdspurse
Black medic	Healall	Pigweed	Speedwell
Buckhorn	Henbit	Plantains	Spurge
Burdock	Knotweed	Poison ivy	Wild carrot
Chicory	Lambsquarters	Poison oak	Wild garlic
Chickweed	Lespedeza	Purslane	Wild onion
Clover	Mallow	Ragweed	Yarrow and other broadleaf
Dandelion	Morningglory	Sheep sorrel	weeds in lawns and turf.
Dock			

**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.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:**

**[NONREFILLABLE CONTAINERS:]**

Do not reuse or refill this container. Offer for recycling if available.

**Container cleaning:** Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

**[For plastic container sizes less than 0.79 gal (3.0 liters or 3.2 quarts):]** Triple rinse (or equivalent). Offer for recycling if available 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.

**[Triple rinse instructions for nonrefillable containers with sizes greater than 0.79 gal (3.0 liters or 3.2 quarts) and less than 5 gallons:]** 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.

**[Triple rinse instructions for nonrefillable containers with sizes greater than 5 gallons and including 15, 30 and 55 gallons:]** Triple rinse as follows: Empty 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.

**[Pressure rinse instructions for nonrefillable containers with sizes greater than 1 gallon and including 2.5, 5, 15, 30 and 55 gallons.]** 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.

**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



9089

## **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:**

## **DOCUMENT CONTROL INFORMATION**

**1. Unique Label Identifier:** 002217-00803.20090225.proposed.doc

**2. Reason for Issue:** Various changes pertaining to MCPA and MCPP-p reregistration. Re-format label.

002217-00803.20090225.proposed.doc