

2217-805

1/25/2010

1/10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. James L. Kunstman, Ph.D
PBI/Gordon Corporation
Post Office Box 014090
Kansas City, Missouri 64101

JAN 25 2010

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 25, 2009 for:

EPA Registration 2217-805 Triple Play

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2217-805	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Triple Play	PM# Product Manager—Team 23	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION JAN 25 2010
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Labeling notification per Pesticide Registration Notice (PRN) 2007-4, Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment.

Please refer to cover letter for details and certification statement.

e-mail to jkunstman@pbigordon.com FAX: 816-421-2731

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input checked="" type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per Container	<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 15-50 pound bags		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. Data Application Received (Stamped)
2. Signature 		3. Title Director of Regulatory Services			
4. Typed Name James L. Kunstman, Ph.D.		5. Date November 25, 2009			



1217 WEST 12TH STREET • P.O. BOX 014090
KANSAS CITY, MISSOURI 64101-0090
816-421-4070 • 1-800-821-7925
FAX: 816-474-0462

November 25, 2009

Document Processing Desk (PRN)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attn: Ms. Joanne I. Miller (PM-23)

Dear Ms. Miller:

**Subject: Labeling notification according to Pesticide Registration Notices (PRN) 2007-4.
Triple Play (EPA Reg. No. 2217-805)**

I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

November 5, 2009: An Agency letter stated that this product was re-registered under FIFRA. Your letter with comments stated that the draft labeling was acceptable provided that the following modifications were made:

1. Make all the following changes to the product label:
 - a. Change the heading from "Inert Ingredients" to "Other Ingredients".
 - b. Revise the Hazards to Humans and Domestic Animals section to read as follows:

"CAUTION: Harmful if absorbed through skin or inhaled. Causes moderate eye irritation. Aoid contact with skin, eyes, or clothing. Avoid breathing dust."
 - c. Revise the First Aid section by moving the "If Inhaled" section to before the "If Swallowed" section.
 - d. Revise the first sentence in the Environmental Hazards section to read "This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants."
 - e. Remove the word "General" from the heading "General Precautions and Restrictions".

f. On page 3 under How Much to Apply, revise the sentence to read

"If required, the reatment interval between the first and second applications should **must** be 30 days."

g. Revise the Storage and Disposal statement to read

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

h. Revise the Container Disposal statement to read

"Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke."

November 25, 2009: We have incorporated or merged the revisions for the draft labeling listed in the previous letter into the current document. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN) 2007-4, Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containmentment."

Please refer to page 4 of the draft labeling.


Certification: This notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

II. Enclosures:

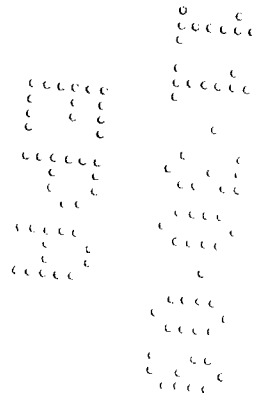
1. Application for Pesticide Amendment (EPA Form 8570-1)
2. One (1) annotated version of the draft labeling and
3. One (1) copy of the draft labeling without notations.

If you have any questions, please call me at 816-460-6292 or contact me at jkunstman@pbigordon.com.

Sincerely,



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



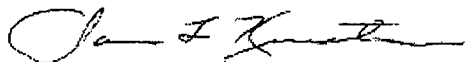
Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
2217-805	11/25/2009	002217-00805.20091125. notif-proposed-highlighted 002217-00805.20091125. notif-proposed-clean

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



Signature

11/25/2009

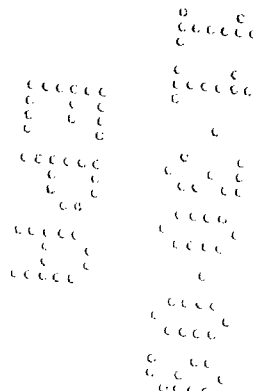
Date

James L. Kunstman, Ph.D.

Name (typed)

Director, Regulatory Services

Title



6/10

GORDON'S TRIPLE PLAY

NOTIFICATION

JAN 25 2010

EPA Reg. No. 2217-805

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

ACTIVE INGREDIENT:

2,4-dichlorophenoxyacetic acid	1.37%
(+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid	0.31%
Dicamba: 3,6-dichloro-o-anisic acid	0.13%
INERT OTHER INGREDIENTS	98.19%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 27.4 lb 2,4-Dichlorophenoxyacetic acid equivalent per ton.
- 6.2 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per ton.
- 2.6 lb Dicamba: 3,6-dichloro-o-anisic acid equivalent per ton.

Isomer Specific by AOAC Methods

TRIMEC® is a registered trademark of PBI/GORDON CORPORATION.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin or inhaled. Causes moderate eye irritation. ~~Harmful if swallowed~~ Avoid contact with skin, eyes or clothing. Avoid breathing dust.

Personal Protective Equipment (PPE)

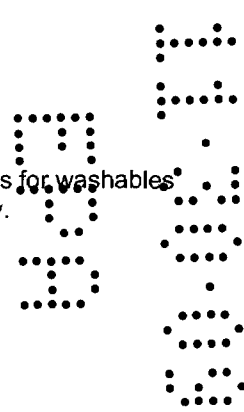
Some materials that are chemical-resistant to this product are natural rubber. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All loaders, applicators, and other handlers must wear:

- long-sleeved shirt and long pants,
- shoes plus socks,
- chemical-resistant gloves

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.



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:	<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 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 by mouth-to-mouth, if possible. • 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. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. For additional information in case of emergency, call toll free 1-877-800-5556.

Environmental Hazards

This pesticide ~~maybe~~ is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

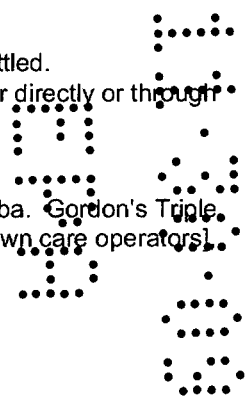
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

GENERAL PRECAUTIONS AND RESTRICTIONS:

- Do not enter or allow people (or pets) to enter the treated area until dusts have settled.
- 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.

WHERE TO USE:

Gordon's Triple Play is a Trimec® herbicide containing 2,4-D, mecoprop-p, and dicamba. Gordon's Triple Play is intended to be applied by [commercial applicators], [non-commercial users], [lawn care operators].



and [landscape personnel]. Cool season and warm season grasses established in institutional, ornamental, and residential sites may be treated.

Institutional sites are defined as turf areas around properties or facilities providing a service to public or private organizations; for example areas around hospitals, nursing homes, schools, museums, libraries, sport facilities (including golf courses) and office buildings may be treated. Ornamental sites include turfgrass established around residences, parks, streets, retail outlets, cemeteries, and institutional buildings. Finally, residential 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.

Established turf of cool season grasses include Kentucky bluegrass, perennial ryegrass, tall fescue, and turf-type fescues. Also, Gordon's Triple Play may be applied to newly seeded cool season turfgrass. Applications are recommended only after the third mowing or after the grass seedlings have been tillered and have developed an adequate secondary root system.

Established turf of warm season grasses include bermudagrass and zoysiagrass.

Do not apply this product on bentgrass, carpetgrass, dichondra, St. Augustinegrass, or established turf containing desirable clovers.

A uniform distribution of product on the treated area is essential. Do not exceed the specified application rate for any area. Do not use this product on or near desirable plants, and avoid spreading granules onto exposed root systems or adventitious shoots (rhizomes) within the drip line of desirable trees and shrubs, since injury may result.

WEEDS CONTROLLED:

Dandelion, chickweed, plantains, and clover are controlled effectively with Gordon's Triple Play. A partial list of susceptible weeds is shown below.

Bedstraw	Clover	Knotweed	Purslane
Black Medic	Dandelion	Lambsquarters	Ragweed
Buckhorn	Dock	Morningglory	Sheep Sorrel
Burdock	Ground Ivy	Peppergrass	Shepherdspurse
Chicory	Healall	Pigweed	Speedwell
Chickweed	Henbit	Plantains	Thistle

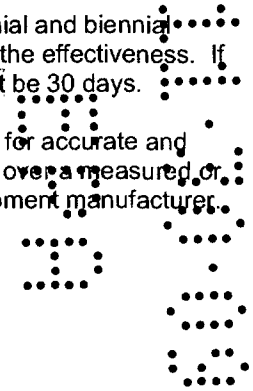
HOW MUCH TO APPLY:

Apply 87 pounds of Gordon's Triple Play per acre of established turfgrass. Or, the equivalent application rate is 2.0 pounds of product per 1,000 square feet of turfgrass.

The maximum broadcast application rate is 2.0 pounds of product per 1,000 sq.ft. per application (1.2 lb 2,4-D ae, 0.27 lb MCP-p ae and 0.12 lb dicamba ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 4.0 pounds of product per 1,000 sq.ft. (2.4 lb 2,4-D ae, 0.54 lb MCP-p ae, and 0.24 lb dicamba ae per acre).

A sequential or follow-up application may be required for dense infestations of perennial and biennial weeds. Also, adverse environmental conditions prior or after application may reduce the effectiveness. If required, the treatment interval between the first and second applications **should** must be 30 days.

Drop spreaders, rotary spreaders, and other granular equipment should be calibrated for accurate and uniform applications of this product. Calibrate the equipment by applying the product over a measured or known area and adjust the equipment according to the recommendations of the equipment manufacturer. Refer to the rate table for the appropriate bag sizes and the area to be treated.



Note to Supplemental Registrants: Select the appropriate bag size and present only the information provided for that bag size on your product labeling.

Treated Area For This Bag Size

Bag Size, Pounds	Desired Rate Per Acre, Pounds	Desired Rate Per 1000 Square Feet, Pounds	Treated Area For This Bag Size	
			Acres	Square Feet
15	87	2.0	----	7,500
16	87	2.0	----	8,000
17	87	2.0	----	8,500
18	87	2.0	----	9,000
20	87	2.0	----	10,000
30	87	2.0	0.34	15,000
40	87	2.0	0.46	20,000
45	87	2.0	0.52	22,500
50	87	2.0	0.57	25,000

[Optional: Equipment settings of drop spreaders, rotary spreaders, and other granular applicators may be presented on the container labels as requested by supplemental registrants.]

APPLICATION SUGGESTIONS

1. Spring and fall applications are recommended for the best control. However, Gordon's Triple Play can be applied any time broadleaf weeds are present and actively growing.
2. Mow the turfgrass 2 to 3 days before application.
3. Water the turfgrass thoroughly (>1/2 inch) at least 1 to 2 days before application.
4. Schedule applications in the morning when dew is present. Or, sprinkle or irrigate lightly (<1/4 inch) before application to provide maximum control.
5. Rainfall or irrigation within 24 hours after application may reduce the effectiveness. Do not irrigate or water the turfgrass within 24 hours after application.

STORAGE AND DISPOSAL

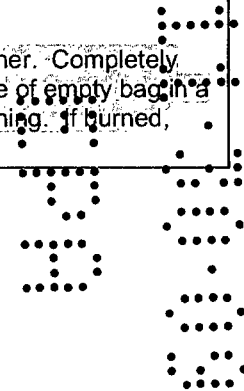
Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Store in original container and keep any bags containing unused product in a locked storage area inaccessible to children and domestic animals.

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 paper and Plastic Bags: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by State and local authorities by burning. If burned, stay out of smoke.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill, or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.



LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. 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. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. 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.

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 Weight: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- Twenty Pounds Covers up to 10,000 Square Feet.
- Controls Dandelion, Chickweed, Knotweed, Plantains, Henbit, Spurge, and many other broadleaf weeds.

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00805.20091125.notif-proposed-highlighted.doc

2. **Reason for Issue:** Incorporation EPA comments, PRN 2007-4

