

2217-811

11-16-2007

1/10



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Dr. James L. Kunstman, Ph. D.  
Product Registration  
PBI/Gordon, Corporation  
P.O. Box 014090  
Kansas City, Missouri 64101

NOV 16 2007

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request General Label Change (advertising claim)  
EPA Reg. No. 2217-811  
Application Dated September 14, 2007

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/14/07 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda", is written above the typed name.

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  
 2/10

**Application for Pesticide - Section I**

1. Company/Product Number 2217-811	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EH-1328 Weed and Feed	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. <b>Expedited Review.</b> 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 _____
<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.)

**NOTIFICATION per Pesticide Registration Notice (PRN) 98-10.**

We ask to add additional advertising claims. These ad claims may be presented on the container labeling and promotional literature on one or more of our subregistrants. Please refer to the Appendix on page 8 of the enclosed label.

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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

**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 September 14, 2007	

# EH1328 WEED AND FEED

## 29-3-4

**ACTIVE INGREDIENTS:**

Dimethylamine salt of 2,4-dichlorophenoxyacetic acid .....	0.78%
Dimethylamine salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid ..	0.15%
Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) .....	0.04%
<b>INERT INGREDIENTS:</b> .....	<u>99.03%</u>
<b>TOTAL</b>	<b>100.00%</b>

**THIS PRODUCT CONTAINS:**

13.00 lbs. or 0.65% 2, 4-dichlorophenoxyacetic acid equivalent per ton.  
 2.60 lbs. or 0.13% (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per ton.  
 0.60 lb. or 0.03% 3, 6-dichloro-o-anisic acid equivalent per ton.  
 Isomer Specific by AOAC Methods.  
 TRIMEC® is a registered trademark of PBI/Gordon Corporation.  
 Contains the single isomer form of Mecoprop-p.

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

See back panel for additional Precautionary Statements and First Aid.

**NET WEIGHT (15, 16, 17, 18, 20, or 36) POUNDS**

AP091407  
 EPA REG. NO. 2217-811  
 EPA Est. No. 2217-KS-1  
**MANUFACTURED BY:**



Telephone: 800-821-7925



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

4/10

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans & Domestic Animals**

**CAUTION:** Harmful if swallowed or if absorbed through skin. Causes (moderate) eye injury (irritation). Avoid contact with skin, eyes or clothing. When using this product, wear long-sleeved shirt, long pants, socks and shoes.

After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water.

**First Aid**

<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person. Do not induce vomiting unless told to by a poison control center or doctor.</li> </ul>
<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:</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>

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

**ENVIRONMENTAL HAZARDS:**

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwater.

**DIRECTIONS FOR USE**

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

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment area until dust has settled.

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

**STORAGE & DISPOSAL**

**STORAGE:** Store in original container in a locked storage area inaccessible to children and domestic animals. Do not store near food or feedstuffs.

**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-xxx-xxxx) for disposal instructions. Never place unused product down any indoor or outdoor drain.

**USE PRECAUTIONS:**

Do not use this product where desirable clovers are present or allow the material to drift onto flowers, vegetables or ornamental shrubbery. Apply when the air is calm. Do not apply to newly seeded lawns until after the third mowing.

**WHERE TO USE:**

EH1328 Weed and Feed controls a wide range of lawn weeds including dandelion, chickweed, knotweed, plantain, henbit, spurge and many others commonly found in home lawns. In addition, a 29-3-4 fertilizer provides a supply of plant food. Supplemental nitrogen, phosphorous, and potash should be applied according to soil tests or State Extension Service recommendations.

EH1328 Weed and Feed controls broadleaf weeds commonly found in cool season and warm season turfgrass established in residential areas. Established turf of Kentucky bluegrass, fescues, and perennial ryegrass may be treated. Established turf of bermudagrass, zoysiagrass, St. Augustinegrass, and centipedegrass may be treated. Residential areas include turfgrass established around residences, apartment complexes, condominiums, vacant lots, or areas associated with households.

Do not apply this product to carpetgrass, dichondra, ornamentals, or lawns containing desirable clovers.

**APPLICATION INSTRUCTIONS:**

1. Mow lawn to normal height 1 to 2 days before application.
2. Water lawn thoroughly at least 1 day before application to sustain moisture until the next watering (see step 4).
3. Apply when weeds are young and growing actively, preferably in the morning when dew is on the grass. If grass is not moist at time of application, sprinkle lightly with water to hold the material and prevent dust drift onto nontarget plants.
4. Do not wash from weed leaves for 1 to 2 days after application. At this time a thorough watering should be made.

**APPLICATION INSTRUCTIONS: (Optional Tabular Format)**

Application Schedule	Cultural Practices
1 - 2 days before application	Mow lawn to normal height 1 to 2 days before application.
1 day before application	Water lawn thoroughly at least 1 day before application to sustain moisture until the next watering.
Day of application	Apply when weeds are young and growing actively, preferably in the morning when dew is on the grass. If grass is not moist at time of application, sprinkle lightly with water to hold the material and prevent dust drift onto nontarget plants.
1 - 2 days after application	Do not wash from weed leaves for 1 to 2 days after application. At this time a thorough watering should be made.

**HOW MUCH TO APPLY:**

**For Kentucky bluegrass, fescues, and perennial ryegrass, bermudagrass, zoysiagrass, St. Augustinegrass and centipedegrass:** Apply 3.0 to 3.6 pounds of product per 1,000 square feet of turfgrass. A second or follow-up application may be required for dense infestations of weeds or for adverse seasonal conditions. The second application of 3.0 to 3.6 pounds of product per 1,000 square feet should be used 30 days after the first application. Do not apply this product to 'Floritam' St. Augustinegrass in Florida.

The maximum application rate to turf is 1.1 pounds 2,4-D acid equivalent per acre per application per site. The maximum number of broadcast applications per treatment site is 2 per year.

A uniform distribution of product on the treated area is essential. Choose a calm day to insure uniform coverage and to avoid spreading granules onto flowers, vegetables, and ornamental shrubbery. Do not exceed the application rate for any area and use care in the application of this product within the dripline of trees, shrubs, and other ornamentals.

Drop spreaders and rotary spreaders should be calibrated for uniform applications of this product.

**CALIBRATION INSTRUCTIONS:**

Refer to the rate table (in the appendix) for the appropriate bag sizes and the area to be treated.

- For 3.0 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 330 square feet and adjust to apply at the rate of 1 pound of product per 330 square feet.
- For 3.2 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 310 square feet and adjust to apply at the rate of 1 pound of product per 310 square feet.
- For 3.4 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 300 square feet and adjust to apply at the rate of 1 pound of product per 300 square feet.
- For 3.6 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 275 square feet and adjust to apply at the rate of 1 pound of product per 275 square feet.

**Note to Supplemental Registrants:** Select the appropriate bag size and present only the information provided for that bag size on your product labeling. Also, equipment settings of drop spreaders, rotary spreaders, and other granular applicators may be presented on the container labels.

Bag Size, Pounds	Application Rate, Pounds/1,000 Sq.Ft.	Treated Area for This Bag Size, Square Feet
15	3.0	5,000
	3.2	4,700
	3.4	4,400
	3.6	4,200
16	3.0	5,300
	3.2	5,000
	3.4	4,700
	3.6	4,400
17	3.0	5,600
	3.2	5,300
	3.4	5,000
	3.6	4,700
18	3.0	6,000
	3.2	5,600
	3.4	5,300
	3.6	5,000
20	3.0	6,600
	3.2	6,300
	3.4	5,900
	3.6	5,600
36	3.0	12,000
	3.2	11,200
	3.4	10,600
	3.6	10,000

**SPREADER PATTERNS AND PRODUCT DISTRIBUTION:**

1. Apply two header strips.
2. Operate spreader the longest way of the lawn.
3. For drop spreaders, overlap wheels to insure complete coverage.
4. Close spreader openings when turning.

**SINGLE PASS DISTRIBUTION:**

First spread the borders of your lawn. Then spread the center by spreading in straight line passes. Spread at a uniform walking speed to insure even coverage *[Graphics Optional]*. To avoid gaps and streaks, first spread the border and fill in center with uniform, parallel passes.

**Coverage** - To determine how much you need to apply, multiply the length of your lawn by its width. This equals your total square footage. Deduct all non-lawn areas (house, gardens, etc.). One bag covers up to XXX square feet. *[Graphics Optional]*

**Advisory For Fertilizers Containing Iron:**

- Contains 1% Iron
- Keep this product off sidewalks, patios, driveways, etc. This fertilizer contains iron which will stain concrete and painted surfaces. If it comes in contact with concrete surfaces, sweep off immediately before flushing with water. If concrete is wet when contact occurs, staining may be impossible to prevent. Be careful when using rotary spreaders which scatter fertilizer beyond lawn edge and onto concrete.

## - BROADLEAF WEEDS -

Annual yellow sweetclover	Cockle	Musk thistle	Spiny amaranth
Aster	Cocklebur	Mustard	Spiny cocklebur
Austrian fieldcress	Common mullein	Narrowleaf plantain	Spiny sowthistle
Bedstraw	Creeping jenny	Narrowleaf vetch	Spotted catsear
Beggarticks	Cudweed	Nettle	Spotted spurge
Betony, Florida	Curly dock	Orange hawkweed	Spurweed
Bindweed, field	Daisy, English	Oriental cocklebur	Stinging nettle
Bird vetch	Daisy fleabane	Oxalis	Strawberry, India mock
Bitter wintercress	Daisy, oxeye	Parsley-piert	Tall nettle
Bittercress, hairy	Dandelion	Parsnip	Tall vervain
Bitterweed	Dichondra	Pearlwort	Tansy ragwort
Black-eyed Susan	Dogbane	Pennycress	Tansy mustard
Black medic	Dogfennel	Pennywort	Tanweed
Black mustard	Dollarweed	Peppergrass	Thistle
Blackseed plantain	Elderberry	Pepperweed	Trailing crownvetch
Blessed thistle	False dandelion	Pigweed	Tumble mustard
Bloodflower milkweed	Falseflax	Pineywoods bedstraw	Tumble pigweed
Blue lettuce	False sunflower	Plains coreopsis (tickseed)	Velvetleaf
Blue vervain	Fiddleneck	Plantain	Venice mallow
Bracted plantain	Florida pusley	Poison ivy	Virginia buttonweed
Brassbuttons	Frenchweed	Poison oak	Virginia creeper
Bristly oxtongue	Galinsoga	Pokeweed	Virginia pepperweed
Broadleaf dock	Goathead	Poorjoe	Water pennywort
Broadleaf plantain	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
Broomweed	Ground ivy	Prickly lettuce	Western clematis
Buckhorn	Gumweed	Prickly sida	Western salsify
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	White mustard
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild aster
Bull thistle	Healall	Prostrate spurge	Wild buckwheat
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild carrot
Burclover	Heathaster	Puncturevine	Wild four-o'clock
Burdock	Hedge bindweed	Purslane, common	Wild garlic
Burning nettle	Hedge mustard	Ragweed	Wild geranium
Burweed	Hemp	Red sorrel	Wild lettuce
Buttercup	Henbit	Redroot pigweed	Wild marigold
Buttonweed	Hoary cress	Redstem filaree	Wild mustard
Canada thistle	Hoary plantain	Rough cinquefoil	Wild onion
Carolina geranium	Hoary vervain	Rough fleabane	Wild parsnip
Carpetweed	Horsenettle	Russian pigweed	Wild radish
Catchweed bedstraw	Jimsonweed	Russian thistle	Wild rape
Catnip	Knawel	Scarlet pimpernel	Wild strawberry
Catsear	Knotweed	Scotch thistle	Wild sweet potato
Chickweed, common	Kochia	Sheep sorrel	Wild vetch
Chickweed, mouseear	Lambsquarters	Shepherdspurse	Woodsorrel
Chicory	Lespedeza	Slender plantain	Woolly croton
Cinquefoil	Mallow	Smallflower galinsoga	Woolly morningglory
Clover, crimson	Matchweed	Smooth dock	Woolly plantain
Clover, hop	Mexicanweed	Smooth pigweed	Wormseed
Clover, red	Milk vetch	Sorrel	Yarrow
Clover, strawberry	Morningglory	Sowthistle	Yellow rocket
Clover, sweet	Mouseear hawkweed	Spanishneedles	Yellowflower pepperweed
Clover, white	Mugwort	Speedwell	and other broadleaf weeds



**Fertilizer Labeling Requirements:**

- All fertilizer products distributed in Washington at a minimum, must have the following labeling statement: "This product has been registered with the Washington State Department of Agriculture. When applied as directed, this fertilizer meets the Washington standards for arsenic, cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc. You have the right to receive specific information about Washington standards from the distributor of this product."
- After July 1, 1999, the label must also state: "Information received by the Washington State Department of Agriculture regarding the components in this product is available on the internet at <http://www.wa.gov/ag/>."
- *For Texas:* Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.xxxx.com>.

**Referrals to other sequentially used products:**

- For best results, apply (brand name) products.
- Apply using the 4-Step Program
- **Forevergreen 4-Step Program:**
  - STEP 1:* Forevergreen Crabgrass Preventor - Apply March - early May - Prevents crabgrass and most other annual weed grasses. - Greens your lawn with extended feeding nitrogen.
  - STEP 2:* Forevergreen Weed & Feed - Apply May - June - Kills dandelion, clover, plantain and over XXX other broadleaf weeds. - Thickens and greens your lawn with extended feeding nitrogen.
  - STEP 3:* Forevergreen Lawn Food - Apply June - August - Thickens and promotes a lush green lawn. - Greens with iron and sulfur. - Thickens and greens your lawn with extended feeding nitrogen.
  - STEP 4:* Forevergreen Winterizer & Weed Control - Apply late August - mid October - Kills dandelion, clover, plantain and over XXX other broadleaf weeds. - Slow release nitrogen for long lasting feeding.
- OR**
- STEP 4:* Forevergreen Starter & Winterizer - Apply late August - November - Slow release nitrogen for long lasting feeding. - Enhances root building and prepares your lawn for winter dormancy. - Use with new seeding and sodding of turfgrass.

**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.

**APPENDIX**

**I. Previously Approved Fertilizer Grades:**

- ◆ Fertilizer grades with nutrient contents expressed as the percentages of N, P<sub>2</sub>O<sub>5</sub>, and K<sub>2</sub>O include the following: 23-3-7 and 29-3-4
- ◆ The fertilizer grade guaranteed analyses may contain macronutrients and micronutrients. The nutrient contents expressed will vary among states, and the analyses will differ between supplemental registrations.

<b>23-3-7 GUARANTEED ANALYSIS</b>	
Total Nitrogen (N).....	23%
Water Insoluble Nitrogen.....	5%
Available Phosphate (P <sub>2</sub> O <sub>5</sub> ).....	3%
Soluble Potash (K <sub>2</sub> O).....	7%

**II. Advertising claims appropriate for the bag size:**

- ◆ (Fifteen, Sixteen, Seventeen, Eighteen, or Twenty) Pounds Covers Up To 5,000 Square Feet.
- ◆ Controls Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and other broadleaf weeds.
- ◆ Controls (Number) weeds!
- ◆ Answers to FAQ's on the internet at www.xxxxx.com
- ◆ Contains slow release nitrogen for long lasting feeding without burning, when applied as directed.
- ◆ Continual root development for a thick, lush lawn.

**III. The following advertising claims may be used on container labels, or in advertisements or other promotional material for the subject product:**

• **Green Cycle**

- Spring
  - Crabgrass Control & Lawn Food
- Summer
  - Weed & Feed
- Fall
  - Lawn Food
- Winter
  - Fall & Winter Lawn Food

- Lilly Miller Ultragreen [product] feeds and protects all year long!

