

2217-815

12/01/2008

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

DEC 1 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PBI/Gordon Corp.
1217 West 12th Street
Kansas City, MO 64101

Subject: 2,4-D RED Label Amendment
EH1335 Herbicide
EPA Reg. No. 2217-815

The labeling referred to above is in compliance with the 2,4-D RED 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:
 1. Include the statement "Harmful if absorbed through skin." under Hazards to Humans and Domestic Animals.
 2. The First Aid statement "If on Skin or Clothing" must appear first before the other statements.
 3. Remove the word "intended" from the sentence "This ready-to-use herbicide is intended for spot treatments only." under Where to Use.
 4. Add the following restrictions:
"Maximum of 2 applications per year."
"Minimum of 30 days between applications."
 5. Is it advised that the precautions statements on pages 2 and 3 be combined.
 6. Revise the Storage and Disposal statements in accordance with PRN 2007-4.
-Add the text "Do not contaminate water, food, or feed by storage and disposal."
-Revise the "Container Disposal" to read "**Pesticide Disposal and Container Disposal:** Nonrefillable Container. Do not reuse or refill this container. If empty: Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or [insert website or other contact info] for disposal instructions. Never place unused product down any indoor or outdoor drain."

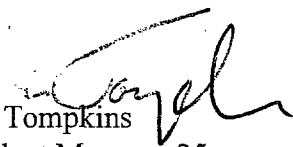
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In addition, the Basic CSF dated September 12, 2007 is acceptable.

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. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. 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,


Jim Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)

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ACCEPTED
with COMMENTS
In EPA Letter Dated:
DEC 1 2008

EH1335 HERBICIDE

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

EPA Reg. No. 2217-815

2217-815

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

SHAKE WELL BEFORE USING

ACTIVE INGREDIENT:

Monosodium acid methanearsonate (CAS 2163-80-6)	0.36%
2,4-D, dimethylamine salt (CAS 2008-39-1)	0.12%
Mecoprop-p, dimethylamine salt (CAS 66423-09-4)	0.06%
Dicamba, dimethylamine salt (CAS 2300-66-5)	0.02%
INERT INGREDIENTS:	<u>99.44%</u>
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 0.030 lbs monosodium methanearsonate per gallon or 0.36%. Total Arsenic (as elemental) all in water soluble form 0.17%
- 0.008 lbs 2,4-dichlorophenoxyacetic acid equivalent per gallon or 0.10%
- 0.004 lbs (+)-(R)-2-(4-chloro-2-methylphenoxy) propanoic acid equivalent per gallon or 0.05%
- 0.002 lbs 3,6-dichloro-o-anisic acid equivalent per gallon or 0.02%
Isomer Specific by AOAC Method.

If the design, format, or small size of the container labels makes it impractical to present the entire ingredient statement on the front panel, then add a referral statement (e.g., See back panel for substatement of ingredient statement) and to present the substatement on the back panel.

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: Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wear long-sleeved shirt, long pants, socks, shoes, and rubber gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.



First Aid	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice.
<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>	

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. 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 any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- Do not allow people or pets to enter the treated area until sprays have dried.

WHERE TO USE:

EH1335 Herbicide is intended for residential and ornamental lawns with applications by homeowners only. This product contains four proven herbicides that are effective on hard-to-kill grass and broadleaf weeds. EH1335 Herbicide is recommended for sparse weed infestations and for follow-up treatments of broadcast herbicide applications. This ready-to-use herbicide is intended for spot treatments only. Weeds that have not emerged at the time of application will not be controlled.

EH1335 Herbicide controls a wide range of broadleaf weeds including dandelion, spurge, oxalis, crabgrass, dallisgrass, and yellow nutsedge in bermudagrass, Kentucky bluegrass, tall fescue, and zoysiagrass lawns. A partial list of weeds controlled is shown below.

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PARTIAL LIST OF WEEDS CONTROLLED			
Aster	Docks	Nutsedge, yellow	Sheep sorrel
Bedstraw	Goosegrass	Oxalis	Shepherdspurse
Black medic	Ground ivy	Peppergrass	Speedwell
Buckhorn	Healall	Pigweed	Spurge
Burdock	Henbit	Plantain	Wild carrot
Chicory	Knotweed	Poison ivy	Wild garlic
Chickweed	Lambsquarters	Poison oak	Wild lettuce
Clovers	Lespedeza	Purslane	Wild onion
Crabgrass (smooth, large)	Mallows	Ragweed	Yarrow
Dallisgrass	Morningglory	Sandbur	Yellow woodsorrel
Dandelion			

HOW TO USE:

For Containers with Triggers Sprayers: EH1335 Herbicide is ready-to-use and is applied directly from the container fitted with the trigger sprayer. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Usually, two (2) pumps of this trigger sprayer will provide adequate coverage of individual weeds. Excessive spraying can injure some lawns.

For Refill Containers: EH1335 Herbicide is ready-to-use and is applied directly from the container. Remove the cap from the container and attach the trigger sprayer. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Excessive spraying can injure some lawns.

USE PRECAUTIONS:

- Do not use a hose end sprayer.
- Do not use this product on St. Augustinegrass, centipedegrass, carpetgrass, creeping fescue, dichondra, nor on lawns with desirable clovers.
- Do not apply when grass is emerging from dormancy.
- Do not apply as a fine mist because of potential for injury to desirable plants.
- 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.
- Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day.

WHEN TO APPLY:

Apply when weeds are young and actively growing for the best results. Schedule the application to match the conditions of adequate soil moisture and these air temperatures. For Kentucky bluegrass and tall fescue, apply this product when air temperatures are between 70°F and 80°F. For bermudagrass and zoysiagrass, apply this product when air temperatures are between 70°F and 90°F.

Applications made when air temperatures exceed these conditions may result in injury to the lawn. Temporary discoloration may occur with the use of this product.

Weed regrowth may occur because of the growth from stems and rhizomes, environmental conditions, or misapplication. Also, weeds can germinate from seed and emerge throughout the season. Two applications may be required.

The maximum amount of product that can be used is 1.0 gallon per year per 175 sq.ft. of turfgrass.

Weed control may be reduced when applications are made during periods of inadequate soil moisture. If the soil is dry, then water thoroughly 24 hours before application. Do not water lawns for 24 hours after application.

Newly seeded lawns may be treated after the fourth mowing. Seed can be sown 3 to 4 weeks after application.

STORAGE AND DISPOSAL
PESTICIDE STORAGE: Store in original container in a locked storage area. Keep from freezing.
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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

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 Contents: _____
- EPA Est. No. _____

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

- Amazing! Kills crabgrass, nutsedge, dandelion and other lawn weeds too... without injury to lawn grasses.
- Contains Color Marker
- Just 2 squirts does the job.
- READY TO USE [RTU]
- Kills crabgrass, nutsedge, dandelion, & broadleaf weeds

3. Trademark acknowledgement statements:

- Gordon's® and Trimec® are registered trademarks of PBI/Gordon Corporation.
- Day-Glo® is a registered trademark of Day-Glo Color Corporation.

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00815.20080807.proposed.doc
2. **Reason for Issue:** Various changes pertaining to re-registration. Re-format label.