

2217-817

01/12/2010

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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 12 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 9, 2009 for:

EPA Registration 2217-817 EH 1350 Weed & Feed

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 be "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 2217-817	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EH 1350 Weed & 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. 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 12 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 checked="" 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 <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 15-20 pound bags		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 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
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 November 9, 2009	



An Employee-Owned Company

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

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November 9, 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.
EH 1350 Weed & Feed (EPA Reg. No. 2217-817)**

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

October 23, 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:

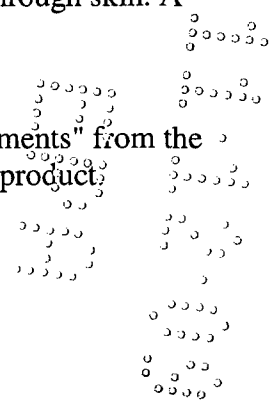
1) Based on toxicity ranking per the acute toxicity review, the First Aid statements should be placed on the label in the following order:

- "IF SWALLOWED: ...
- IF ON SKIN OR CLOTHING: ...
- IF IN EYES: ... "

2) Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

"CAUTION Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing."

3) Delete the text "See engineering controls for additional requirements" from the PPE section because no engineering controls are required for this product.



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4) Because this product may be used in occupational settings (such as around apartment complexes, condominiums, and vacant lots), the first paragraph of the Environmental Hazard section must be revised to read as specified in the combined label table for occupational use products:

"This pesticide 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."

5) Delete "General" from "General Precautions".

6) Update the Container Disposal language to comply with PR Notice 2007-4.

November 9, 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 Containment."

Please refer to page 5 of the draft labeling.

Certification: This notification is consistent with the guidance 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) version 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

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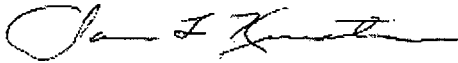
Certification with Respect to Label Integrity

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
2217-817	11/09/2009	002217-00817.20091109. notif-proposed-highlighted 002217-00817.20091109. 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

11/09/2009

Date

James L. Kunstman, Ph.D.

Name (typed)

Director, Regulatory Services

Title

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EH1350 WEED AND FEED

NOTIFICATION

EPA Reg. No. 2217-817

JAN 12 2010

ACTIVE INGREDIENT:

Dimethylamine salt of 2,4-D (CAS 2008-39-1)	0.67%
Dimethylamine salt of Mecoprop-p (CAS 66423-09-04)	0.17%
Dimethylamine salt of Dicamba (CAS 2300-66-5)	0.06%
INERT INGREDIENTS	99.10%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 11.2 lb 2, 4-dichlorophenoxyacetic acid equivalent per ton or 0.56%.
- 2.8 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per ton or 0.14%.
- 1.0 lb 3, 6-dichloro-o-anisic acid equivalent per ton or 0.05%.

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 swallowed. Harmful if absorbed through skin. Avoid contact with eyes, skin, eyes or clothing. Wash thoroughly with soap and water after handling. Do not eat, drink, or use tobacco products while handling. Do not get in eyes, on clothing, or on other articles of personal wear.

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 washable 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.



User Safety Recommendations	
<ul style="list-style-type: none"> • 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 on 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.
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.	

Environmental Hazards

This pesticide 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 washwaters 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

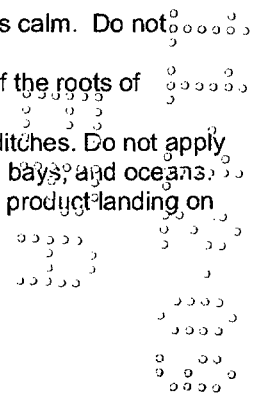
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

GENERAL PRECAUTIONS AND RESTRICTIONS:

- Do not 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 dusts have 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.

USE PRECAUTIONS:

- Do not use this product where desirable clovers are present. Apply when the air is calm. Do not apply to newly seeded lawns until after the third mowing.
- Do not use this product on or near desirable plants, including within the drip line of the roots 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. Apply this product directly to your lawn, and sweep any product landing on



the driveway, sidewalk, gutter, or street back onto the treated area. 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.

WHERE TO USE:

EH1350 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.

EH1350 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 to 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 to 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 4.0 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 4.0 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.

Do not apply more than 4 pounds of product per 1000 square feet of turfgrass per application. If necessary, a second application may be made no sooner than 30 days after the first. Do not apply more than 8 pounds of product per 1000 square feet per year. [note to reviewer: the following information may be omitted from the final printed label: 4 pounds of this product contains 0.98 lb 2,4-D (ae), 0.24 lb mecoprop-p (ae), and 0.09 lb dicamba (ae).]

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

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exceed the application rate for any area. 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 example: (Fifteen, Sixteen, Seventeen, Eighteen, or Twenty) pounds covers up to 5,000 square feet.

- 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.
- For 4.0 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 250 square feet and adjust to apply at the rate of 1 pound of product per 250 square feet.

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

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."
- Information regarding the contents and levels of metals in this product is available on the internet at: "<http://www.aapfco.org/metals.htm>."

WEEDS			
Bedstraw	Ground ivy	Peppergrass	Speedwell
Black medic	Healall	Pigweed	Spurge
Buckhorn	Henbit	Plantain	Thistle
Burdock	Knotweed	Poison ivy	Wild carrot
Chicory	Lambsquarters	Poison oak	Wild garlic
Chickweed	Lespedeza	Purslane	Wild lettuce
Clover	Mallow	Ragweed	Wild onion
Dandelion	Momingglory	Sheep sorrel	Yarrow
Dock	Oxalis	Shepherdspurse	

STORAGE & DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a locked storage area inaccessible to children and domestic animals.

GENERAL INFORMATION: For more information, contact your local solid waste agency or call 1-800-453-3333.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: 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 www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

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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:

- (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.

3. Container Packaging and Size:

[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	Bag Size, Pounds	Application Rate, Pounds/1,000 Sq.Ft.	Treated Area for This Bag Size, Square Feet
15	3.0	5,000	18	3.0	6,000
	3.2	4,700		3.2	5,600
	3.4	4,400		3.4	5,300
	3.6	4,200		3.6	5,000
	4.0	3,750		4.0	4,500
16	3.0	5,300	20	3.0	6,600
	3.2	5,000		3.2	6,300
	3.4	4,700		3.4	5,900
	3.6	4,400		3.6	5,600
	4.0	4,000		4.0	5,000
17	3.0	5,600			
	3.2	5,300			
	3.4	5,000			
	3.6	4,700			
	4.0	4,250			

4. Spreader Information

• SPREADER PATTERNS:

- 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.

5. Previously Approved Fertilizer Grades:

- Fertilizer grades with nutrient contents expressed as the percentages of N, P₂O₅, and K₂O include the following: 10-6-4, 23-3-7, 25-3-3 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.

23-3-7 GUARANTEED ANALYSIS	
Total Nitrogen (N)	23%
Water Insoluble Nitrogen	5%
Available Phosphate (P ₂ O ₅)	3%
Soluble Potash (K ₂ O)	7%

6. Alternate optional maximum rate statement:

The maximum broadcast application rate is 4.0 pounds of product per 1,000 sq.ft. per application (0.98 lb 2,4-D ae, 0.24 lb MCPP-p ae and 0.09 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 8.0 pounds of product per 1,000 sq.ft. (1.95 lb 2,4-D ae, 0.49 lb MCPP-p ae and 0.17 lb dicamba ae per acre).

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00817.20091109.notif-proposed-highlighted.doc

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

