| 2217- | 820 | X | 21-2006 | | 2.1. |
|---|--|---|---|---|--|
| Please read instructions o | | 0 | - | pproved. OMB No. 20 | 070-0060. Approval Expires 2-28-95 |
| €ЕРА | Environme | United States ntal Protection ashington, DC 20460 | | Registrati | on OPP Identifier Number |
| | | Application for I | Pesticide - Sec | tionI | |
| Company/Product N | umber 2217-820 | | 2. EPA Product M Joann | anager e I. Miller | 3. Proposed Classification |
| Company/Product (N | ame) EH1149 Herbicide | | PM# Product Man | ager—Team 23 | None Restricted |
| Name and Address of PBI/Gordon Corpo Post Office Box 01 Kansas City, Misso | f Applicant <i>(Include ZI)</i> ration 4090 | P Code) | 6. Expedited Rev (b)(i), my product i | iew. In accordance | with FIFRA Section 3(c)(3) I in composition and labeling to: |
| [] | this is a new address | | Product Name | | |
| | | Sec | tion - II | | <u> </u> |
| Amendment - Expla | | | Final printe Agency lett | | NOTIFICATION |
| Resubmission in re Notification - Explain | sponse to Agency letter d n below. | ated | "Me Too" A Other - Exp | | AUG 2 1 2006 |
| illfully make any false | statement to the EPA. | I further understand the stand the stand the stand to be stand to | nat if this notification | is not consistent wi | tion of 18 U.S.C Sec. 1001 to th the terms of <u>PR Notice 98-10</u> nd penalties under Section 12 |
| Material This Product W | /ill Be Packaged In: | 5001 | | | |
| hild-Resistant Packaging Yes* No Certification must be submitted | Unit Packaging Yes No If "Yes" Unit Packaging wgt. | No. per container | ge wgt. container | | (Specify) |
| Location of Net Contents | Information ntainer | 4. Size(s) Retail Contair | ner | 5. Location of Label On Label On Labeling acc | Directions |
| Manner in Which Label i | S Affixed to Product | Lithograph Paper glued Stenciled | Other | | |
| Orestant Delet (Oresel 1) | Home disasthe batan f | | ion - IV | anna in aran this | application) |
| ime | items directly below for it | Title | to be contacted, it nece ector of Regulatory | Τε | application.) elephone No. (Include Area Code) 816 460-6292 |
| I certify that the staten | nents I have made on this y knowingly false or misle | Certification form and all attachments | thereto are true, accu | rate and complete. | 6. Date Application Received (Ctamped) |
| Signature | -2 Junt | | tor of Regulatory S | Services | |
| Typed Name James L. | Kunstman, Ph.D. | 5. Date | July 26, 2006 | | |
| A Form 8570-1 (Rev. 3- | 94) Previous editions are | obsolete. | Whi | te - EPA File Copy (o | original) Yellow - Applicant Cor |



Official Name: EH1149 HERBICIDE

Brand Name: BL 5000 - 866 Herbicide

ACTIVE INGREDIENTS:

| Mecoprop-p, dimethylamine salt | . 2.73% |
|--------------------------------|----------|
| 2,4-D, dimethylamine salt | |
| Dicamba, dimethylamine salt | |
| OTHER INGREDIENTS: | . 93.74% |
| TOTAL | 100.00% |

This product contains:

0.19 lb. (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 2.25% 0.20 lb. 2,4-dichlophenoxyacetic acid equivalent per gallon or 2.44% 0.04 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 0.50% Contains the single isomer form of Mecoprop-p.

Isomer Specific by AOAC Methods.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See side panels for additional Precautionary Statements and First Aid.

NET CONTENTS: 1 PINT (16 fl.oz.), 1 QUART (32 fl.oz.), 1 GALLON (128 fl. oz.)

AP072606 EPA Reg. No. 2217-820 EPA Est. No. 2217-KS-X MANUFACTURED BY:

An Employee-Owned Company 1217 West 12th Street Kanada City, Missouri 64101

Telephone: 1-800-821-7925

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

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Causes moderate eye irritation. Harmful if swallowed or if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

When using this product, wear long-sleeved shirt, long pants, socks, shoes, and rubber gloves. After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower.

| | First Aid |
|----------------------------|--|
| If in eyes: | 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: | 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 | 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. |
| | ct container or label with you when calling a poison control center or doctor or going for may also contact 1-877-800-5556 for emergency medical treatment advice. |

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. Do not apply when weather conditions favor drift from target area.

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 spray has dried. or 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: Keep from freezing. Store in original container and place in locked storage area. **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-CLEANUP) for disposal instructions. Never place unused product down any indoor or outdoor drain.

WHERE TO USE:

EH1149 Herbicide controls broadleaf weeds commonly found in cool season and warm season turfgrass in residential/domestic areas. Established turf of St. Augustinegrass, centipedegrass, bermudagrass, bentgrass, buffalograss, bahiagrass, Kentucky bluegrass, perennial ryegrass, fescues, and zoysiagrass may be treated. Residential/domestic 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. Do not use on 'Floratam' St. Augustinegrass in Florida.

The maximum control of weeds will be obtained from spring or fall applications when the weeds are actively growing. However, this product is effective anytime during the growing season. Refer to the partial list of broadleaf weeds controlled by EH1149 Herbicide.

| | WEEDS | S CONTROLLED | |
|---------------------------|-------------------|-----------------------------|---------------------------|
| 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 | False flax | 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 |

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HOW TO USE:

Hose end sprayers, backpack sprayers, knapsack sprayers, and hand-operated sprayers are suitable for broadcast treatments. Apply EH1149 Herbicide with sufficient water for good coverage.

The rate recommendations for each turfgrass as a broadcast treatment are presented in Table 1 as follows:

Table 1.

Т

| | Treated Area (Sq.Ft.) for | | | | |
|---|---|---------------------------------|----------------------------------|---|--|
| Turfgrass | Amount of EH1149 Herbicide | 1 pint (16 fl.oz.) container | 1 quart (32 fl.oz.) container | 1 gallon (128 fl. fl. oz.). container | |
| St. Augustinegrass, buffalograss, bahiagrass, bentgrass, and centipedegrass | 4.0 fl. ozs./1000 ft ² or 2.0 fl. ozs./500 ft ² | 4,000 ft ² | 8,000 ft ² | 32,000 ft² | |
| Bermudagrass, perennial ryegrass, fescues, Kentucky bluegrass, and zoysiagrass | 6.0 fl. ozs./1000 ft² or 3.0 fl. ozs./500 ft² | 2,665 ft² | 5,330 ft² | 21,300 ft² | |

The maximum application rate to turf is 0.50 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.

Hose End Sprayers:

Determine the required amount of EH1149 Herbicide from Table 2 for the appropriate area and turfgrass.

For concentrate sprayers, add only the required amount of EH1149 Herbicide listed in Table 2.

For dilution sprayers, add the required amount of EH1149 Herbicide and fill the sprayer with water to the proper level.

| Area to be Treated, Sq.Ft. | Spray Volume, Gallons | Amount of EH1149 Herbicide | | | |
|----------------------------------|--------------------------|---|--|--|--|
| | | St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass | Bermudagrass, Perennial Ryegrass, Kentucky Bluegrass, Fescues, Zoysiagrass | | |
| 250 sq.ft. | 1 gal. | 1.0 fl.oz. | 1.5 fl.oz. | | |
| 1,000 sq.ft. | 4 gal. | 4.0 fl.oz. | 6.0 fl.oz. | | |
| 2,000 sq.ft. | 8 gal. | 8.0 fl.oz. | 12.0 fl.oz. | | |
| 5,000 sq.ft. | 20 gal. | 20.0 fl.oz. | 30.0 fl.oz. | | |
| 6,000 sq.ft. | 24 gal, | 24.0 fl.oz. | 36.0 fl.oz. | | |

For Backpack Sprayers, Knapsack Sprayers, Hand-Operated Sprayers, And Tank Sprayers:

Determine the required amount of EH1149 Herbicide from Table 3 for the appropriate area and turfgrass. Spray volumes of 2 gallons per 1,000 square feet are recommended. Adjust the sprayer nozzle to deliver a coarse spray and apply uniformly.

| Area to be Treated, Sq.Ft. | | Amount of EH1149 Herbicide | | | |
|----------------------------------|--------------------------|---|--|--|--|
| | Spray Volume, Gallons | St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass | Bermudagrass, Perennial Ryegrass, Kentucky Bluegrass Fescue, Zoysiagrass | | |
| 250 sq.ft. | 1/2 gal. | 1.0 fl. oz. | 1.5 fl. oz. | | |
| 500 sq.ft. | 1 gal. | 2.0 fl. oz. | 3.0 fl. oz. | | |
| 1,000 sq.ft. | 2 gal. | 4.0 fl. oz. | 6.0 fl. oz. | | |
| 1,500 sq.ft. | 3 gal. | 6.0 fl. oz. | 9.0 fl. oz. | | |

Spot Treatments For St. Augustinegrass, Buffalograss, Bahiagrass, Bentgrass, Centipedegrass, Bermudagrass, Perennial Ryegrass, Fescues, Kentucky Bluegrass, and Zoysiagrass:

Spot treatments may be appropriate for sparse weed infestations or as a follow-up treatment for dense weed infestations. Mix 2 fluid ounces or 4 tablespoons of EH1149 Herbicide with 1 gallon of water. Spray the weeds only and avoid spray droplets on the turfgrass. Observe a 10 to 14 day interval for follow-up treatments between the first and second application.

RECOMMENDATIONS AND ADVISORIES:

- 1. Delay mowing 3 to 4 days before and after the application of this product.
- 2. Do not apply this product immediately before rainfall or irrigation. Also, rainfall or irrigation within 24 hours after application may reduce the effectiveness. Do not irrigate or water the turfgrass within 24 hours after application.
- 3. Treated areas may be reseeded 3 to 4 weeks after application.
- 4. Avoid spray drift onto vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants since injury may result. Do not spray roots of trees and ornamentals. Do not exceed specified dosages for any area; be particularly careful within dripline of tree and other ornamental species.
- 5. Do not apply this product when turfgrass is under stress from drought, insect attack, or high temperatures (90°F). Avoid applications to St. Augustinegrass when air temperatures are greater than 90°F with high relative humidity.

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. Advertising claims that may be presented on the retail containers of supplemental registrants.
 - Contains Trimec[®] Herbicide
 - Kills even the tough weeds...roots and all!
 - · Controls even the tough weeds...roots and all!
 - Treats northern and southern grasses.
 - Kills the root.
 - Treats up to _____ square feet.
 - Covers up to ____ square feet.
 - Water based.
 - Mix 3 fl. oz. (Concentrate) Per Gallon For Lawns (read and follow all label directions).
 - Contains Trimec[®] (2.93% 2,4-D, DMA Salt; 2.73% MCPP-p, DMA Salt; and 0.60% Dicamba, DMA Salt) Herbicide.
 - Kills and (&) Controls Over 200 Broadleaf Weed, Including Dandelions, Clovers, Plantains (full list of broadleaf weeds on back panel).
 - Treats Cool Season and (&) Warm Season Turfgrass
 - Application: Anytime Weeds Are Growing.
 - Product Facts: Treats 21,300 square feet of lawn.
 - Kills Weeds: Dandelion, Clovers and Plantains, Plus over 200 Additional Lawn Weeds
 - Where to Use: On Lawns for Cool Season and (&) Warm Season Turfgrass
 - Amount to Use:
 - Kentucky Bluegrass, Perennial Ryegrass, Fescues, Bermudagrass and Zoysiagrass: 3.0 fl. oz./gal of water covers 500 sq. ft.
 - Centipedegrass, Bahiagrass, Bentgrass and Buffalograss: 2.0 fl. oz./gal of water covers 500 sq. ft.
 - Optional Warranty Statements:
 - NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.
 - GUARANTEE: If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

REGISTRATION ART / SCOTTS PRO SELECT BROADLEAF WEED CONTROL CONCENTRATE

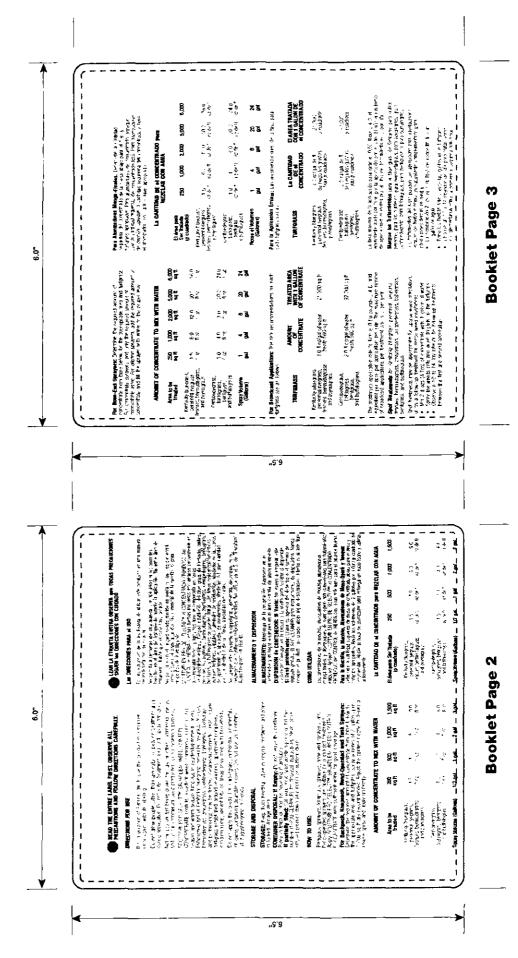
DATE: 07/12/06 PAGE 1 OF 4



FRONT LABEL

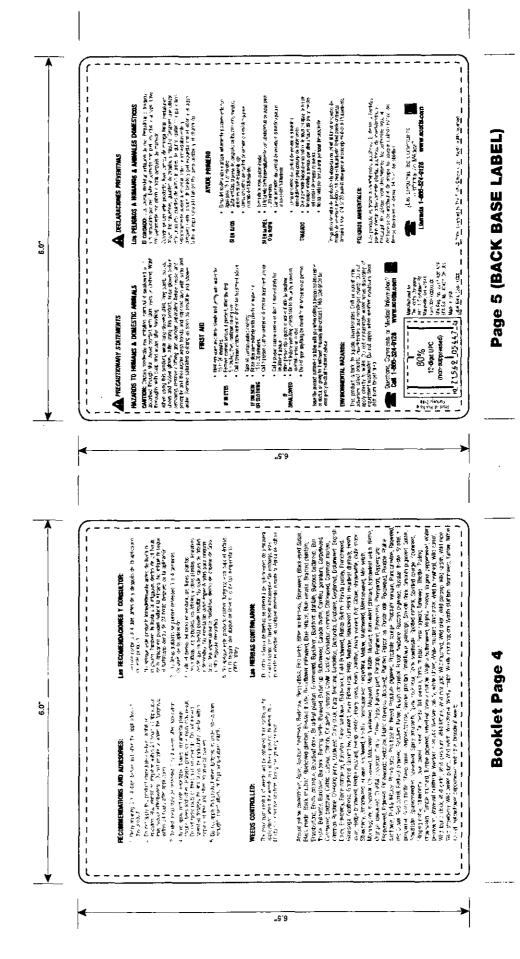
Booklet Page 1

REGISTRATION ART / SCOTTS PRO SELECT BROADLEAF WEED CONTROL CONCENTRATE



BROADLEAF WEED CONTROL CONCENTRATE

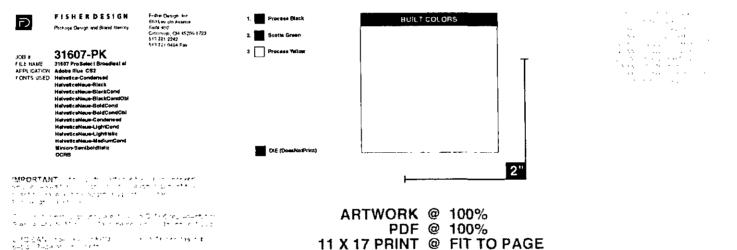
PAGE 3 OF 4



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REGISTRATION ART / SCOTTS PRO SELECT BROADLEAF WEED CONTROL CONCENTRATE DATE: 07/12/06

PAGE 4 OF 4



C2DEAN FOR A SHARP AND A STREAM NET SHEET SHE



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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July 26, 2006

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202-4501 Attention: Ms. Joanne I. Miller, PM-23

Dear Ms. Miller:

Subject: EH1149 Herbicide (EPA Reg. No. 2217-820)

I. NOTIFICATION per PRN 98-10:

- We ask to revise the ingredient statement according to Pesticide Registration Notice (PRN) 97-5 and 95-6. We ask to present the common names of the active ingredients and to include the term 'other ingredients' in the ingredient statement. Please refer to page 1 of the draft labeling.
- 2. This herbicide is a **liquid formulation** rather than a granular formulation. We ask to omit the phrase "or dust has settled" from the reentry statements on page 2.
- 3. We ask to present the *equivalent* dosage rate ranges for the broadcast application rates for turfgrass in the Directions for Use. The broadcast dosage rate is expressed as fl. oz. of product per 1, 000 sq.ft., and we ask to include the equivalent dosage rate as fluid ounces of product per 500 square feet.
- 4. We are requesting to add one retail **container size of one gallon** and to add the related statements for the treated area.
- 5. Advertising claims: We ask to add advertising claims that are consistent with the Directions for Use previously-approved. These claims may be presented on the retail containers, advertisements, brochures, and other marketing /sales promotional materials of supplemental registrants. Please refer to the appendix on page 6 of the draft labeling.
- 6. PBI/Gordon Corporation intends to provide users a **Spanish and English version** of the text submitted in this notification. We believe that the Spanish version of the text is a true and accurate translation of the draft labeling, and one (1) copy of the PDF intended for container labels of a supplemental registrant is enclosed.

7. Certification statement: This notification is consistent with the provisions of <u>PR</u> <u>Notice 98-10</u> and EPA regulations at 40 CFR 152.46, and 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 notification is not consistent with the terms of <u>PR Notice 98-10</u> 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.

II. Enclosures:

The administrative portion of this application includes the following:

- 1. Application for Pesticide Amendment (EPA Form 8570-1).
- 2. One (1) copy of the annotated labeling.

Please contact me at 816-460-6292 or via e-mail at jkunstman@pbigordon.com if you have questions concerning this submission.

Sincerely,

Jan I Knot

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