

2217-834

12-11-2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 11 2009

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

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 3, 2009 for:

EPA Registration 2217-834 EH 1383 Herbicide

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 2217-834	2. EPA Product Manager Ms. Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EH-1383 Herbicide	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 DEC 11 2009
<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 for 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 checked="" type="checkbox"/> Metal <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1, 2.5, 30, or 55 gallons	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. Date Application Received (Stamped)
2. Signature 	3. Title Director of Regulatory Services	
4. Typed Name James L. Kunstman, Ph.D.	5. Date November 4, 2009	

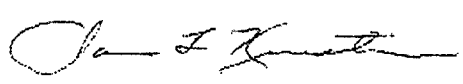
Certification with Respect to Label Integrity

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
2217-834	11/4/2009	002217-00834.20091104. notif-proposed-highlighted 002217-00834.20091104. 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

11/04/2009

Date

James L. Kunstman, Ph.D.
Name (typed)

Director, Regulatory Services
Title

November 3, 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 notifications according to Pesticide Registration Notices
(PRN) 2007-4.
Power Zone Broadleaf Herbicide For Turf (EPA Reg. No. 2217-834)**

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

October 22, 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 these modifications were made:

1. Revise the PPE section to read as follows:

"Some materials that are chemical-resistant to this product are made of barrier laminate, butyl rubber, nitrile rubber, or viton. If you want more options, follow the instructions for category F on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators, and other handlers must wear:

Long-sleeved shirt and long pants,
Shoes and socks, and
Chemical-resistant gloves"

c. Under User Safety Requirements, add the following statement:

"Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them."

d. Revise the First Aid heading from "If on skin" to "If on skin or clothing".

- e. Under Environmental Hazards, add the statement "This pesticide may adversely affect non-target plants." after the first sentence.
- f. On page 5, combine the list of prohibitions into one section. Add the restriction "Do not apply by air."
- g. On page 6, revise the phrase from "recommended use rates" to "specified use rates".
- h. On page 6, revise the sentence to read "Apply sequential broadcast applications or followup applications as spot treatments at a minimum interval of 30 days."
- i. On page 7, revise the minimum retreatment interval from "21 days" to "30 days" in both instances.
- j. Revise the Storage and Disposal statement to read "Do not contaminate water, food, or feed by storage and disposal."
- k. Revise the Container Disposal section in accordance with PR Notice 2007-4.
- l. Add the phrase "To the extent consistent with applicable law" directly in front of the statement "The exclusive remedy of buyer and all users of this product ..."
- m. Include the Net Contents and EPA Establishment Number on the label.

November 4, 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 pages 9-10 of the draft labeling.

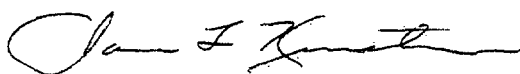
Certification: This notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand 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) 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

EH 1383 HERBICIDE

EPA Reg. No. 2217-834

NOTIFICATION

DEC 11 2009

ACTIVE INGREDIENT:

MCPA, 2-ethylhexyl ester	41.98%
Mecoprop-p acid	5.39%
Dicamba acid	2.69%
Carfentrazone-ethyl	0.48%
OTHER INGREDIENTS:	<u>49.46%</u>
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 2.21 lb 2-methyl-4-chlorophenoxyacetic acid equivalent per gallon or 26.92%.
- 0.44 lb (+)-R-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 5.39%.
- 0.22 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 2.69%.
- 0.04 lb Ethyl a,2-dichloro-5-[4(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzenepropanoate per gallon or 0.48%

Contains petroleum distillates.

TRIMEC® is a registered trademark of PBI/Gordon Corporation.

KEEP OUT OF REACH OF CHILDREN

CAUTION

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find some one to explain it to you in detail.)

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. Harmful if absorbed through the skin. Avoid contact with skin, eyes, or clothing. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Personal Protective Equipment (PPE)

Some materials that are chemical resistant to this product are made of barrier laminate, butyl rubber, nitrile rubber, ~~neoprene rubber~~ or viton ~~gloves~~. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Mixers, loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves ~~when mixing and loading, or using any hand held equipment.~~



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. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

Engineering Control Statements

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

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.
- 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 swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
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 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.

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.

NOTE TO PHYSICIAN: Contains petroleum distillates - vomiting may cause aspiration pneumonia.

Environmental Hazards

This pesticide 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. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

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.

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.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170.

This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- coveralls worn over short-sleeved shirt and short pants,
- chemical-resistant footwear plus socks,
- chemical-resistant gloves made of any water-proof material,
- chemical-resistant headgear for overhead exposure and
- protective eyewear.

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses:

Reentry Statement: Do not enter or allow others to enter the treated area until sprays have dried.

PRODUCT DESCRIPTION:

EH 1383 Herbicide contains four active ingredients including carfentrazone-ethyl that broaden the spectrum of weed control. Carfentrazone-ethyl is in the aryl triazolinone family and inhibits protoporphyrinogen oxidase (Protox), a pivotal enzyme in chlorophyll production.

EH 1383 Herbicide offers these advantages:

- Excellent postemergent activity with proven performance for broadleaf weed control in turfgrass.
- Superior cool weather performance.
- High selectivity (turfgrass safety) in established cool season turfgrass and warm season turfgrass.
- Good toxicological, environmental, and ecological properties compared to the standards.
- Carfentrazone-ethyl combinations provide rapid and effective weed control for common and troublesome weed species in turfgrass, e.g. spurge, pennywort (dollarweed), dandelion, and white clover.
- Fast acting with evidence of injury within hours. The speed of action (rate of phytotoxicity) and the early injury symptoms are unique features of carfentrazone-ethyl combinations. Generally, the injury

symptoms can be noticed within hours of the application and plant death can occur within 7 to 14 days.

SPRAY PREPARATION AND TANK MIXTURES:

EH 1383 Herbicide is an emulsifiable concentrate intended for dilution with water. In certain applications, liquid fertilizer may replace part of the water as a diluent.

Water as diluent:

Add one-half the required amount of water to the spray tank, then add EH 1383 Herbicide slowly with agitation, and complete filling the tank with water. To prevent separation of the emulsion, mix thoroughly and continue agitation while spraying.

This product forms an emulsion and can separate upon extended or prolonged standing. Re-agitate to assure uniformity of the spray mixture. Storage of the spray mixture beyond 72 hours is not recommended.

Do not use tank additives that alter the pH of the spray solution below pH 5 or above pH 8. Buffer the spray solution to alter the pH range as appropriate.

Liquid fertilizers as diluents:

Use suitable sources and rates of fertilizer based upon local recommendations. Refer to the mixing directions on the labels of the liquid fertilizers (eg. UAN or urea solutions). Always perform a jar compatibility test before large scale mixing.

GROUND EQUIPMENT:

Power sprayers fitted with a boom or spray wand/gun may be used for broadcast applications and spot treatments. For best spray distribution and coverage, select a spray volume and delivery system that will ensure accurate and uniform coverage. Boom sprayers equipped with appropriate flat fan nozzles, tips, and screens are suitable for broadcast applications. Do not use flood nozzles, Raindrop®, or nozzle tips larger than 8008. Spray droplets larger than 400 microns may reduce coverage and subsequent loss in weed control.

Spray volumes of 3 to 175 gallons per acre with spray pressures adjusted to 20 to 40 psi are appropriate. Use higher spray volumes for dense weed populations.

Hand operated sprayers including backpack sprayers, compression sprayers, and knapsack sprayers are appropriate for small turfgrass areas when power equipment is unavailable, uneconomical, or impractical.

This product may cause injury to susceptible/nontarget plants at the use site by contacting the foliage, stems, or roots. To prevent injury to susceptible crops and other desirable broadleaf plants including but not limited to cotton, legumes, tobacco, tomatoes, garden/vegetable crops, and ornamentals (flowers, trees, and shrubs) avoid contact with the spray solution, spray droplets, and spray mist (fine droplets). Do not apply when conditions are conducive to spray drift from the use site to untreated areas.

After using this product, clean sprayer with soap or detergent and water, or an approved spray tank cleaner and rinse thoroughly before applying other pesticides.

~~Aerial application is prohibited.~~ Do not apply by air.

WHERE TO USE:

EH 1383 Herbicide provides selective broadleaf control in warm season and cool season turfgrass in five (5) use sites.

- **Institutional sites** are defined as turf areas around properties or facilities providing a service to public or private organizations including, but not limited to hospitals, nursing homes, schools, museums, libraries, sport facilities, golf courses (fairways, aprons, and roughs) ; and office buildings.

- **Ornamental sites** include turfgrass established around residences, parks, streets, retail outlets, cemeteries, industrial and institutional buildings, recreation areas, fairgrounds, and areas adjacent to athletic fields.
- **Residential/domestic 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.
- **Agricultural site:** Commercial sod production
- **Noncropland Sites:** Highway rights-of-way (principal, interstate, county, private, and unpaved roads): Roadsides, roadside ditches, road shoulders, road embankments, dividers, and medians. Municipal, state, and federal lands: Airports and military installations.

Prohibitions of Sites:

- Do not apply to any body of water such as lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays). Do not apply to any shorelines (noncropland sites adjacent to the edges of a body of water) for lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays).
- Do not apply to wetlands (swamps, bogs, potholes, or marshes).
- Do not apply to agricultural irrigation water or on agricultural irrigation ditchbanks and canals.
- Do not apply to agricultural drainage water or on agricultural ditchbanks.

Turfgrass tolerance:

The turfgrass tolerance to EH 1383 Herbicide may vary and temporary turfgrass yellowing may occur on St. Augustinegrass and certain varieties of hybrid bermudagrass. Environmental conditions and certain spray tank additives (eg. adjuvants, wetting agents, surfactants), liquid fertilizers, and tank mixtures containing other emulsifiable concentrates may reduce the selectivity on the turfgrass.

These cool season and warm season turfgrass species may be treated:

Cool Season Turf

- Kentucky bluegrass
- Annual bluegrass
- Annual ryegrass
- Perennial ryegrass
- Tall fescue
- Red or fine leaf fescues
- Creeping bentgrass
- Colonial bentgrass
- Mixtures of cool season species in noncropland areas established for roadside vegetation management or for low maintenance. (Kentucky bluegrass, tall fescue, smooth bromegrass, and orchardgrass)

Warm Season Turf

- Common bermudagrass
- Hybrid bermudagrass
- Bahiagrass
- Zoysiagrass
- Buffalograss
- St. Augustinegrass (excluding 'Floritam')
- Centipedegrass
- Seashore paspalum
- Kikuyugrass

Prohibitions:

- Do not apply this product to bentgrass greens, carpetgrass, dichondra, legumes, and lawns where desirable clovers are present.
- Do not apply this product to St. Augustinegrass during spring green-up which is the transition period between dormancy and active growth.

- Cultivars of St. Augustinegrass vary in tolerance to this product. Do not apply this product to 'Floritam' St. Augustinegrass.
- 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.

APPLICATION SCHEDULES:

Early postemergent applications of EH 1383 Herbicide are recommended for annual, biennial, and perennial weeds. Apply EH 1383 Herbicide to broadleaf weeds that are young and actively growing for the best results. EH 1383 Herbicide combines a contact herbicide with systemic herbicides and provides little or no residual activity at ~~the~~ specified use rates.

EH 1383 Herbicide may be applied as a single broadcast application or as a split/sequential broadcast applications in the spring, summer, or fall. Spring and fall treatments under adequate soil moisture conditions are preferred to the summer treatments. Generally, summer broadcast applications to older, drought stressed weeds are less effective.

~~Sequential broadcast applications or follow-up applications as spot treatments at a 3-week interval are recommended for more mature weeds, for dense infestations, and for adverse environmental conditions.~~
Apply sequential broadcast applications or followup applications as spot treatments at a minimum interval of 30 days.

Spot treatments during the summer may be appropriate for sparse infestations, or as a follow-up treatment, or any time broadleaf weeds are susceptible. Apply on a spray-to-wet basis for the best results.

Extremes in environmental conditions e.g. temperature and moisture, soil conditions, and cultural practices may affect the activity of EH 1383 Herbicide. Under warm moist conditions, herbicide symptoms may be accelerated. While under very dry conditions, the expression of herbicide symptoms is delayed, and weeds hardened off by drought are less susceptible to EH 1383 Herbicide.

For newly seeded areas:

The application of EH 1383 Herbicide to grass seedlings is recommended after the second mowing.

For newly sodded, sprigged, or plugged areas:

The application of EH 1383 Herbicide to newly sodded, sprigged, or plugged grasses should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations.

For dormant turf:

Applications to dormant bermudagrass, dormant zoysiagrass, and dormant bahiagrass are suggested.

Prohibitions for application schedules:

Do not broadcast apply when air temperatures exceed 90°F; some injury may be expected with spot treatments when air temperatures exceed 90°F.

HOW MUCH TO USE: USE RATES AND SPRAY VOLUMES FOR TURFGRASS:

Generally, the lower application rates within the specified range will provide satisfactory control of sensitive weed species. The higher application rates within the specified range will be required for dense infestations of perennial weeds, for adverse/extreme environmental conditions, or for weeds beyond the appropriate growth stages.

Use rates and spray volumes of EH 1383 Herbicide as broadcast treatments for use on turfgrass are presented in Table 1.

TABLE 1. USE RATES FOR SOD FARMS, ORNAMENTAL LAWNS AND TURFGRASS.				
Species	Amount of Product for SENSITIVE WEEDS	Amount of Product for HARD-TO-CONTROL WEEDS	Spray Volume	
			Gallons per Acre	Gallons per 1,000 sq.ft.
Cool-Season Turf: Kentucky bluegrass, Annual bluegrass, Annual ryegrass, Perennial ryegrass, Tall Fescue, Red or Fine Fescue, Creeping and Colonial Bentgrass. Mixtures of cool-season species in non-cropland areas established for roadside vegetation management or for low maintenance. (Kentucky bluegrass, tall fescue, smooth brome grass & orchardgrass).	3.5 to 4 Pints/Acre (1.3 to 1.5 fl.oz. per 1,000 sq.ft.)	4 to 5 Pints/Acre (1.5 to 1.8 fl.oz. per 1,000 sq.ft.)	3 to 175	0.1 to 4.0
Warm Season Turf: Common and Hybrid Bermudagrass, Bahiagrass, Zoysiagrass, Buffalograss, St. Augustinegrass, Centipedegrass, Seashore paspalum, Kikuyugrass.	2 to 3 Pints/Acre (0.75 to 1.1 fl.oz. per 1,000 sq.ft.)	3 to 4 Pints/Acre (1.1 to 1.5 fl.oz. per 1,000 sq.ft.)	3 to 175	0.1 to 4.0

Limitations on broadcast treatments for turfgrass on all use sites:

The maximum application rate is 5.0 pints of product per acre per application (1.38 lb MCPA ae, 0.28 lb MCPP-p ae, and 0.14 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 10 pints of product per acre per year (2.76 lb MCPA ae, 0.55 lb MCPP-p ae, and 0.28 lb dicamba ae per acre per year), excluding spot treatments.

SPOT TREATMENTS WITH HAND OPERATED SPRAYERS (INCLUDING BACKPACK SPRAYERS, COMPRESSION SPRAYERS, AND KNAPSACK SPRAYERS):

- For cool season turfgrass, mix 1.5 to 2.2 fl.oz. of EH 1383 Herbicide per one (1.0) gallon of water for treatment of approximately 1,000 sq.ft. of turfgrass. Apply any time the emerged broadleaf weeds are susceptible. Spray the target weeds thoroughly and wet the entire leaf surface of the undesirable plants.
- For warm season turfgrass, mix 0.75 to 1.5 fl.oz. of EH 1383 Herbicide per one (1.0) gallon of water for treatment of approximately 1,000 sq.ft. of turfgrass. Apply any time the emerged broadleaf weeds are susceptible. Spray the target weeds thoroughly and wet the entire leaf surface of the undesirable plants.

Limitations on spot treatments for turfgrass on all use sites:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 2.2 fl.oz. per 1,000 sq.ft. per application (0.33 lb MCPP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

Tank Mixtures:

EH 1383 Herbicide may be tank mixed with other herbicides EPA-registered for use on turfgrass to broaden the weed control spectrum compared to the products alone. These tank mixtures must be used

according to the most restrictive label limitations and precautions. No label dosage rate should be exceeded. Follow the labeling of each companion product for precautionary statements, directions for use, dosage rates, and application schedules. Tank mixture recommendations are for use only in states where the companion products and application site are registered.

CULTURAL TIPS FOR IMPROVED CONTROL:

Irrigation:

- Do not apply this product through any type of irrigation system.
- Do not apply this product immediately before rainfall or irrigation. Do not irrigate or water the turfgrass within 24 hours after application

Mowing:

- Delay mowing 1 to 2 days before and after the application of this product.

Reseeding interval:

- Treated areas may be reseeded 2 weeks after application.

SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Apply only when the wind speed is 2 to 10 mph at the application site. Do not apply at wind speeds greater than 10 mph.

Additional requirements for ground boom application:

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

BROADLEAF WEEDS CONTROLLED:

EH 1383 Herbicide will control or suppress the following broadleaf weeds and will control or suppress other broadleaf weeds that are susceptible to MCPA.

BROADLEAF WEEDS			
Annual fleabane	Dock	Kochia	Red sorrel (*sheep sorrel)
Aster, white heath & white prairie	Dogfennel	Lambsquarters	Roundleaf greenbriar
Bedstraw	Dovefoot geranium	Lawn burweed	Shepherdspurse
Beggarticks	English daisy	Lespedeza, common	Spotted spurge
Beggarweed, creeping	False dandelion (*spotted catsear & common catsear)	Mallow, common	Spurge, prostrate
Bindweed	Field bindweed	Matchweed	Star-of-Bethlehem
Birdsfoot trefoil	Field bindweed (*morningglory & creeping jenny)	Mouseear chickweed	Sunflower
Black medic	Field madder	Mustard	Thistle
Broadleaf plantain	Field oxeye-daisy (*creeping oxeye)	Nettle	Velvetleaf (*buttonweed)
Buckhorn plantain	Field pennycress	Old world diamond flower	Venice mallow
Bull thistle	Filaree, whitestem & redstem	Oxalis (*yellow woodsorrel & creeping woodsorrel)	Veronica (*corn speedwell)
Burclover	Florida pusley	Parsley-piert	Virginia buttonweed
Burdock, common	Ground ivy	Pennsylvania smartweed	Virginia creeper
Buttercup, creeping	Groundsel	Pennywort (*dollarweed)	Western salsify
Carolina geranium	Hairy bittercress	Pepperweed	White clover (*Dutch clover, honeysuckle clover, white trefoil, & purplewort)
Carpetweed	Hawkweed	Pigweed	Wild carrot
Chickweed, common		Pineappleweed	Wild garlic
Chicory		Plantain	Wild geranium
Cinquefoil		Poison ivy	Wild lettuce
Clover		Poison oak	

BROADLEAF WEEDS			
Cocklebur	Healall	Prostrate knotweed	Wild mustard
Common mullein	Henbit	(*knotweed)	Wild onion
Compassplant	Horsenettle	Puncturevine	Wild strawberry
Curly dock	Horseweed	Purple cudweed	Wild violet
Dandelion	Innocence (Blue-eyed Mary)	Purslane	Yarrow
Dayflower	Jimsonweed	Ragweed	Yellow rocket
Deadnettle		Redweed	
*Synonyms			

STORAGE AND 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 or pets. Keep from freezing.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. 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.

[For Plastic Containers – Nonrefillable with capacities equal to or less than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse [or pressure rinse] container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

[Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.]

[For Plastic Containers – Nonrefillable with capacities greater than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse [or pressure rinse] container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

[Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank

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and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.]

[For Refillable Containers:]

CONTAINER HANDLING: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Container cleaning: Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

LIMITED WARRANTY AND DISCLAIMER

IMPORTANT: Read this LIMITED WARRANTY AND DISCLAIMER before buying or using this product. By opening and using this product, buyer and all users agree to accept the terms of this LIMITED WARRANTY AND DISCLAIMER in their entirety and without exception. If the terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full.

It is impossible to eliminate all risks inherently associated with use of this product. Damage to the treated article, ineffectiveness, or other unintended consequences can result from use of the product under abnormal conditions such as weather, presence of other materials, or the manner of use or application, etc. Such factors and conditions are beyond the control of the manufacturer, and **BY PURCHASING AND USING THIS PRODUCT THE BUYER AND ALL USERS OF THIS PRODUCT AGREE TO ACCEPT ALL SUCH RISKS.** Buyer and all users further agree to assume all risks of loss or damage from the use of the product in any manner that is not explicitly set forth in or that is inconsistent with label instructions, warnings and cautions.

The manufacturer warrants only that this product conforms to the chemical description given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use, subject to the inherent risks described below. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 HEREBY EXPRESSLY DISCLAIMED.**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF BUYER AND ALL USERS OF THIS PRODUCT, AND THE EXCLUSIVE LIABILITY OF THE MANUFACTURER, FOR ANY AND ALL LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. 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. The Manufacturer must be promptly notified in writing of any claims, whether based in contract, tort, negligence, strict liability, or otherwise, to be eligible to receive either remedy stated above.

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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. No employee or agent of the manufacturer or seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

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:

- Rainfast in as little as 3 hours
- Rainfast [Rainproof] in 3 hours
- Visible results in just 24 hours
- Clover control in as little as one week
- Proven cool-weather performance
- Consistently fast control on tough weeds like clover, plantain, ground ivy and spurge [various other listed weeds].
- [This product] Smokes weeds, fast
- From the makers of Trimec® herbicides.
- For information call XXX-XXX-XXXX [contact www.xxx-xxxx.com]
- EH-1383 provides rapid and effective weed control including wild clover, dandelion, ground ivy and plantain in turfgrass.
- Fast-acting, [cool-weather] performance with visible effects within hours
- Reseed in 2 weeks
- High selectivity (turfgrass safety) in established warm and cool-season turfgrass.
- Turfgrasses include: bluegrass, fescue, perennial ryegrass, common bermudagrass, hybrid bermudagrass and zoysiagrass.
- Sites include lawns, golf courses, sod farms, roadsides and many other turf sites

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00834.20091104.notif-proposed-highlighted.doc

2. **Reason for Issue:** Incorporate EPA comments