



## OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

November 30, 2023

Eric D. Smith  
Vice President of Regulatory, Formulation, & GLP  
PBI/Gordon Corporation  
22701 W 68<sup>th</sup> Terrace  
Shawnee, KS 66226

Subject: Notification per PRN 98-10 – Updating storage and disposal statements  
and company address

Product Name: EH1396 Herbicide  
EPA Registration Number: 2217-848  
Application Date: July 12, 2023  
Case Number: 483960

Dear Eric Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “NOTIFICATION” and placed in our records.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you have any questions, please contact Julia Kerr at 202-566-2810 or at [kerr.julia@epa.gov](mailto:kerr.julia@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Kerr", with a stylized flourish at the end.

Julia Kerr  
Risk Manager  
Herbicide Branch  
Registration Division (7505T)  
Office of Pesticide Programs

**NOTIFICATION**

2217-848

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

11/30/2023

**EH1396 HERBICIDE**

**EPA Reg. No. 2217-848**

**ACTIVE INGREDIENT:**

Dimethylamine salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid .....	18.91%
Dimethylamine salt of 2,4-dichlorophenoxyacetic acid .....	10.86%
Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) .....	4.62%

**INERT INGREDIENTS:**..... 65.61%

**TOTAL:**..... 100.00%

**THIS PRODUCT CONTAINS:**

1.42 lbs. (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 15.63%

0.82 lbs. 2,4-Dichlorophenoxyacetic acid equivalent per gallon or 9.02%

0.35 lbs. 3,6-Dichloro-o-anisic acid equivalent per gallon or 3.84%

Isomer Specific By AOAC Methods.

TRIMEC® is a registered trademark of PBI/GORDON CORPORATION

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

**KEEP FROM FREEZING**

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

See [attached booklet] [inside pages][next panel][back panel] for additional Precautionary Statements. [OR] See [attached booklet] [inside pages][next panel][back panel] for complete Precautionary Statements and Directions for Use (including Storage and Disposal).

**Net Contents:** \_\_\_\_\_  
**EPA Est. No.** \_\_\_\_\_

**Company Name and Address:**  
PBI/Gordon Corporation  
P.O. Box 860350  
Shawnee, KS 66286



# **PRECAUTIONARY STATEMENTS**

## **Hazards to Humans and Domestic Animals**

**DANGER:** Corrosive. Causes irreversible eye damage. Do not get in eyes, on skin or clothing. Harmful if swallowed, if absorbed through skin or if inhaled. Avoid breathing spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

## **Personal Protective Equipment**

Some materials that are chemical-resistant to this product are natural rubber, natural rubber blends and laminates. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators, and other handlers must wear:

- protective eyewear,
- long-sleeved shirt and long pants,
- shoes and socks, plus
- chemical-resistant gloves (except for applicators using ground boom equipment) and
- chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

## **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.

### **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. 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**

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

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment information.

**Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage.

## **Environmental Hazards**

This pesticide may be 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.

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 enter or allow people (or pets) to enter the treated area until sprays have dried.
- 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.

### **SITES:**

EH1396 Herbicide is intended to be applied by lawn care operators and landscape personnel for use in ornamental lawns and turf established in ornamental sites. Ornamental sites include turfgrass established around residences, parks, streets, retail outlets, cemeteries, industrial and institutional buildings. Warm season turfgrass species include bermudagrass and St. Augustinegrass.

### **MIXING INSTRUCTIONS WITH WATER AS THE CARRIER:**

1. Prepare only the amount of spray mixture which can be used the day that it will be sprayed.
2. Fill the spray tank with 1/2 to 3/4 of the required amount of water and begin agitation. Sufficient agitation during mixing and application is essential.
3. Add EH1396 Herbicide into the spray tank and maintain continuous agitation to avoid separation.
4. Fill the spray tank to 3/4 of the required amount of water. If tank mixtures are being prepared, add the companion product when the spray tank is approximately 3/4 full.
5. Finally, add the balance of the required water volume and maintain agitation prior to and during the application.

### **APPLICATION RATES FOR ORNAMENTAL TURFGRASS:**

#### **Bermudagrass and St. Augustinegrass:**

For selective broadleaf control in ornamental turf, apply a maximum of 2.32 pints of product per acre per application with spray volumes ranging from 20 to 220 gallons per acre.

The maximum application rate is 2.32 pints of product per acre per application (0.24 lbs 2,4-D acid equivalent per acre per application). The maximum number of broadcast applications is limited to 2 per year. The maximum seasonal rate is 4.64 pints of product per acre (0.48 lbs 2,4-D acid equivalent per acre).

The number of spot treatments is limited to 2 per year. A minimum of 30 days between applications is required.

### **USE PRECAUTIONS:**

Do not apply this product through any type of irrigation system. Use only lawn-type sprayers. Do not spray on carpetgrass, dichondra, nor on lawns or turf where desirable clovers are present. Do not spray roots of trees and ornamentals. Do not exceed specified dosages for any area; be particularly careful within dripline of trees and other ornamental species. Avoid spraying St. Augustinegrass when

temperature is above 90°F and under conditions of high humidity. Under these conditions, some slight temporary discoloration of St. Augustinegrass may occur. This product may be injurious to St. Augustinegrass in cases of accidental overdose.

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.

<b>EH1396 HERBICIDE CONTROLS:</b>			
Bedstraw	Galinsoga	Peppergrass	Speedwell
Black medic	Ground ivy	Pigweed	Spurge
Buckhorn	Hawkweed	Plantain	Wild carrot
Burdock	Healall	Poison ivy	Wild garlic
Buttercup	Henbit	Poison oak	Wild lettuce
Chicory	Knotweed	Purslane	Wild onion
Chickweed	Lambsquarters	Ragweed	Yarrow
Clover	Lespedeza	Sheep sorrel	and many other
Dandelion	Mallow	Shepherdspurse	broadleaf weeds.
Dock	Morningglory		

### **Spray Drift Management**

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of ground application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

### **Droplet Size**

Use only Medium or coarser spray nozzles according to ASAE (S 572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

### **Wind Speed**

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind.

### **Temperature Inversions**

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

### **Susceptible Plants**

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

### **Other State and Local Requirements**

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

### **Equipment**

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

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

## STORAGE AND DISPOSAL

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

**STORAGE:** Store in original container in a locked storage area inaccessible to children or pets. Keep from freezing. Do not contaminate feed or foodstuffs.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. 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.

**CONTAINER DISPOSAL:** ~~For Metal Containers – Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. For Plastic Containers – Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities by burning. If burned stay out of smoke.~~

**[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.

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 ¼ 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.

[OR

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.

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 ¼ 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.

[OR

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 Refillable Containers:]**

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

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 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**

To the extent consistent with applicable law, 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**

### **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. \_\_\_\_\_

## **DOCUMENT CONTROL INFORMATION**

1. **Unique Label Identifier:** 002217-00848.20230712.notif-proposed-highlighted

2. **Reason for Issue:** Revised Storage and Disposal to include refill container statements