

2217-856

04-01-2010

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

OFFICE OF
PESTICIDE PROGRAMS

James L. Kunstman, Ph.D.
Director of Regulatory Services
PBI/Gordon Corporation
P.O. Box 014090
Kansas City, MO 64101-0090

APR 1 2010

SUBJECT: Application for Pesticide Notification per PR Notice 98-10: Redesign of Label Format
EH-1400 Herbicide
EPA Reg. No. 2217-856
Application Dated October 16, 2009

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application, is considered "acceptable", date stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

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 2217-856	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EH 1400 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 APR 1 - 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 type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Non-notification according to Pesticide Registration Notice (PRN) 98-10 Section IV(E). Redesign of label format; placement of labeling elements.

Submission of draft labeling

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 checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 11, 12, 15, 18, 20, 24 and 25 pound bags		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input 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) 816-450-6292	
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 October 16, 2009	



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October 16, 2009

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

Dear Ms Miller:

**SUBJECT: Non-notification according to Pesticide Registration Notice (PRN) 98-10 Section IV(E). Redesign of label format; placement of labeling elements.
EH 1400 Herbicide (EPA Reg. No. 2217-856)**

I. Non-notification: Placement of labeling elements.

The master labeling of EH 1400 Herbicide (EPA Reg. No. 2217-856) contains two sublabels:

Sublabel 1: This labeling bears the Directions for Use intended for occupational users.

Sublabel 2: This labeling bears the text intended for homeowners.

The master labeling contains a complete list and an abbreviated list of weeds controlled. Since the spectrum of the weeds extends to the entire master labeling, we ask to include the complete list in Sub label 2. No other changes to the Precautionary Statements or the Directions for Use have been made.

II. Certification:

This notification is consistent with the provisions of PR Notice 98-10 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 PR Notice 98-10 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.

Language Common to All Sublabels

EH-1400 HERBICIDE

EPA Reg. No. 2217-856

ACTIVE INGREDIENT:

2,4-D (CAS 94-75-7)	0.64%
Mecoprop-p (CAS 16484-77-8)	0.14%
Dicamba (CAS 1918-00-9)	0.06%
Dithiopyr (97886-45-8)	0.19%
OTHER INGREDIENTS:	<u>98.97%</u>
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 12.8 lb 2,4-dichlorophenoxyacetic acid equivalent per ton.
- 2.8 lb (+)-(R)-2-(2 methyl-4-chlorophenoxy)propionic acid equivalent per ton.
- 1.2 lb 3,6-dichloro-o-anisic acid equivalent per ton.
- 3.8 lb dithiopyr per ton.

Isomer Specific by AOAC Methods

GUARANTEED FERTILIZER ANALYSIS	
Total Nitrogen (N).....	x.x%
x.x% Ammoniacal Nitrogen	
x.x% Water Insoluble Nitrogen	
x.x% Urea Nitrogen	
x.x% Other Water Soluble Nitrogen	
Available Phosphate (P2O5).....	x.x%
Soluble Potash (K2O).....	x.x%
Iron (Fe).....	x.x%
Nutrient Sources: (Guaranteed analysis and nutrient sources to be supplied based on fertilizer analysis used by manufacturer).	

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 absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing.

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.
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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 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 a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If on skin or clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15 - 20 minutes.• Call a poison control center or doctor for treatment advice.
If 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 by 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. For additional information in case of emergency, call toll free 1-877-800-5556.	

SUBLABEL 1

Directions for Use intended for occupational users.

NOTICE: Read the entire label. Use only according to label directions. Before using this product, read the Warranty Section elsewhere on this label. If terms are not acceptable, return the unopened container at once.

PRECAUTIONARY STATEMENTS

Personal Protective Equipment

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 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.

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 dusts have settled.
- 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.
- If incorporation is accomplished by watering-in, do not enter or allow entry to the treated areas (except those involved in watering) until the watering-in is complete and the surface is dry.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

GENERAL INFORMATION

EH-1400 Herbicide provides broad-spectrum control of broadleaf weeds and annual grasses in established cool season or warm season turfgrasses. This product is effective in controlling over 200

established broadleaf weeds, such as dandelion, thistle and clover. This product provides preemergent control of annual grass weeds including crabgrass, goosegrass and barnyardgrass when applied before the emergence of crabgrass from the soil in established lawns.

Also, this product can provide late preemergent or early post emergent control of crabgrass only. This early post emergent control is limited, and the crabgrass control can be obtained only when this product is applied before the tillering stage of crabgrass. Post emergent crabgrass control will be obtained only when this product is applied before the first tiller stage of crabgrass.

The benefit of this product's early post emergent activity is that the user may have a longer period of 2 to 4 weeks to make applications to control crabgrass.

RESEEDING, OVERSEEDING, OR SPRIGGING

Reseeding, overseeding, or sprigging of treated areas within eight weeks after a single application of this product, or four months after the last application of a split application program totaling more than 1.25 lbs. dithiopyr per acre, may inhibit the establishment of desirable turfgrasses. Overseeding bermudagrass with perennial ryegrass may be made eight weeks after an application of this product.

For best results for annual grass control, cultural practices that disturb the soil, such as core-, spike-, or hydro-aerification, and verticutting, should be done before application of this product.

When reseeding or overseeding, proper cultural practices such as soil cultivation, irrigation and fertilization should be followed. For best results, use mechanical or power seeding equipment (slit seeders) designed to give good seed-to-soil contact.

PREEMERGENT AND EARLY POSTEMERGENT CONTROL OF CRABGRASS (DITHIOPR COMPONENT)

This product provides preemergent control of crabgrass (including the large, smooth, and southern species) when applied prior to the emergence of crabgrass in established lawns and ornamental turf.

This product can also provide early postemergent control of crabgrass only during the early stages of growth. Early postemergent crabgrass control will be obtained only when this product is applied prior to the tillering of crabgrass, which generally corresponds to the time when you can first easily see the crabgrass plants in the lawn or turf.

POSTEMERGENT CONTROL OF BROADLEAF WEEDS (2,4-D, MCPP-p and dicamba components)

This product provides postemergent control of more than 200 established broadleaf weeds. A partial list of broadleaf weeds is presented on this label.

2,4-D, MCPP-p and dicamba are common names for three herbicide components formulated and marketed as Trimec® Herbicide. These herbicides are absorbed through the leaves and translocated to the roots. For adequate weed control, this product must come into contact with the leaves of broadleaf weeds.

- Mow lawn to normal height 1 to 2 days before application.
- Water lawn thoroughly at least 1 day before application to sustain moisture until next watering.
- Apply when weeds are young and actively growing, 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 on the broadleaf weeds.

EH-1400 Herbicide is recommended for use on the following established turf species:

Established Cool Season Turfgrasses - Kentucky bluegrass, perennial ryegrass, fine fescues (red, chewing, and hard) and tall fescue, creeping bentgrass.

Established Warm Season Turfgrasses - Bahiagrass, bermudagrass, buffalograss, centipedegrass, zoysiagrass, St. Augustinegrass.

- Do not use this product on colonial bentgrass, dichondra, carpetgrass, or turfgrass when desirable clovers are present.
- Do not use this product on 'Floritam' St. Augustinegrass.
- The use of this product on certain varieties of fine fescues may result in undesirable turfgrass injury. Use of this product may result in undesirable injury on certain cultivars of fine fescues and not all cultivars have been tested. The following cultivars of fine fescues have demonstrated sensitivity to this product: 'Atlanta', 'Banner', 'Beauty', 'Biljart', 'CF-2', 'Enjoy', 'HF-93', 'Highlight', 'Ivalo', 'Jamestown', 'Koket', 'Majenta', 'Mary', 'Pennlawn', 'Tamara', 'Tatjana', 'Waldorf' and 'Waldina'.
- Do not use this product on golf course putting greens.

USE PRECAUTIONS AND RESTRICTIONS

- This product may be used on seeded, sodded or sprigged lawns that are well established. The grass should have developed good root system and have received three (3) mowings following its seeding, sodding, or sprigging before it can receive the first application of this product.
- The use of EH-1400 Herbicide on lawns and ornamental turfgrasses that are not well established, or have been weakened by stress due to mechanical operations, chemical injury, disease, insects, pests, excessive temperatures, or lack of moisture may increase the chances for turfgrass injury. Allow turfgrass weakened by these stresses to recover before application of this product.
- Do not use this product on flowers, vegetables, groundcovers, gardens or landscape plantings with shrubs and trees. Do not exceed specified dosage for any area.
- Do not reseed, overseed or sprig treated areas for 8 weeks after application.
- Do not use clippings from treated areas for composting and/or mulching vegetables or fruit trees.
- Do not contaminate domestic or irrigation waters.
- 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.

Tips for improved control:

- For broadleaf weed control: Do not irrigate the lawn for one day (24 hours) after application. Rainfall or irrigation (greater than 1/2 inch) at 2 to 7 days after application may optimize the weed control.

WEEDS CONTROLLED			
When applied as directed, EH-1400 Herbicide will control and/or suppress* the following weeds:			
Annual Bluegrass* (Poa annua) Kikuyugrass* (seedling)	Barnyardgrass Annual Ryegrass Smutgrass (seedling)	Crowfootgrass Crabgrass (large, smooth, and Southern)	Foxtail (green and yellow) Goosegrass*
Broadleaf Weeds:			
Annual yellow sweetclover Aster Austrian fieldcress Bedstraw Beggarticks Betony, Florida Bindweed, field Bird vetch Bitter wintercress Bittercress, hairy Bitterweed Black-eyed Susan Black medic Black mustard Blackseed plantain Blessed thistle Bloodflower milkweed Blue lettuce Blue vervain Bracted plantain	Clover, white Cockle Cocklebur Common mullein Creeping jenny Cudweed Curly dock Daisy, English Daisy fleabane Daisy, oxeye Dandelion Dichondra Dogfennel Dollarweed False dandelion Falseflax False sunflower Fiddleneck Florida pusley Frenchweed	Musk thistle Mustard Narrowleaf plantain Narrowleaf vetch Nettle Orange hawkweed Oriental cocklebur Oxalis Parsley-piert Parsnip Pearlwort Pennycress Peppergrass Pepperweed Pigweed Pineappleweed Pineywoods bedstraw Plains tickseed Plantain Poison ivy	Spiny amaranth Spiny cocklebur Spiny sowthistle Spotted catsear Spotted spurge Spurweed Stinging nettle Strawberry, India mock Tall nettle Tall vervain Tansy ragwort Tansy mustard Tanweed Thistle Trailing crownvetch Tumble mustard Tumble pigweed Velvetleaf Venice mallow Virginia buttonweed

Brassbuttons	Galinsoga	Poison oak	Virginia creeper
Bristly oxtongue	Goathead	Pokeweed	Virginia pepperweed
Broadleaf dock	Goldenrod	Poorjoe	Wavyleaf bullthistle
Broadleaf plantain	Ground ivy	Prairie sunflower	Western clematis
Broomweed	Gumweed	Prickly lettuce	Western salsify
Buckhorn	Hairy fleabane	Prickly sida	White mustard
Buckhorn plantain	Hawkweed	Prostrate knotweed	Wild aster
Bulbous buttercup	Healall	Prostrate pigweed	Wild buckwheat
Bull thistle	Heartleaf drymary	Prostrate spurge	Wild carrot
Bullnettle	Heath aster	Prostrate vervain	Wild four-o'clock
Burclover	Hedge bindweed	Puncturevine	Wild garlic
Burdock	Hedge mustard	Purslane, common	Wild geranium
Burning nettle	Henbit	Ragweed	Wild lettuce
Burweed	Hoary cress	Red sorrel	Wild marigold
Buttercup	Hoary plantain	Redroot pigweed	Wild mustard
Buttonweed	Hoary vervain	Redstem filaree	Wild onion
Canada thistle	Horsenettle	Rough cinquefoil	Wild parsnip
Carolina geranium	Jimsonweed	Rough fleabane	Wild radish
Carpetweed	Knawel	Russian pigweed	Wild rape
Catchweed bedstraw	Knotweed	Scarlet pimpernel	Wild sweet potato
Catnip	Kochia	Scotch thistle	Wild vetch
Catsear	Lambsquarters	Sheep sorrel	Woodsorrel
Chickweed, common	Lespedeza	Sheperdspurge	Woolly croton
Chickweed, mouseear	Mallow	Slender plantain	Woolly morningglory
Chicory	Matchweed	Smallflower galinsoga	Woolly plantain
Cinquefoil	Mexicanweed	Smooth dock	Wormseed
Clover, crimson	Milk vetch	Smooth pigweed	Yarrow
Clover, hop	Morningglory	Sorrel	Yellow rocket
Clover, red	Mouseear hawkweed	Sowthistle	Yellowflower pepperweed
Clover, strawberry	Mugwort	Spanishneedles	and other
Clover, sweet		Speedwell	broadleaf weeds

*Suppression is denoted with an asterisk.

HOW TO APPLY EH-1400 HERBICIDE

This product may be applied as a single application or as split applications in the spring, early summer, or fall. This product should be applied before the germination of annual grasses.

WHEN TO APPLY EH-1400 HERBICIDE

Spring Applications

Established Lawns: This product is a preemergent herbicide to control crabgrass (smooth and large) plus other susceptible annual grasses and postemergent control for broadleaf weeds.

Application of this product must occur before the germination and emergence of the crabgrass and other annual grasses from the soil. For the best results in the spring, apply this product one to two (1 to 2) weeks before the expected emergence of crabgrass. Do not expect adequate control of crabgrass with single applications made later than four (4) weeks after germination.

When the period of germination for crabgrass and other weeds listed on this label extends into early summer, then a second application can be made at 6 to 10 weeks after the initial application.

The duration of residual weed control from this product will be directly related to the total amount of product applied and the performance will vary by local conditions.

Newly Seeded Areas: When establishing a new lawn of Kentucky bluegrass, perennial ryegrass and/or tall fescue, and other turfgrass species, wait until the grass is well established (3 mowings) before applying this product.

Use Program 1 for preemergent control at sites where turfgrass is cut relatively high (e.g., residential lawns). This program provides three to five (3 to 5) months of preemergent crabgrass control. This

program may also provide early post emergent control of crabgrass. However, post emergent crabgrass control will be obtained only when this product is applied before the first tiller stage of crabgrass.

Use Program 2 for preemergent control at sites where (a) turfgrass is cut relatively low (e.g., golf fairways), and (b) turfgrass maintenance or weed control has been conducted during the previous year. This program provides four to six (4 to 6) months of preemergent crabgrass control. This program may also provide early post emergent control of crabgrass. However, post emergent crabgrass control will be obtained only when this product is applied before the first tiller stage of crabgrass.

Use rate restrictions:

- **New York State:** In New York State, dithiopyr is a restricted use product listed according to the Environmental Conservation Law, Section 326.2. This provision limits this product for use by commercial pesticide applicators only at no more than 6 lb of product per 1,000 sq.ft. per year (0.5 pound of dithiopyr per acre per year), and is prohibited from use in Nassau and Suffolk Counties. Use only according to label instructions. The minimum interval for split applications is 30 days.
- **Other States:** Do not apply more than 4.5 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 9 pounds of product per 1000 square feet per year. [note to reviewer: the following information may be omitted from the final printed label: 4.5 pounds of this product contains 1.25 lb 2,4-D (ae), 0.27 lb mecoprop-p (ae), 0.12 lb dicamba (ae), and 0.37 lb dithiopyr.]

Table 1. Use rates for preemergent control of annual grasses and postemergent control of broadleaf weeds.		
REGION	PROGRAM 1 (Lbs. Per 1,000 sq.ft.)	PROGRAM 2 (Lbs. Per 1,000 sq.ft.)
New York State only	3.0 lb	4.5 lb
North	3.0 lb	4.5 lb
Transition	4.5 lb	3.0 lb + 3.0 lb split application
South	3.0 lb + 3.0 lb split application	4.0 lb + 4.0 lb split application
Coastal South	3.5 lb + 3.5 lb split application	4.0 lb + 4.0 lb split application
West	3.0 lb to 4.5 lb	3.5 lb + 3.5 lb split application
North: All states not included below. Transition: DE, KS, KY, MD, MO, NJ, VA southeastern PA, southern areas of IL, IN, OH, & coastal areas of CT, NY, & RI. South: AL, AR, GA, LA, MS, NC, NM, OK, SC, TN & TX. Coastal South: HI, FL & southern coastal areas of AL, GA, LA, MS, NC, SC & TX. West: AZ, CA & NV. In this climatically diverse region, use the higher rates in local areas with longer crabgrass seasons.		

Fall Applications

This product can also be applied in the late summer or early fall (late August through November) at the higher use rates listed in Program 2 of Table 1 to provide control of crabgrass through the early part of the next spring.

The fall application may be followed by an appropriate spring application.

Use of split (half-rate) applications spaced 6 to 8 weeks apart may provide improved weed control. Use the higher use rates when the expected weed infestations are dense when applications are made early, and/or longer residual control is desired (See Program 2 of Table 1).

RAINFALL/ IRRIGATION:

Do not irrigate the lawn for one day (24 hours) after application. Rainfall or irrigation (greater than 1/2 inch) at 2 to 7 days after application may optimize the weed control.

APPLICATION EQUIPMENT

Apply this product with drop or rotary-type spreaders designed to apply granular herbicides. Avoid the use of spreaders that would apply this product in narrow rows or concentrated bands. Avoid streaking, skips, or overlaps during application. Calibrate application equipment prior to usage, and apply this product uniformly over the turfgrass area.

Choose one of these application or distribution patterns:

1. **Single Pass** - Operate the equipment at intervals corresponding to the width or swath of the spreader. For drop spreaders, overlap the wheel tracks to ensure complete coverage. Close the spreader openings when turning to change directions or when stopping.
2. **Double Pass** - Reduce the application rate by one-half of the recommended rate, calibrate the spreader, and adjust the settings for the desired application rate. Operate the spreader over the lawn two (2) times. Close the spreader openings when turning to change directions or when stopping.
3. **Cross Hatching** - Reduce the application rate by one-half of the recommended rate, calibrate the spreader, and adjust the settings for the desired application rate. Operate the spreader over the lawn two (2) times. For the second trip, operate the spreader perpendicular to the wheel tracks or the spreader pattern of the first trip. Close the spreader opening when turning to change directions or when stopping.

CALIBRATION INSTRUCTIONS:

- 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 3.5 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 285 square feet and adjust to apply at the rate of 1 pound of product per 285 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.
- For 4.5 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 225 square feet and adjust to apply at the rate of 1 pound of product per 225 square feet.

SPREADER SETTINGS

Note: Spreader settings will be presented on the final printed labels.

The above spreader settings are approximate. The age and condition of spreader, speed of operation and evenness of terrain may require slightly different settings for desired coverage.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep in original container in a cool, dry area, away from extreme heat and direct sunlight. Do not store near food feed, seeds or other pesticides.

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: Paper and plastic bags: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

The Manufacturer warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, expressed or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions not reasonably foreseeable to Manufacturer, and Buyer assumes the risk of any such use.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on this label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricane), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Sellers election, one of the following:

1. Refund of purchase price paid by Buyer or User for product bought, or
2. Replacement of amount of product used.

To the extent consistent with applicable law, seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. To the extent consistent with applicable law, in no case shall Seller be liable for consequential or incidental damages or losses.

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SUBLABEL 2

Directions for Use intended outdoor residential use only.

PRECAUTIONARY STATEMENTS

Environmental Hazards

This pesticide may be toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

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.
- If incorporation is accomplished by watering-in, do not enter or allow entry to the treated areas (except those involved in watering) until the watering-in is complete and the surface is dry.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed or for research purposes.

PRODUCT DESCRIPTION

EH-1400 Herbicide is a combination herbicide and fertilizer formulated to provide control of most annual grasses and certain broadleaf weeds commonly found in home lawns. EH-1400 Herbicide contains three components: a preemergent herbicide, a lawn fertilizer, and a broadleaf weed killer.

- The preemergent herbicide can be applied to established turfgrass to control crabgrass goosegrass, foxtails, and other undesirable annual grasses.
- The mixed fertilizer contains slow release nutrients that may extend the availability for turfgrass uptake.
- The broadleaf herbicide will control over 200 lawn weeds including dandelion, chickweed, thistle and clover. A partial list of broadleaf weeds is presented on this label.

WHERE TO USE

EH-1400 Herbicide may be used on the following established turf species:

Established Cool Season Turfgrass:

Kentucky bluegrass
creeping bentgrass
perennial ryegrass
fine fescues (hard fescue, chewings fescue and red fescue)
tall fescue

Established Warm Season Turfgrass:

bahiagrass
bermudagrass
buffalograss

centipede grass
zoysiagrass and
St. Augustine grass (except 'Floratum')

Do not use EH-1400 Herbicide on dichondra, carpetgrass or Colonial bentgrass.
Do not use this product on turfgrass where desirable clovers are present.
Use of this product may result in undesirable injury on certain cultivars of fine fescues and not all cultivars have been tested. The following cultivars of fine fescues have demonstrated sensitivity to this product: 'Atlanta', 'Banner', 'Beauty', 'Biljart', 'CF-2', 'Enjoy', 'HF-93', 'Highlight', 'Ivalo', 'Jamestown', 'Koket', 'Majenta', 'Mary', 'Pennlawn', 'Tamara', 'Tatjana', 'Waldorf' and 'Waldina'.

Guidelines to follow:

This product may be used on seeded, sodded or sprigged lawns that are well established. The grass should have developed a good root system and have received at least two mowings following its seeding, sodding, or sprigging before it can receive the first application of this product.

The use of EH-1400 Herbicide on lawns and ornamental turfgrasses that are not well established, or have been weakened by stress due to mechanical operations, chemical injury, disease, insects, pests, excessive temperatures, or lack of moisture may increase the chances for turfgrass injury. Allow turfgrass weakened by these stresses to recover before application of this product.

Do not use this product on flowers, vegetables, groundcovers, gardens or landscape plantings with shrubs and trees. Do not exceed specified dosage for any area.

Do not use clippings from treated areas for composting or for mulching vegetables or fruit trees.

Do not contaminate domestic or irrigation waters.

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.

Optional Abbreviated Weed List

WEEDS CONTROLLED			
When applied as directed, this product will control and/or suppress* the following weeds:			
Annual Grass Weeds:			
Annual Bluegrass* (Poa annua)	Barnyardgrass Crabgrass	Crowfootgrass Foxtail (green and yellow)	Goosegrass* Smutgrass (seedling)*
Annual Ryegrass			
*Suppression is denoted with asterisk.			

A partial listing of established broadleaf weeds:

Bedstraw	Curly dock	Narrowleaf plantain	Red sorrel
Beggarticks	Daisy, oxeye Dandelion	Oxalis	Redroot pigweed
Black medic	Dichondra	Parsley-piert	Sheep sorrel
Broadleaf plantain	False dandelion	Pearlwort	Shepherdspurse
Buckhorn plantain	Ground ivy	Pennycress	Slender plantain
Burclover	Healall	Pepperweed	Smooth dock
Burdock	Henbit	Pigweed	Smooth pigweed
Carpetweed	Knotweed	Plantain	Spurge
Chickweed, common	Lambsquarters	Poison ivy	Thistle

A partial listing of established broadleaf weeds:			
Chickweed, mouseear	Lespedeza	Poison oak	Woodsorrel
Chicory	Mallow	Pokeweed	Yarrow
Clover, hop	Matchweed	Purslane, common	and other
Clover, strawberry	Momingglory	Ragweed	broadleaf weeds
Clover, white	Mustard		

End Optional Abbreviated Weed List]

Optional Full Weed List

WEEDS CONTROLLED			
When applied as directed, EH-1400 Herbicide will control and/or suppress* the following weeds:			
Annual Bluegrass* (Poa annua)	Barnyardgrass	Crowfootgrass	Foxtail (green and yellow)
Kikuyugrass* (seedling)	Annual Ryegrass	Crabgrass (large, smooth, and Southern)	Goosegrass*
Smutgrass (seedling)			
Broadleaf Weeds:			
Annual yellow sweetclover	Clover, white	Musk thistle	Spiny amaranth
Aster	Cockle	Mustard	Spiny cocklebur
Austrian fieldcress	Cocklebur	Narrowleaf plantain	Spiny sowthistle
Bedstraw	Common mullein	Narrowleaf vetch	Spotted catsear
Beggarticks	Creeping jenny	Nettle	Spotted spurge
Betony, Florida	Cudweed	Orange hawkweed	Spurweed
Bindweed, field	Curly dock	Oriental cocklebur	Stinging nettle
Bird vetch	Daisy, English	Oxalis	Strawberry, India mock
Bitter wintercress	Daisy fleabane	Parsley piert	Tall nettle
Bittercress, hairy	Daisy, oxeye	Parship	Tall vervain
Bitterweed	Dandelion	Pearlwort	Tansy ragwort
Black-eyed Susan	Dichondra	Pennycress	Tansy mustard
Black medic	Dogfennel	Peppergrass	Tanweed
Black mustard	Dollarweed	Pepperweed	Thistle
Blackseed plantain	False dandelion	Pigweed	Trailing crownvetch
Blessed thistle	Falseflax	Pineappleweed	Tumble mustard
Bloodflower, milkweed	False sunflower	Pineywoods bedstraw	Tumble pigweed
Blue lettuce	Fiddleneck	Plains tickseed	Velvetleaf
Blue vervain	Florida pusley	Plantain	Venice mallow
Bracted plantain	Frenchweed	Poison ivy	Virginia buttonweed
Brassbuttons	Galinsoga	Poison oak	Virginia creeper
Bristly oxtongue	Goathead	Pokeweed	Virginia pepperweed
Broadleaf dock	Goldenrod	Poonoe	Wavyleaf bullthistle
Broadleaf plantain	Ground ivy	Prairie sunflower	Western climatis
Broomweed	Gumweed	Prickly lettuce	Western salsify
Buckhorn	Hairy fleabane	Prickly sida	White mustard
Buckhorn plantain	Hawkweed	Prostrate knotweed	Wild aster
Bulbous buttercup	Healall	Prostrate pigweed	Wild buckwheat
Bull thistle	Heartleaf drymary	Prostrate spurge	Wild carrot
Bullnettle	Heath aster	Prostrate vervain	Wild four-o'clock
Burclover	Hedge bindweed	Puncturevine	Wild garlic
Burdock	Hedge mustard	Purslane, common	Wild geranium
Burning nettle	Henbit	Ragweed	Wild lettuce
Burweed	Hoary cress	Red sorrel	Wild mangold
Buttercup	Hoary plantain	Redroot pigweed	Wild mustard
Buttonweed	Hoary vervain	Redstem filaree	Wild onion
Canada thistle	Horsenettle	Rough cinquefoil	Wild parsnip
Carolina geranium	Jimsonweed	Rough fleabane	Wild radish
Carpetweed	Knawel	Russian pigweed	Wild rape
Catchweed, bedstraw	Knotweed	Scarlet pimpernel	Wild sweet potato
Catnip	Kochia	Scotch thistle	Wild vetch
Catsear	Lambsquarters	Sheep sorrel	Woodsorrel
Chickweed, common	Lespedeza	Sheepspurge	Woolly croton
Chickweed, mouseear	Mallow	Slender plantain	Woolly morningglory
Chicory	Matchweed	Smallflower galinsoga	Woolly plantain

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Cinquefoil	Mexicanweed	Smooth dock	Wormseed
Clover, crimson	Milk vetch	Smooth pigweed	Yarrow
Clover, hop	Momingglory	Sorrel	Yellow rocket
Clover, red	Mouseear hawkweed	Sowthistle	Yellowflower pepperweed
Clover, strawberry	Mugwort	Spanishneedles	and other
Clover, sweet		Speedwell	broadleaf weeds

*Suppression is denoted with an asterisk.

End Optional Full Weed List]

WHEN TO APPLY

A. Established lawns:

This product may be applied as a single application or as split applications in the spring, early summer, or fall.

For crabgrass and other listed annual grasses: This product is a preemergent herbicide to control crabgrass (smooth, southern and large) and other susceptible annual grasses. Spring applications should coincide with the period of maximum weed germination.

Application of this product must occur before the emergence of crabgrass from the soil.

For the best results in the spring, apply this product one to two (1 to 2) weeks before the expected germination of crabgrass. When the period of germination for crabgrass and other weeds listed on this label extends into early summer, then a second application can be made at 6 to 10 weeks after the initial application.

This product may also provide early post emergent control of crabgrass. However, post emergent crabgrass control will be obtained only when this product is applied before the first tiller stage of crabgrass.

Broadleaf weeds present at the time of application will be controlled.

All summer grasses do not germinate at the same time. If the application schedule does not coincide with the normal germination period of the annual grasses listed on this label, then weed control results may be poor or erratic. Do not expect adequate control with applications made later than four (4) weeks after crabgrass germination.

This product is not effective against established annual grass weeds, sedges, and perennial grass weeds.

The use rates for a single application and split applications presented in Table 2 can be made at 6 to 10 weeks after the initial application. Use the higher use rates when the expected weed infestations are dense and/or when applications are made early and longer residual control is desired (See Table 2).

For broadleaf weed control:

Best results are obtained during the spring and fall when broadleaf weeds are present, young and actively growing under adequate soil moisture and favorable temperatures (50° to 80°F). Applications during unusually cool weather or hot and dry conditions can reduce weed control. Also, applications during hot weather (above 80°F) and dry conditions may cause turfgrass injury.

Avoid applications to St. Augustinegrass during the summer months (June to September) because turfgrass injury/discoloration may occur.

At the time of application, moisture on the weed leaves from dew, rainfall or irrigation/watering aids in control.

B. New lawns, Reseeding and Sprigging:

New lawns: To establish a new lawn of Kentucky bluegrass, perennial ryegrass, and/or fescues, this product may be applied two (2) weeks after the first sign of germination of the turfgrass. For other turfgrass, wait until the turfgrass has been mowed two to three (2 to 3) times before applying this product.

Reseeding: Do not apply this product prior to eight (8) weeks before seeding.

Sprigging: The sprigging of turfgrass into areas previously treated with this product should be delayed until eight (8) weeks from the time of application. Sprigging before eight (8) weeks may injure or prevent the establishment of newly sprigged turfgrass.

HOW MUCH TO USE

- Apply this product uniformly over the lawn. An uneven application can decrease weed control or cause turf injury. Use a drop or rotary spreader designed to apply granular fertilizers. Avoid using drop spreaders that deliver this product in narrow, concentrated bands. Avoid streaking patterns, skips or excessive overlaps because poor weed control or turfgrass injury may result.
- Apply this product when the wind is calm. Wind can affect the product's distribution and result in uneven weed control.
- Apply the proper amount. Over application may result in turf injury.

Typically a lawn utilizes 1 to 4 lb of nitrogen per 1,000 sq.ft. per growing season. When applied as directed, this product provides XX lb of nitrogen per 1,000 sq.ft. Contact your local Extension Service for information specific to your geographic region.

Table 2. Use rates for preemergent control of annual grasses and broadleaf weeds in cool season turfgrass and warm season turfgrass.

Partial listing of weeds, but not limited to:	Pounds of product/ 1,000 sq.ft.	Maximum number of applications per year	Interval after the first application	Comments
I. Single Application				
Crabgrass, foxtail, goosegrass, barnyardgrass, crowfootgrass, spurge, purslane, clover	3.0 to 4.5 pounds of product/1,000 sq.ft.	2	---	Apply in the spring before weed seed germination
Chickweed, henbit, speedwell, bittercress, shepherdspurse and other winter annuals	3.0 to 4.5 pounds of product/1,000 sq.ft.	2	---	Apply in late summer or early fall before weed seed germination
II. Split Applications				
Crabgrass, foxtail, goosegrass, crowfootgrass, barnyardgrass, spurge, purslane, clover	3.0 to 3.5 plus 3.0 to 3.5 pounds of product/1,000 sq.ft.	2	6 to 10 weeks	Apply in the spring before weed seed germination
Chickweed, henbit, speedwell, bittercress, shepherdspurse and other winter annuals	3.0 to 3.5 plus 3.0 to 3.5 pounds of product/1,000 sq.ft.	2	6 to 10 weeks	Apply in late summer or early fall before weed seed germination
Do not apply more than 4.5 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 9 pounds of product per 1000 square feet per year. [note to reviewer: the following information may be omitted from the final printed label: 4.5 pounds of this product contains 1.25 lb 2,4-D (ae), 0.27 lb mecoprop-p (ae), 0.12 lb dicamba (ae), and 0.37 lb dithiopyr.]				

Table 3. Use rates for preemergent control of annual grasses and broadleaf weeds in New York State.

Partial listing of weeds, but not limited to:	Pounds of product/1,000 sq.ft.	Maximum number of applications per year	Interval after the first application	Comments
Single Applications				
Crabgrass, foxtail, goosegrass, barnyardgrass, crowfootgrass, spurge, purslane, clover	3.0 pounds of product/1,000 sq.ft.	1	---	Apply in the spring before weed seed germination
Chickweed, henbit, speedwell, bittercress, shepherdspurge and other winter annuals	3.0 pounds of product/1,000 sq.ft.	1	---	Apply in late summer or early fall before weed seed germination
New York State: Do not exceed 3 pounds of product/1,000 sq.ft. per year (0.25 pound of dithiopyr per acre per year)				

[Restatement and combination of Tables 2 and 3 which may be used when commercial product uses maximum application rate of 3 pounds/1000 sq.ft.]

Table 4. Use rates for preemergent control of annual grasses and broadleaf weeds in cool season turfgrass and warm season turfgrass.

Partial listing of weeds, but not limited to:	Comments	Pounds of product/1,000 sq.ft.	Maximum number of applications per year	Interval after the first application (optimal)
Crabgrass, foxtail, goosegrass, barnyardgrass, crowfootgrass, spurge, purslane, clover	Apply in the spring before weed seed germination	3.0 pounds of product/1,000 sq.ft.	2 (1 in New York State)	6 to 10 weeks
Chickweed, henbit, speedwell, bittercress, shepherdspurge and other winter annuals	Apply in late summer or early fall before weed seed germination			
Do not apply more than 3 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 6 pounds of product per 1000 square feet per year.				
New York State: Do not exceed 3 pounds of product/1,000 sq.ft. per year (0.25 pound of dithiopyr per acre per year).				

CALIBRATION INSTRUCTIONS and SUGGESTED SPREADER SETTINGS

- Follow the instructions of equipment (spreader) manufacturer for adjusting the spreader settings.
- 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.

This 15 (other retail sizes) pound bag treats up to 5,000 sq.ft. of turfgrass.

- For 3.5 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 285 square feet and adjust to apply at the rate of 1 pound of product per 285 square feet.

This 18 (other retail sizes) pound bag treats up to 6,000 sq.ft. of turfgrass.

- 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.

This 12 (other retail sizes) pound bag treats up to 5,000 sq.ft. of turfgrass.

- For 4.5 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 225 square feet and adjust to apply at the rate of 1 pound of product per 225 square feet.

This 11 pound bag treats up to 5,000 sq.ft. of turfgrass.

Approximate settings to apply this product at a rate of xxx lb per 1,000 sq.ft.			
Brand name of drop spreaders	Setting	Brand name of rotary spreaders	Setting
Xxx	Xxx	Xxx	Xxx

The above spreader settings are approximate. However, age and condition of spreader, speed of operation and evenness of terrain may require slightly different settings for desired coverage.

[This XX lb bag covers YYYY sq ft. Use the settings above to apply at a rate of ZZ lb per 1,000 sq ft.]

Note: Spreader settings will be presented on final printed labels.

RAINFALL/ IRRIGATION:

Do not irrigate the lawn for one day (24 hours) after application. Rainfall or irrigation (greater than 1/2 inch) at 2 to 7 days after application may optimize the weed control.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep in original container in a cool, dry area, away from extreme heat and direct sunlight. Do not store near food feed, seeds or other pesticides.

PESTICIDE DISPOSAL AND OTHER 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

WARRANTY

The Manufacturer warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, expressed or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions not reasonably foreseeable to Manufacturer, and Buyer assumes the risk of any such use.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on this label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricane), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Sellers election, one of the following:

- 3. Refund of purchase price paid by Buyer or User for product bought, or
- 4. Replacement of amount of product used.

To the extent consistent with applicable law, seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. To the

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extent consistent with applicable law, in no case shall Seller be liable for consequential or incidental damages or losses.

APPENDIX SUBLABEL 1

1. Advertising claims that may be presented on the container:

- Kills Dandelion
- Controls Crabgrass and Fertilizes
- Fertilize Once for Whole Season — Feeds and greens with slow release fertilizer for up to four months.
- XX pounds covers up to ____ sq.ft.

2. Additional Labeling Requirements for Fertilizers and State Registrations:

- If the fertilizer guarantee contains iron, this following statement must appear: This product contains secondary nutrient iron. Iron may stain concrete and should not be applied on dry or water dampened concrete and should be removed from these areas promptly after application by sweeping or blowing. Do not wash off with water.
- If the recommended use rate applies less than 1 pound nitrogen per 1,000 sq.ft. per application, the following statement must appear: Supplemental applications of lawn fertilizer are needed to achieve a minimum of 1 pound nitrogen per 1,000 sq.ft.
- For products distributed in the State of Washington, the following statement must appear: Information regarding the contents and levels of metals in this product is available on the Internet at XXX.xxx.
- Information regarding the contents and levels of metals in this product is available on the internet at: "<http://www.aapfco.org/metals.htm>."

3. Alternate optional maximum application statement:

- **Other states:** The maximum broadcast application rate is 4.5 pounds of product per 1,000 sq.ft. per application (1.25 lb 2,4-D ae, 0.27 lb MCP-p ae, 0.12 lb dicamba ae and 0.37 lb dithiopyr 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 9 pounds of product per 1,000 sq.ft. (2.5 lb 2,4-D ae, 0.54 lb MCP-p ae and 0.24 lb dicamba ae and 0.75 lb dithiopyr per acre per year).

APPENDIX SUBLABEL 2

1. Advertising claims that may be presented on the container:

- Kills Dandelion
- Feeds and greens with slow release fertilizer for up to three months.

2. Additional Labeling Requirements for Fertilizers and State Registrations:

- For paper box board containers, the following statement may appear:
 - This container is constructed from 85% recycled box board.
- If the fertilizer guarantee contains iron, this following statement must appear:
 - This product contains secondary nutrient iron. Iron may stain concrete and should not be applied on dry or water dampened concrete and should be removed from these areas promptly after application by sweeping or blowing. Do not wash off with water.
- If the recommended use rate applies less than 1 pound nitrogen per 1,000 sq.ft. per application, the following statement must appear:
 - Supplemental applications of lawn fertilizer are needed to achieve a minimum of 1 pound nitrogen per 1,000 sq.ft.
- For products distributed in the State of Washington, the following statement must appear:

- o When applied as directed, this product meets the guidelines for metals adopted by the Association of American Plant Food Control Officials.
- o Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.regulatory-info-lebsea.com> .
- Information regarding the contents and levels of metals in this product is available on the internet at: "http://www.aapfco.org/metals.htm."

3. Alternate optional maximum application statement:

The maximum broadcast application rate is 4.5 pounds of product per 1,000 sq.ft. per application (1.25 lb 2,4-D ae, 0.27 lb MCPP-p ae, 0.12 lb dicamba ae and 0.37 lb dithiopyr 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 9 pounds of product per 1,000 sq.ft. (2.5 lb 2,4-D ae, 0.54 lb MCPP-p ae and 0.24 lb dicamba ae and 0.75 lb dithiopyr per acre per year).

APPENDIX FOR ALL SUBLABELS

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Weight: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on the container:

- Controls [Kills] [names of weeds from label weed list] and other broadleaf weeds [and many other listed broadleaf weeds].
- Prevents crabgrass, [and] kills broadleaf weeds, [and feeds your lawn] in one step
- 3 in 1: Prevents crabgrass, kills broadleaf weeds and fertilizes
- Prevents Crabgrass [from germinating.]
- Kills all major broadleaf weeds [as listed]
- Use where weeds are actively growing.
- Controls grass and broadleaf weeds!
- Eliminates lawn weeds as listed.
- Season long feeding! [up to 5 months]
- Feeds your lawn with timed-released nitrogen for extended greening
- Feeds [2x Longer] [Twice as Long] Compared to [Vigoro Ultra Turf Turf Fertilizer] [Sta-Green Phosphorus-Free Lawn Fertilizer]
- High-Performance fertilizer contains 5% iron for deep greening.
- Long lasting-feeds up to 5 months.
- Greens Quickly and feeds up to 5 months
- Time-release nitrogen feeds and enriches the soil resulting in a thick, green, strong lawn.
- Contains Composite Timed-Released (CTR)** Nitrogen for Extended Feeding.
- Contains 5% Iron for Deep Greening
- [XXXX pounds] covers [up to] YYYY sq. ft.
- Control Dandelion, Crabgrass & More [As Listed]
- Greens Quicker, Feeds Longer*
 - *Compared to Sta-Green Phosphorus-Free Weed & Feed
- Greens Fast, Feeds Twice As Long* -- Up To 5 Months
 - *Compared to Sta-Green Phosphorus-Free Weed & Feed
- Kills [Controls] Over XXX [Listed] Broadleaf Weeds [As Listed] & Crabgrass -- Prevents Other [Listed] Grass Weeds [As Listed] From Germinating
- Apply in Spring And Fall
- Money Back Guarantee

- Why Sta-Green® Ultra? When it comes to your lawn, we know what matters – a lush, green lawn that lasts all season long. With 5% iron and a high level of controlled-release nitrogen, Sta-Green Ultra premium lawn fertilizers green quicker and feed longer than ordinary lawn fertilizers. STA-GREEN ULTRA FERTILIZERS – PERFORMANCE YOU CAN TRUST, GUARANTEED.
- THE STA-GREEN PROMISE. YOUR SATISFACTION GUARANTEED OR YOUR MONEY BACK! If you use Sta-Green Ultra Phosphorus-Free Weed & Feed as directed and are not completely satisfied, send proof of purchase from this package and the original cash register receipt to the address below. We will refund the purchase price you paid.
- Kills Broadleaf Weeds [As Listed] & Prevents Grass Weed Germination
- 32-0-4
- Project Guide
- 3 Simple Steps To A Lush, Green Lawn
 1. SELECT THE RIGHT FERTILIZER. Vigoro® Super Green™ products are specifically formulated to provide both a quick and long-lasting feeding. One application provides the lawn nutrients needed to grow thick and green. They're formulated with 5% iron for deep greening and coated nitrogen for an extended, even feeding up to 5 months!
 2. USE A QUALITY SPREADER. Spreaders can be calibrated to accurately apply all granular lawn care products.
 3. SWEEP OFF HARD SURFACES. Vigoro Super Green products are formulated with extra iron for deep greening. They may stain concrete surfaces, so it is important to sweep off any product spilled on hard surfaces before watering in.

3. Trademark acknowledgements.

- DIMENSION® is a registered trademark of Dow AgroSciences, L.L.C.
- TRIMEC® is a registered trademark of PBI/GORDON CORPORATION.

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00856.20091016.notif-proposed-highlighted.doc
2. **Reason for Issue:** include full weed list in sublabel 2