



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 29, 2020

Eric D. Smith
Director, Regulatory Affairs
PBI/Gordon Corporation
P.O. Box 860350
Shawnee, KS 66286

Subject: Notification per PRN 98-10 – Add optional spreader instructions, alternative warranty statements and advertising claims

Product Name: EH-1402 Herbicide
EPA Registration Number: 2217-858
Application Date: June 19, 2020
Decision Number: 564356

Dear Mr. 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 will be 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) list 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 Endia Blunt at 703-347-0788 or by email at Blunt.Endia@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mindy Ondish".

Mindy Ondish
Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

EH-1402 HERBICIDE

EPA Reg. No. 2217-858

Two sublabels represent the entire master label of EH-1402 Herbicide. Please refer to the appropriate section of the labeling as shown as follows:

Section
Sublabel 1: Intended for commercial pesticide applicators.
Sublabel 2: Intended for homeowners.
Appendix
Document Control Information

NOTIFICATION

2217-858

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:

07/29/2020

SUBLABEL 1

Intended for commercial pesticide applicators.

EH-1402 HERBICIDE

EPA Reg. No. 2217-858

In the State of New York: This product may be applied only by commercial pesticide applicators at no more than 218 pounds (5.0 lb of product per 1,000 sq.ft.) per year. Use of this product in Nassau and Suffolk Counties is prohibited.

ACTIVE INGREDIENTS:

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 (CAS 97886-45-8)	0.16%
OTHER INGREDIENTS:	<u>99.00%</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.
- 3.2 lb dithiopyr per ton.

Isomer Specific by AOAC Methods

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

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are natural rubber.

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.

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

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.	

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

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. Do not enter or allow people (or pets) to enter the treated area until dusts have settled.

USE RESTRICTIONS

- Read all precautions and directions for use carefully before applying this product.
- Do not enter or allow entry to the treated areas (except those involved in the 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.
- Do not use this product where desirable clovers are present or apply (spread) the granules onto flowers, vegetables or ornamental shrubbery. Do not spread over exposed roots of trees and ornamentals. Do not exceed specified dosage for any area.
- Do not use clippings from treated areas 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 use this product on seedling buffalograss in the spring of the first year of establishment until the turfgrass is fully green and has established new roots.
- Do not use EH-1402 Herbicide on colonial bentgrass, dichondra, carpetgrass, or 'Floritam' St. Augustinegrass.

USE PRECAUTIONS

- Reseeding, overseeding or sprigging of areas treated with this product within 10 weeks after a single application of this product, or within 16 weeks after a split application totaling 5.0 lb of product/1,000 sq.ft. (0.38 lb active ingredient per acre) or more may inhibit the establishment of desirable turfgrasses.
- When reseeding or overseeding, follow established cultural practices for seedbed preparation, seeding, irrigation and fertilization.

PRODUCT INFORMATION

EH-1402 Herbicide provides postemergent control of over 200 broadleaf weeds and preemergent or early postemergent control of many annual weed grasses in established cool and warm season turf.

ORNAMENTAL LAWNS AND TURFGRASS:

WHERE TO USE:

EH-1402 Herbicide is intended to be applied by lawn care operators, maintenance applicators, and service technicians for use in ornamental lawns and turf established in institutional, ornamental, and residential/domestic 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 (excluding greens), and office buildings. Ornamental sites include turfgrass established around residences, parks, streets, retail outlets, cemeteries, industrial and institutional buildings. Finally, 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.

EH-1402 Herbicide is recommended for the following established turf species:

Established Cool Season Turfgrasses - Kentucky bluegrass, perennial ryegrass, fine and tall fescues. Use of this product on certain varieties of fine fescue may result in undesirable turf injury. The following fine fescue varieties have been found to be sensitive to this product: 'Atlanta', 'Banner', 'Beauty', 'Bilgart', 'CF-2', 'Enjoy', 'HF-93', 'Highlight', 'Ivalo', 'Jamestown', 'Koket', 'Majenta', 'Mary', 'Pennlawn', 'Tamara', 'Tatjana', 'Waldorf', and 'Waldina'. Not all varieties of fine fescue have been tested.

Established Warm Season Turfgrasses - Bahiagrass, bermudagrass, buffalograss, centipedegrass, zoysiagrass, St. Augustinegrass (except 'Floritam').

Note: It is not possible to evaluate all turfgrass varieties for tolerance to this product. It is suggested that the user evaluate the response of turfgrass varieties not listed on this label on a limited area, at recommended use rates, prior to initiating large scale use.

Use of EH-1402 Herbicide on lawns and ornamental turfgrasses that are not well established, or have been weakened by stress due to mechanical operations, 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.

WEEDS CONTROLLED			
When applied as directed, EH-1402 Herbicide will control the following weeds:			
Annual Bluegrass (Poa annua)	Barnyardgrass	Crowfootgrass	Kikuyugrass (seedling)
Annual Ryegrass	Crabgrass (large, smooth, and Southern)	Foxtail (green and yellow)	Smutgrass (seedling)
		Goosegrass	
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	Parsnip	Tall vervain
Bitterweed	Dandelion	Pearlwort	Tansy ragwort
Black-eyed Susan	Dichondra	Pennycress	Tansy mustard
Black medic	Dogfennel	Pepperweed	Tanweed
Black mustard	Dollarweed	Pigweed	Thistle
Blackseed plantain	False dandelion	Pineappleweed	Trailing crownvetch
Blessed thistle	Falseflax	Pineywoods bedstraw	Tumble mustard
Bloodflower milkweed	False sunflower	Plains tickseed	Tumble pigweed
Blue lettuce	Fiddleneck	Plantain	Velvetleaf
Blue vervain	Florida pusley	Poison ivy	Venice mallow
Bracted plantain	Frenchweed	Poison oak	Virginia buttonweed
Brassbuttons	Galinsoga	Pokeweed	Virginia creeper
Bristly oxtongue	Goathead	Poorjoe	Virginia pepperweed
Broadleaf dock	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
Broadleaf plantain	Ground ivy	Prickly lettuce	Western clematis
Broomweed	Gumweed	Prickly sida	Western salsify
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	White mustard
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild aster
Bull thistle	Healall	Prostrate spurge	Wild buckwheat
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild carrot
Burclover	Heath aster	Puncturevine	Wild four-o'clock
Burdock	Hedge bindweed	Purslane, common	Wild garlic
Burning nettle	Hedge mustard	Ragweed	Wild geranium
Burweed	Henbit	Red sorrel	Wild lettuce
Buttercup	Hoary cress	Redroot pigweed	Wild marigold
Buttonweed	Hoary plantain	Redstem filaree	Wild mustard
Canada thistle	Hoary vervain	Rough cinquefoil	Wild onion
Carolina geranium	Horsenettle	Rough fleabane	Wild parsnip
Carpetweed	Jimsonweed	Russian pigweed	Wild radish
Catchweed bedstraw	Knawel	Scarlet pimpernel	Wild rape
Catnip	Knotweed	Scotch thistle	Wild sweet potato
Catsear	Kochia	Sheep sorrel	Wild vetch
Chickweed, common	Lambsquarters	Sheperdspurse	Woodsorrel
Chickweed, mouseear	Lespedeza	Slender plantain	Woolly croton
Chicory	Mallow	Smallflower galinsoga	Woolly morningglory
Cinquefoil	Matchweed	Smooth dock	Woolly plantain

WEEDS CONTROLLED			
Clover, crimson	Mexicanweed	Smooth pigweed	Wormseed
Clover, hop	Milk vetch	Sorrel	Yarrow
Clover, red	Morningglory	Sowthistle	Yellow rocket
Clover, strawberry	Mouseear hawkweed	Spanishneedles	Yellowflower pepperweed
Clover, sweet	Mugwort	Speedwell	

WHEN TO APPLY

Established Lawns: Apply when broadleaf weeds are actively growing and prior to germination or tillering of annual grasses. EH-1402 Herbicide may be applied as a single application or as a split application either in the spring, summer or fall.

Newly Seeded Areas: When establishing a new lawn of Kentucky bluegrass, perennial ryegrass and/or tall fescue, this product may be applied 2 weeks after the first sign of grass germination. For other turfgrass varieties, wait until the grass is well established (3 mowings) before applying this product.

HOW TO APPLY

For optimum weed control apply to recently mowed turf when foliage is moist. When possible, delay mowing or irrigation for several days after treatment. Uniform coverage is essential for best results.

Application Directions for Turf

Tips for Improved Weed Control

- For best results, apply this product within a few days after mowing and delay mowing again for a few days after the application.
- The dithiopyr component in this product is not effective until activated by rainfall or irrigation. Performance is improved if application is followed by 1/2 inch of rainfall or sprinkler irrigation.
- Use of split (half-rate applications) spaced 5 to 10 weeks apart may provide improved weed control.

Control of Crabgrass

Preemergence and Early Postemergence Control

- This product provides preemergent control of crabgrass in established turfgrasses (including the large, smooth, and southern species) when applied prior to germination and emergence of crabgrass.
- This product also provides early postemergent control of crabgrass if applied prior to the 3-leaf stage of growth or first tiller as described below. This stage of growth generally corresponds to the time when crabgrass seedlings first become visible in the established turfgrass. The practical benefit of early postemergent crabgrass control is a 2 to 4 week longer period of time (window of application) during which crabgrass control can be achieved.

Application Frequency and Timing

This product may be applied as a single application, as a split application, or as a sequential application for crabgrass control in the spring, summer or fall as described in the following use programs.

Spring Applications

For applications made in the spring or early summer, use an appropriate application rate corresponding to one of the two control programs listed in Table 1. Specific rate recommendations are based on the user's location, the mowing height of the turfgrass, and whether the application timing is considered to be preemergence or early postemergence. The duration of residual weed control provided by this product is directly related to application rate, but will vary somewhat depending on weather, weed pressure, turfgrass competitiveness, and the users' location within a region.

Use Program 1 for preemergent control at sites where turfgrass is cut relatively high (e.g., homeowner lawns). This program provides 3 to 5 months of preemergent crabgrass control. This program will also provide early postemergent control of crabgrass up to the 3-leaf stage or first tiller at sites where turfgrass is cut relatively high (e.g., homeowner lawns).

Use Program 2 for preemergent control at sites where turfgrass is cut relatively low (e.g., golf fairways) and/or turfgrass maintenance or weed control has been conducted during the previous year. This program provides 4 to 6 months of preemergent crabgrass control. This program may also be used for early postemergent control of crabgrass up to the 3-leaf stage or first tiller at sites where turfgrass is cut relatively high (e.g., homeowner lawns).

Maximum use rate restrictions:

- In the State of New York: This product may be applied only by commercial pesticide applicators at no more than 218 pounds per acre (5.0 lb of product per 1,000 sq.ft.) per year. If necessary, a second application may be made no sooner than 30 days after the first. Use of this product in Nassau and Suffolk Counties is prohibited.
- Other States: The maximum broadcast application rate is 5.0 pounds of product per 1,000 sq.ft. per application (1.39 lb 2,4-D ae, 0.30 lb MCP-p ae, 0.13 lb dicamba ae and 0.35 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 10 pounds of product per 1,000 sq.ft. (2.78 lb 2,4-D ae, 0.60 lb MCP-p ae and 0.26 lb dicamba ae and 0.70 lb dithiopyr per acre per year).

Region	Application Rates	Program 1	Program 2
All states except NY, and parts of states not included in transition, south, coastal south or west.	lb/acre	130	152
	lb/1,000 sq.ft.	3.0	3.5
New York State only	lb/acre	152	218
	lb/1,000 sq.ft.	3.5	5.0
Transition: DE, KS, KY, MD, MO, NJ, VA, southeastern PA, southern areas of IL, IN, OH, & coastal areas of CT & RI.	lb/acre	152	218
	lb/1,000 sq.ft.	3.5	5.0
South: AL, AR, GA, LA, MS, NC, NM, OK, SC, TN, & TX.	lb/acre	218	152 + 152
	lb/1,000 sq.ft.	5.0	3.5 + 3.5†
Coastal South: HI, FL & southern coastal areas of AL, GA, LA, MS, NC, SC, & TX.	lb/acre	152 + 152	196 + 196
	lb/1,000 sq.ft.	3.5 + 3.5†	4.5 + 4.5†
West: AZ, CA, & NV. In this climatically diverse region, use the higher rates in local areas with longer crabgrass seasons.	lb/acre	130 to 152	152 to 196
	lb/1,000 sq.ft.	3.0 to 3.5†	3.5 to 4.5†

† Split applications may be made 5 to 10 weeks apart.

Use of Split or Sequential Applications: Split or sequential applications may be used to provide improved weed control or to provide extended weed control in areas with long growing seasons. Split applications may be made with the rates in Table 1 being split between two applications made 5 to 10 weeks apart. When longer periods of control are required, sequential applications may be made in late summer or fall following a spring application or in the spring following a fall application, provided the maximum application rate per year is not exceeded. Refer to the “Maximum Use Rates” section above and separate rate restrictions for the State of New York.

Fall Applications:

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

CALIBRATION INSTRUCTIONS AND SPREADER SETTINGS:

- This product may be applied with rotary-type spreaders. For best results, apply this product evenly and uniformly avoiding streaking, skips or overlaps.
- Calibrate the spreader according to the manufacturer's directions. Initial spreader settings may require adjustment to deliver the recommended rate under actual application conditions.
- Apply this product uniformly over the treatment area. More uniformity of application can usually be achieved by applying one-half of the required amount of product over the treatment area and then applying the remaining one-half in a different direction (e.g., at a right angle to the previous direction). Avoid streaking, skips or overlaps during application
- 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 4.5 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.
- For 5.0 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 200 square feet and adjust to apply at the rate of 1 pound of product per 200 square feet.
- Check equipment frequently to verify calibration and proper functioning.

Spreader	Delivers ___ lbs./1,000 sq. ft.			
	3.0 lbs.	3.5 lbs	4.5 lbs	5.0 lbs.
LESCO® Rotary calibration gauge setting #	X	X	X	X
Ortho® Drop (5000)	X	X	X	X
Ortho® Rotary (6000)	X	X	X	X
Precision® Red Devil® Rotary	X	X	X	X
Quaker® Rotary	X	X	X	X
Republic® EZ Drop	X	X	X	X
Republic® EZ Grow	X	X	X	X
Republic® EZ Rotary	X	X	X	X
Scotts® Drop (PF3)	X	X	X	X
Scotts® Easy Green	X	X	X	X
Scotts® Speedy Green	X	X	X	X
True Temper Rotary	X	X	X	X

These 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. If your spreader model does not appear below, please call toll-free 800-xxx-xxxx, 8 A.M. to 5 P.M. EDT, Monday to Friday for additional model settings.

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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available or 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, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of seller. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

LIMITATION OF REMEDIES

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. In no case shall seller be liable for consequential or incidental damages or losses.

SUBLABEL 2
Intended for homeowners.

EH-1402 HERBICIDE

EPA Reg. No. 2217-858

In New York State: Do not exceed one application at the rate of 3.6 lb of product per 1,000 sq.ft. (0.25 lb active ingredient of dithiopyr per acre).

ACTIVE INGREDIENTS:

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 (CAS 97886-45-8)	0.16%
OTHER INGREDIENTS:	<u>99.00%</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.
- 3.2 lb dithiopyr per ton.

Isomer Specific by AOAC Methods

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: Causes moderate eye irritation. Harmful if absorbed through skin or if swallowed. Avoid contact with skin, eyes or clothing. Handlers should wear long-sleeved shirt and long pants, shoes plus socks, and chemical-resistant gloves made of any waterproof material.

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.

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

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 1-800-xxx-xxxx.

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

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 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.

USE RESTRICTIONS

- Read all precautions and directions for use carefully before applying this product.
- 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.

- Do not use this product on seedling buffalograss in the spring of the first year of establishment until the turfgrass is fully green and has established new roots.
- Do not use EH-1402 Herbicide on colonial bentgrass, dichondra, carpetgrass, or 'Floratam' St. Augustinegrass.
- Do not use this product where desirable clovers are present or spread (apply) the granules onto flowers, vegetables or ornamental shrubbery. Do not spread over exposed roots of trees and ornamentals. Do not exceed specified dosage for any area.
- Do not use clippings from treated areas 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.

USE PRECAUTIONS

- If the lawn has been seeded recently, wait until after the third mowing before using this product. Do not seed, overseed or sprig the treated area for 10 weeks after application.

PRODUCT INFORMATION

EH-1402 Herbicide will control all your lawn's weeds in one application. EH-1402 Herbicide will kill over 200 lawn weeds commonly found in home lawns including dandelion, chickweed, thistle and clover, and will prevent crabgrass and other undesirable annual grasses.

EH-1402 Herbicide is recommended for the following established turf species:

Established Cool Season Turfgrasses - Kentucky bluegrass, perennial ryegrass, fine and tall fescues.

Established Warm Season Turfgrasses - Bahiagrass, bermudagrass, buffalograss, centipedegrass, zoysiagrass, St. Augustinegrass (except 'Floratam').

Use of EH-1402 Herbicide on lawns and ornamental turfgrasses that are not well established, or have been weakened by stress due to mechanical operations, 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.

WEEDS CONTROLLED			
When applied as directed, EH-1402 Herbicide will control the following weeds:			
Annual Grass Weeds:			
Annual Bluegrass (Poa annua)	Barnyardgrass Crabgrass	Foxtail (green and yellow) Goosegrass	Perennial Ryegrass Smutgrass (seedling)
Annual Ryegrass	Crowfootgrass	Kikuyugrass (seedling)	
Established 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	Parsnip	Tall vervain

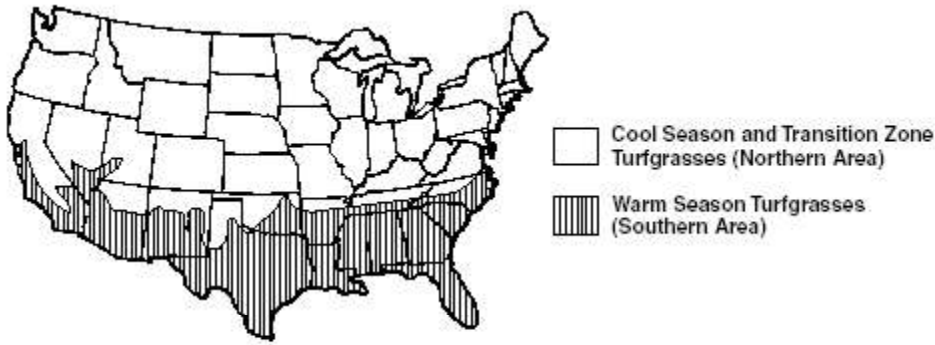
WEEDS CONTROLLED			
Bitterweed	Dandelion	Pearlwort	Tansy ragwort
Black-eyed Susan	Dichondra	Pennycress	Tansy mustard
Black medic	Dogfennel	Pepperweed	Tanweed
Black mustard	Dollarweed	Pigweed	Thistle
Blackseed plantain	False dandelion	Pineappleweed	Trailing crownvetch
Blessed thistle	Falseflax	Pineywoods bedstraw	Tumble mustard
Bloodflower milkweed	False sunflower	Plains tickseed	Tumble pigweed
Blue lettuce	Fiddleneck	Plantain	Velvetleaf
Blue vervain	Florida pusley	Poison ivy	Venice mallow
Bracted plantain	Frenchweed	Poison oak	Virginia buttonweed
Brassbuttons	Galinsoga	Pokeweed	Virginia creeper
Bristly oxtongue	Goathead	Poorjoe	Virginia pepperweed
Broadleaf dock	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
Broadleaf plantain	Ground ivy	Prickly lettuce	Western clematis
Broomweed	Gumweed	Prickly sida	Western salsify
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	White mustard
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild aster
Bull thistle	Healall	Prostrate spurge	Wild buckwheat
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild carrot
Burclover	Heath aster	Puncturevine	Wild four-o'clock
Burdock	Hedge bindweed	Purslane, common	Wild garlic
Burning nettle	Hedge mustard	Ragweed	Wild geranium
Burweed	Henbit	Red sorrel	Wild lettuce
Buttercup	Hoary cress	Redroot pigweed	Wild marigold
Buttonweed	Hoary plantain	Redstem filaree	Wild mustard
Canada thistle	Hoary vervain	Rough cinquefoil	Wild onion
Carolina geranium	Horsenettle	Rough fleabane	Wild parsnip
Carpetweed	Jimsonweed	Russian pigweed	Wild radish
Catchweed bedstraw	Knawel	Scarlet pimpernel	Wild rape
Catnip	Knotweed	Scotch thistle	Wild sweet potato
Catsear	Kochia	Sheep sorrel	Wild vetch
Chickweed, common	Lambsquarters	Shepherd's purse	Woodsorrel
Chickweed, mouseear	Lespedeza	Slender plantain	Woolly croton
Chicory	Mallow	Smallflower galinsoga	Woolly morningglory
Cinquefoil	Matchweed	Smooth dock	Woolly plantain
Clover, crimson	Mexicanweed	Smooth pigweed	Wormseed
Clover, hop	Milk vetch	Sorrel	Yarrow
Clover, red	Morningglory	Sowthistle	Yellow rocket
Clover, strawberry	Mouseear hawkweed	Spanishneedles	Yellowflower pepperweed
Clover, sweet	Mugwort	Speedwell	

WHEN TO APPLY

EH-1402 Herbicide can be used either in the spring or fall. EH-1402 Herbicide should be used when the grass and weeds are actively growing and the soil is moist. Do not apply under drought conditions.

In the spring, the ideal time to apply EH-1402 Herbicide is just before or when the forsythia is in bloom or when the first dandelion flowers appear. In southern areas (see map), make a second application of EH-1402 Herbicide in 6 to 8 weeks for best weed and crabgrass control.

In the fall, apply EH-1402 Herbicide when the weather cools and both the grass and weeds are actively growing, generally around Labor Day.



HOW TO APPLY

This product needs to stick to the leaves of broadleaf weeds and should be applied when the grass is wet from dew or rain; poor results will occur if it is applied to dry lawns. The lawn should not be watered or disturbed for 24 hours after application. Delay mowing for 3 days after application.

Apply this product when the wind is calm. Do not apply this product onto desirable plants or shrubs as damage may result. If the product gets onto other plants immediately brush or wash it off the foliage.

Use a drop or rotary spreader designed to apply granular fertilizers. Avoid skips or excessive overlaps as poor weed control or turfgrass injury may result.

HOW MUCH TO USE

Apply 3.6 pounds of product per 1,000 sq.ft. of turfgrass.

In New York State: Do not exceed one application at the recommended rate of 3.6 lb of product per 1,000 sq.ft. (0.25 lb of dithiopyr per acre).

Other States: Do not apply more than 3.6 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 7.2 pounds of product per 1000 square feet per year. [note to reviewer: the following information may be omitted from the final printed label: 3.6 pounds of this product contains 1.0 lb 2,4-D (ae), 0.22 lb mecoprop-p (ae), 0.09 lb dicamba (ae), and 0.25 lb dithiopyr.]

CALIBRATION INSTRUCTIONS

- For best results, apply this product evenly and uniformly avoiding streaking, skips or overlaps.
- For 3.6 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 275 square feet and adjust to apply at the rate of 1 pound of product per 275 square feet.
- Check equipment frequently to verify calibration

Drop Spreaders Calibration Settings at Specified Rate (3.6 lb/1000 sq ft)

Broadcast Spreader Calibration Settings at Specified Rate (3.6 lb/1000 ft sq)

Spreader	Delivers 3.6 lb per 1,000 sq.ft.
LESCO® Rotary calibration gauge setting #	X
Ortho® Drop (5000)	X
Ortho® Rotary (6000)	X
Precision® Red Devil® Rotary	X
Quaker® Rotary	X
Republic® EZ Drop	X
Republic® EZ Grow	X

Spreader	Delivers 3.6 lb per 1,000 sq.ft.
Republic® EZ Rotary	X
Scotts® Drop Spreader(s)	X
Scotts® Rotary Spreader(s)	X

[SUGGESTED] SPREADER SETTINGS:

[Spreader Setting Recommendations for Desired Rates*]

These 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.

[These settings were calibrated and field tested. However, age and condition of spreader, speed of operation and evenness of terrain may require slightly different settings for desired coverage.]

[*Spreader setting recommendations are accurate for the specified spreader and the products used under the test conditions (temperature and humidity). Results obtained by an applicator in the field may vary based on spreader calibration differences, speed and environmental factors (temperature and humidity).]

If your spreader model does not appear below, please call toll-free 800-xxx-xxxx, 8 A.M. to 5 P.M. EDT, Monday to Friday for additional model settings.

[Rotary [Spreaders]: Make each pass about 30 inches from the previous pass.]

[Drop [Spreaders]: Overlap wheel marks to ensure uniform coverage.]

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by 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 CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency [or www.website.com] for disposal instructions. Never place unused product down any indoor or outdoor drain.

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, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of seller. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

LIMITATION OF REMEDIES

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. In no case shall seller be liable for consequential or incidental damages or losses.

[Alternate Warranty:]

[NOTICE: To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this product not in accordance with directions.]

[OPTIONAL WARRANTY STATEMENT]

The [Subregistrant] Guarantee

If for any reason you [, the consumer,] are not satisfied with this product, mail us your original proof of purchase to obtain a full refund of your purchase price.

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 Weight _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

Herbicide Benefit Claims:

- Kills Dandelion
- Prevents Crabgrass
- Crabgrass Preventer
- Kills dandelions, prevents crabgrass and provides an extended 2 to 4 weeks of control after crabgrass seedlings germinate.
- One easy application does it all - kills over 200 [Listed] broadleaf weeds [As Listed], tough to kill weeds including dandelion, chickweed, thistle, crabgrass, henbit, even clover.
- Long-lasting formula provides up to 5 months of weed grass control.
- [Controls/Kills] over 200 [Listed] Broadleaf Weeds [As Listed]
- [Controls/Kills] 200+ [Listed] Broadleaf Weed Types [As Listed]
- [Controls/Kills] over [Listed] 200 (tough/hard) to kill weeds [As Listed]
- [Controls/Kills] 200+ [Listed] [tough/hard] to kill weeds [As Listed]
- [Controls/Kills] 200+ [Listed] Weeds [As Listed]
- [Controls/Kills] 200+ [Listed] Broadleaf Weeds [As Listed]
- [Controls/Kills] Dandelions, Chickweed, Thistle, Crabgrass, Henbit, and Clover
- [Controls/Kills] 200+ [Listed] weeds [As Listed] including Dandelions, Chickweed, Thistle, Crabgrass, Henbit, and Clover
- Pre-Emergent Crabgrass Formula
- Pre-Emergent Crabgrass Killer
- Post Emergent Broadleaf Weed [Control/Killer]
- [Controls/Kills] Existing Broadleaf Weeds in your Lawn
- [Provides] Extended 2 to 4 week control after crabgrass seedlings germinate
- [Provides] Up to 5 months of control
- Long-Lasting Formula
- One application controls broadleaf weeds for up to 5 months
- [Provides] Up to 5 months of weed grass control
- [Provides] Up to 5 months of weed control

- [[Single] [One] Application] Controls [Crabgrass] [for] up to [5] Months
- [Kills] [and] [Controls] Crabgrass [for up to [5] months]
- [Season-Long] [Extended] [Crabgrass] [Control]
- Kills [the] [Weed] Root[s]
- **Kills to the root**
- Kills XXX+ Weed Types [as listed]
- Kills over XXX [Broadleaf] Weeds [as listed]
- [[Controls] [Kills]] Existing [Broadleaf] Weeds In Your Lawn

General Marketing Claims:

- Can be applied in the spring or fall.
- This XX lb bag covers up to YYYY sq.ft. of turfgrass (lawn).
- [This] [XX lb Bag] Covers up to XXXX sq.ft.
- Treats [up to] XXXX sq.ft.
- Won't Harm Lawn [When Applied as Directed]
- **Won't harm the lawn, guaranteed™**
- Apply Anytime [Spring thru Fall] when weeds are actively growing
- Can be applied [in any season] [in warm weather] [during the] [in] Summer [months] when weeds are actively growing
- Apply in Spring or Fall
- For paper box board containers, the following statement may appear: This container is constructed from 85% recycled box board.
- DIMENSION® is a registered trademark of Dow AgroSciences, L.L.C.
- TRIMEC® is a registered trademark of PBI/GORDON CORPORATION

Bag Size, Pounds	Application Rate, Pounds/1,000 Sq.Ft.	Treated Area for This Bag Size, Square Feet	Bag Size, Pounds	Application Rate, Pounds/1,000 Sq.Ft.	Treated Area for This Bag Size, Square Feet
16	3.0	5,300	30	3.0	10,000
	3.5	4,600		3.5	8,600
	3.6	4,400		3.6	8,300
	4.0	4,000		4.0	7,500
	4.5	3,600		4.5	6,700
18	5.0	3,200	40	5.0	6,000
	3.0	6,000		3.0	13,300
	3.5	5,100		3.5	11,400
	3.6	5,000		3.6	11,100
	4.0	4,500		4.0	10,000
20	4.5	4,000	50	4.5	8,900
	5.0	3,600		5.0	8,000
	3.0	6,700		3.0	16,700
	3.5	5,700		3.5	14,300
	3.6	5,600		3.6	13,900
20	4.0	5,000	50	4.0	12,500
	4.5	4,400		4.5	11,000
	5.0	4,000		5.0	10,000

3. Alternate optional maximum application statement:

Other states: The maximum broadcast application rate is 3.6 pounds of product per 1,000 sq.ft. per application (1.0 lb 2,4-D ae, 0.22 lb MCP-p ae, 0.09 lb dicamba ae and 0.25 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 7.2 pounds of product per 1,000 sq.ft. (2.0 lb 2,4-D ae, 0.44 lb MCP-p ae and 0.18 lb dicamba ae and 0.50 lb dithiopyr per acre per year).

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00858.20200619.notif-proposed-highlighted

2. **Reason for Issue:** alternate spreader setting verbiage, ad claims, alternate warranty statement