

2217-865

10-01-2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
2217-865

Date of Issuance:
OCT - 1 2009

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:
EH 1404 Herbicide

Name and Address of Registrant (include ZIP Code):

PBI/Gordon Corporation
1217 West 12th Street
Kansas City, Missouri 64101

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.

Signature of Approving Official:

Joanne Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Date:

OCT - 1 2009

2) Per the acute toxicity review, the heading "IF ON SKIN" appearing in the first aid statements must be revised to read "IF ON SKIN OR CLOTHING."

3) Per the Dicamba, MCPA and MCPP-p REDs, the Environmental Hazards text currently on the label must be revised to read:

"This pesticide may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinseate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours."

4) The entry restriction text must be revised to read "Do not allow people or pets to enter the treated areas until *sprays have dried.*"

5) Delete "General" from "General Precautions and Restrictions".

6) Update the Container Disposal language to comply with PR Notice 2007-4.

7) The Ingredient Statement does not add up to 100% and must be revised accordingly.

A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. This label supersedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

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ACCEPTED
with COMMENTS
In EPA Letter Dated:
OCT - 1 2009

EH 1404 HERBICIDE

EPA Reg. No. 2217-865

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

2217-865

For Home Lawns Only

ACTIVE INGREDIENT:

MCPA, 2-ethylhexyl ester	0.3370%
Mecoprop-p acid	0.0660%
Dicamba acid	0.0180%
Carfentrazone-ethyl	0.0023%
INERT INGREDIENTS:	<u>99.5770%</u>
TOTAL	100.0000%

THIS PRODUCT CONTAINS:

- 2-methyl-4-chlorophenoxyacetic acid equivalent, 0.216%
- (+)-R-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent, 0.066%
- 3,6-dichloro-o-anisic acid equivalent, 0.018%
- Ethyl a,2-dichloro-5-[4(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzenepropanoate, 0.002%

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

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 the skin. Avoid contact with eyes, skin, or clothing. Harmful if swallowed. Wash thoroughly with soap and water after handling; and before eating, chewing gum, using tobacco, or using the toilet.

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 on skin:	<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.



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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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment information.</p>	

Environmental Hazards

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

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.
- Not for use on turf being grown for sale or other commercial use on sod, or for commercial seed production, or for research purposes.

PRODUCT FACTS:

EH 1404 Herbicide contains four active ingredients including carfentrazone-ethyl that broaden the spectrum of weed control.

EH 1404 Herbicide offers these advantages:

- Excellent postemergent activity with proven performance for broadleaf weed control in turfgrass.
- Superior cool weather performance.
- Rapid and effective weed control for common and troublesome weed species in turfgrass, e.g. spurge, pennywort (dollarweed), dandelion, and white clover.
- Injury to weeds can be noticed within hours of the application and plant death can occur within 7 to 14 days.

WHERE TO USE:

On Lawns: Use to spot treat broadleaf weeds commonly found in cool season and warm season grasses such as:

- Kentucky bluegrass
- Perennial ryegrass
- Tall fescue
- Red or fine leaf fescues
- Mixtures of cool season species
- Common bermudagrass
- Hybrid bermudagrass
- St. Augustinegrass (excluding 'Floritam')
- Zoysiagrass

Prohibitions:

- Do not apply this product to bentgrass, carpetgrass, dichondra, legumes, and lawns where desirable clovers are present.
- Do not apply to 'Floritam' St. Augustinegrass grown in Florida.
- Do not allow spray to contact vegetables, flowers or ornamentals as injury may result.

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- Do not apply more than 1.9 gallons of product per 1,000 sq.ft. per year (1.5 lb a.i. MCPA per acre per year)
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.
- Do not apply as a fine mist because of potential for injury to desirable plants.
- 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. 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.

APPLICATION SCHEDULES (WHEN TO APPLY):

For best results, treat weeds in the spring and the fall when weeds are actively growing. However, this product is effective any time during the growing season.

- Do not apply when air temperatures are above 85°F as lawn injury can occur.
- Hard-to-kill weeds may require a repeat application in 3 weeks.
- Do not water lawn within 12 hours of application. If rainfall occurs within 12 hours after application, retreatment may be necessary.
- Do not apply to newly seeded lawns until after the second mowing.
- Delay application to newly sodded, plugged, or sprigged lawns until new grass has been mowed four times.
- Treated areas may be reseeded 2 weeks after application.
- Applications to dormant bermudagrass, zoysiagrass, and St. Augustinegrass may be used to control actively growing broadleaf weeds.

HOW TO USE:

For Containers with Trigger Sprayers: EH 1404 Herbicide is ready-to-use and is applied directly from the container fitted with the trigger sprayer. Shake the container well. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Apply to the point of runoff only. Excessive spraying can injure lawns.

For Refill Containers: EH 1404 Herbicide is ready-to-use and is applied directly from the container. Remove the cap and attach the trigger sprayer. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Apply to the point of runoff only. Excessive spraying can injure lawns.

Trigger Sprayer Instruction for Operation and Care:

1. Remove sprayer from bag.
2. Shake the container well.
3. Unscrew cap from the bottle, and remove the foil seal.
4. Making sure that the tube is properly inserted through hole in cap, insert tube into bottle and screw on cap.
5. Open spray nozzle approximately one full turn.
6. TO PRIME - With sprayer directed at the target area, operate trigger until spray begins (approximately 10 to 15 times).
7. Adjust the spray nozzle for desired spray pattern
8. To store, turn nozzle to "OFF" position and store with trigger head above level of liquid in container to prevent leakage.

BROADLEAF WEEDS CONTROLLED:

EH 1404 Herbicide will control or suppress the following broadleaf weeds:

BROADLEAF WEEDS			
Aster, white heath & white prairie	Dock	Lawn burweed	Ragweed
Bedstraw	Dogfennel	Lespedeza, common	Redweed
Beggarweed, creeping	English daisy	Mallow, common	Red sorrel (*sheep sorrel)
Bindweed	False dandelion (*spotted catsear & common	Matchweed	Shepherdspurse
		Mouseear chickweed	Spotted spurge

Black medic	catsear)	Old world diamond flower	Spurge, prostrate
Broadleaf plantain	Field bindweed	<i>Oxalis</i> (*yellow woodsorrel	Thistle
Buckhorn plantain	(*morningglory & creeping	& creeping woodsorrel)	<i>Veronica</i> (*corn speedwell)
Bull thistle	jenny)	Parsley-piert	Virginia buttonweed
Burclover	Field oxeye-daisy	Pennsylvania smartweed	White clover (*Dutch clover,
Burdock, common	(*creeping oxeye)	Pennywort (*dollarweed)	honeysuckle clover, white
Buttercup, creeping	Filaree, whitestem &	Pepperweed	trefoil, & purplewort)
Carpetweed	redstem	Pigweed	Wild carrot
Chickweed, common	Florida pusley	Pineappleweed	Wild garlic
Chicory	Ground ivy	Plantain	Wild geranium
Cinquefoil	Groundsel	Poison ivy	Wild lettuce
Clover	Hawkweed	Poison oak	Wild mustard
Compassplant	Healall	Prostrate knotweed	Wild onion
Curly dock	Henbit	(*knotweed)	Wild strawberry
Dandelion	Innocence (Blue-eyed	Puncturevine	Wild violet
Dayflower	Mary)	Purple cudweed	Yarrow
Deadnettle	Lambsquarters	Purslane	Yellow rocket
*Synonyms			

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep from freezing. Store in original container in an area inaccessible to children and pets.

CONTAINER DISPOSAL: If empty: Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency [or 1-800-XXX-XXXX] for disposal instruction. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

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

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

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

- Rainfast in as little as 3 hours
- Rainfast [Rainproof] in 3 hours
- Visible results in just 24 hours

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- Clover control in as little as one week
- Proven cool-weather performance
- Consistently fast control on tough weeds like clover, plantain, ground ivy and spurge [various other listed weeds].
- For information call XXX-XXX-XXXX [contact www.xxx-xxxx.com]

WHAT IT'S FOR:	<ul style="list-style-type: none"> • Use on home lawns • Rapid and effective control of common and troublesome broadleaf weeds
WHERE TO USE:	<ul style="list-style-type: none"> • Kentucky bluegrass • Perennial ryegrass • Fescues • Bermudagrass • Zoysiagrass
AMOUNT TO USE:	<ul style="list-style-type: none"> • Ready-to-use and is applied directly from the container. • Refer to complete instructions in Directions for Use section of this booklet
QUESTIONS:	<ul style="list-style-type: none"> • For frequently asked questions, visit our website at consumer.pbigordon.com

- DEAD WEEDS...FAST
- FOR HOME LAWNS ONLY
- consumer.pbigordon.com
- Performs in both warm and cool weather
- See results in hours
- Kills 200+ Broadleaf Weeds
- Won't harm lawn grass when used as directed
- For Northern and Southern grasses
- EH 1404 Herbicide will control or suppress the following broadleaf weeds and will control or suppress other broadleaf weeds that are susceptible to MCPA.
- Also, adding expanded weed list as presented on following page:

BROADLEAF WEEDS			
Annual yellow sweetclover	Cockle	Musk thistle	Spiny amaranth
Aster	Cocklebur	Mustard	Spiny cocklebur
Austrian fieldcress	Common mullein	Narrowleaf plantain	Spiny sowthistle
Bedstraw	Creeping Jenny (Creeping Charlie)	Narrowleaf vetch	Spotted catsear
Beggarticks	Cudweed	Nettle	Spotted spurge
Betony, Florida	Curly dock	Orange hawkweed	Spurweed
Bindweed, field	Daisy, English	Oriental cocklebur	Stinging nettle
Bird vetch	Daisy fleabane	Oxalis	Strawberry, India mock
Bitter wintercress	Daisy, oxeye	Parsley-piert	Tall nettle
Bittercress, hairy	Dandelion	Parsnip	Tall vervain
Bitterweed	Dichondra	Pearlwort	Tansy ragwort
Black-eyed Susan	Dogbane	Pennycress	Tansy mustard
Black medic	Dogfennel	Pennywort	Tanweed
Black mustard	Dollarweed	Peppergrass	Thistle
Blackseed plantain	Elderberry	Pepperweed	Trailing crownvetch
Blessed thistle	False dandelion	Pigweed	Tumble mustard
Bloodflower milkweed	Falseflax	Pineywoods bedstraw	Tumble pigweed
Blue lettuce	False sunflower	Plains coreopsis (tickseed)	Velvetleaf
Blue vervain	Fiddleneck	Plantain	Venice mallow
Bracted plantain	Florida pusley	Poison ivy	Virginia buttonweed
Brassbuttons	Frenchweed	Poison oak	Virginia creeper
Bristly oxtongue	Galinsoga	Pokeweed	Virginia pepperweed
Broadleaf dock	Goathead	Poorjoe	Water pennywort
Broadleaf plantain	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
			Western clematis

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

DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier:** 002217-00865.20090225.proposed.doc
- 2. Reason for Issue:** Various changes pertaining to MCPA and MCPP-p reregistration. Re-format label.