



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

September 20, 2017

Eric D. Smith  
Federal Registration Manager  
PBI/Gordon Corporation  
P.O. Box 014090  
Kansas City, MO 64101

Subject: Notification per PRN 98-10 – Add marketing claims  
Product Name: EH 1404 Herbicide  
EPA Registration Number: 2217-865  
Application Date: June 23, 2017  
Decision Number: 531041

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, you may contact Mindy Ondish at 703-605-0723 or via email at [ondish.mindy@epa.gov](mailto:ondish.mindy@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Mindy Ondish for".

Kathryn V. Montague  
Product Manager 23  
Herbicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

# EH 1404 HERBICIDE

## EPA Reg. No. 2217-865

For Home Lawns Only

### ACTIVE INGREDIENTS:

MCPA, 2-ethylhexyl ester .....	0.3370%
Mecoprop-p acid .....	0.0660%
Dicamba acid .....	0.0180%
Carfentrazone-ethyl .....	0.0023%
OTHER INGREDIENTS: .....	<u>99.5767%</u>
TOTAL .....	100.0000%

### THIS PRODUCT CONTAINS:

2-methyl-4-chlorophenoxyacetic acid equivalent, 0.2160%  
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.**

See attached booklet for complete [Precautionary Statements and] Directions for Use, including Storage and Disposal, and back panel for [complete Precautionary Statements, including] First Aid.

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

### Company Name and Address:

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

## NOTIFICATION

2217-865

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:

09/20/2017



## **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, drinking, chewing gum, using tobacco, or using the toilet.

<b>First Aid</b>	
<b>If in eyes:</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15 – 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If on skin or on clothing:</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to by a poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment information.	

### **Environmental Hazards**

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 rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

## **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

### **USE 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 sprays have dried.
- Not for use on turf being grown for sale or other commercial use on sod, or for commercial seed production, or for research purposes.
- 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.
- 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.

## **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

## **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.]

### **[Optional For Use with EZ Sprayer]**

[EZ Connect Sprayer [Sprayer directions]

- Remove sprayer. Pull cord ALL THE WAY OUT.
- Remove top from cap on bottle.
- Insert (color) plug into spout on cap until it clicks.
- Twist nozzle on sprayer to the spray position.]

**BROADLEAF WEEDS CONTROLLED [217]:**

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

Annual yellow sweetclover	Daisy, English	Mustard, tumble	Spiny amaranth
Aster	Daisy, oxeye	Mustard, white	Spurge, prostrate
Aster, white prairie	Dandelion	Mustard, wild	Spurge, spotted
Aster, heath	Dayflower	Nettle	Spurweed
Aster, wild	Dichondra	Nettle, bull	Strawberry, India mock
Austrian fieldcress	Dock	Nettle, burning	Sunflower, false
Bedstraw	Dock, broadleaf	Nettle, dead	Sunflower, prairie
Bedstraw, catchweed	Dock, curly	Nettle, horse	Tansy ragwort
Bedstraw, pineywoods	Dock, smooth	Nettle, stinging	Tanweed
Beggarticks	Dogbane	Nettle, tall	Thistle
Beggarweed, creeping	Dogfennel	Old world diamond flower	Thistle, blessed
Betony, Florida	Dollarweed	Oxalis (*yellow	Thistle, bull
Bindweed	Elderberry	woodsorrel & creeping	Thistle, Canada
Bindweed, field	False dandelion (*spotted catsear & common catsear)	woodsorrel)	Thistle, musk
Bindweed, hedge	Falseflax	Parsley-piert	Thistle, Russian
Bitter wintercress	Fiddleneck	Parsnip	Thistle, Scotch
Bittercress, hairy	Filaree, redstem	Pearlwort	Trailing crownvetch
Bitterweed	Filaree, whitestem	Pennsylvania smartweed	Velvetleaf
Black medic	Fleabane, daisy	Pennycress	Venice mallow
Black-eyed Susan	Fleabane, hairy	Pennywort (*dollarweed)	Veronica (*corn speedwell)
Bloodflower milkweed	Fleabane, rough	Peppergrass (pepperweed)	Vervain, blue
Blue lettuce	Florida pusley	Pigweed	Vervain, hoary
Brassbuttons	Frenchweed	Pigweed, prostrate	Vervain, prostrate
Bristly oxtongue	Galinsoga	Pigweed, redroot	Vervain, tall
Broomweed	Galinsoga, smallflower	Pigweed, Russian	Vetch, bird
Burclover	Goathead	Pigweed, smooth	Vetch, milk
Burdock	Goldenrod	Pigweed, tumble	Vetch, narrowleaf
Burweed	Ground ivy	Pineappleweed	Vetch, wild
Buttercup	Groundsel	Plains coreopsis (tickseed)	Virginia buttonweed
Buttercup, bulbous	Gumweed	Plantain	Virginia creeper
Buttercup, creeping	Hawkweed	Plantain, blackseed	Virginia pepperweed
Carolina geranium	Hawkweed, orange	Plantain, bracted	Water pennywort
Carpetweed	Healall	Plantain, broadleaf	Wavyleaf bullthistle
Catnip	Heartleaf drymary	Plantain, buckhorn	Western clematis
Chickweed, common	Hemp	Plantain, hoary	Western salsify
Chickweed, mouseear	Henbit	Plantain, narrowleaf	Wild buckwheat
Chicory	Hoary cress	Plantain, slender	Wild carrot
Cinquefoil	Innocence (Blue-eyed Mary)	Plantain, woolly	Wild four-o'clock
Cinquefoil, rough	Jimsonweed	Poison ivy	Wild garlic
Clover	Knawel	Poison oak	Wild geranium
Clover, crimson	Knotweed, prostrate	Pokeweed	Wild lettuce
Clover, hop	Kochia	Poorjoe	Wild marigold
Clover, red	Lambsquarters	Prickly lettuce	Wild onion
Clover, strawberry	Lespedeza	Prickly sida	Wild parsnip
Clover, sweet	Lespedeza, common	Puncturevine	Wild radish
Clover, white	Mallow	Purslane	Wild rape
Cockle	Mallow, common	Purslane, common	Wild strawberry
Cocklebur	Matchweed	Ragweed	Wild sweet potato
Cocklebur, Oriental	Mexicanweed	Red sorrel (*sheep sorrel)	Wild violet
Cocklebur, spiny	Morningglory	Redweed	Woolly croton
Common mullein	Morningglory, woolly	Scarlet pimpernel	Wormseed
Compassplant	Mugwort		Yarrow

Creeping Jenny (Creeping Charlie)	Mustard	Shepherd's purse	Yellow rocket
Cudweed	Mustard, black	Sowthistle	Yellowflower pepperweed
Cudweed, purple	Mustard, hedge	Sowthistle, spiny	
	Mustard, tansy	Spanish needles	

[Note to Reviewer: The 2 weeds lists on the label were combined to form the one table above]

## **STORAGE AND DISPOSAL**

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

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

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

#### Herbicide Benefit Claims:

- Visible results in just 24 hours
- See results in hours
- Clover control in as little as one week
- Proven cool-weather performance
- Performs in both warm and cool weather
- Consistently fast control on tough weeds like clover, plantain, ground ivy and spurge [various other listed weeds].
- DEAD WEEDS...FAST
- Kills 200+ Broadleaf Weeds as listed
- For Northern and Southern grasses

#### General Marketing Claims:

- Rainfast in as little as 3 hours
- Rainfast [Rainproof] in 3 hours
- Reseed in 2 weeks
- For information call XXX-XXX-XXXX [contact [www.xxx-xxxx.com](http://www.xxx-xxxx.com)]

- Won't harm lawn grass [when used as directed]
- FOR HOME LAWNS ONLY
- consumer.pbigordon.com
- Manufactured in the U.S.A
- Convenient Pump & Spray Bottle
- Store and transport in an upright position
- Buyers guarantee limited to label claims

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

## **DOCUMENT CONTROL INFORMATION**

**1. Unique Label Identifier:** 002217-00865.20170623.notif-proposed-highlighted

**2. Reason for Issue:** ad claims

<b>Internal Usage Notes</b>
Associated Container Label: SpeedZone Ready To Use Lawn Weed Killer; Supplemental Distributors