



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 sprayer instructions  
Product Name: EH 1404 Herbicide  
EPA Registration Number: 2217-865  
Application Date: May 29, 2020  
Decision Number: 564296

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](mailto: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 1404 HERBICIDE

## EPA Reg. No. 2217-865

For Home Lawns Only

### 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:

07/29/2020

#### 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  
P.O. Box 860350  
Shawnee, KS 66286



## **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.]

**[Battery Powered Sprayer Directions**



- Remove Sprayer from storage holster.
- Slide safety lock to the LOCK position.



- Unwind pickup tube on the sprayer before attaching to the bottle.
- Insert pickup tube in bottle and screw sprayer cap onto bottle.



- Slide safety lock on the ON position.
- Gently squeeze the trigger to dispense fluid. The sprayer may require several seconds for the fluid to prime.
- After use, return to the LOCK position.

**[Sprayer Directions**

- Remove sprayer wand from the holster and pull sprayer cord ALL THE WAY OUT.
- Cut cable tie which holds pump handle.
- Rotate pump handle clockwise to unlock.
- Pump handle until pressure has built up in container.
- Squeeze lever on sprayer wand to spray product.
- Push handle down, rotate counterclockwise to lock in place.]

**[Wand] [Battery powered] Sprayer directions**

- 1). Remove sprayer from holster, [stretch out the hose all the way out.]
- 2). [Remove the flat cover; Insert [color] plug into spout on cap until it clicks.] [Insert pickup tube in bottle and screw sprayer cap onto bottle]
- 3). Rotate lance from storage position to spraying position.
- 4). [Remove insulation strip;] slide safety lock to unlock position.
- 5). Point spray nozzle at target area and press trigger to spray.

**After Use**

- 1). Slide safety switch to LOCK position.
- 2). Rotate lance to storage status, Return Sprayer to holster for storage]

**BROADLEAF WEEDS CONTROLLED [217]:**

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

|                           |                                |                                   |                                     |
|---------------------------|--------------------------------|-----------------------------------|-------------------------------------|
| Annual yellow sweetclover | Daisy, English<br>Daisy, oxeye | Mustard, tumble<br>Mustard, white | Spiny amaranth<br>Spurge, prostrate |
| Aster                     | Dandelion                      | Mustard, wild                     | Spurge, spotted                     |
| Aster, white prairie      | Dayflower                      | Nettle                            | Spurweed                            |
| Aster, heath              | Dichondra                      | Nettle, bull                      | Strawberry, India mock              |

|                      |                                   |                            |                         |
|----------------------|-----------------------------------|----------------------------|-------------------------|
| Aster, wild          | Dock                              | Nettle, burning            | Sunflower, false        |
| Austrian fieldcress  | Dock, broadleaf                   | Nettle, dead               | Sunflower, prairie      |
| Bedstraw             | Dock, curly                       | Nettle, horse              | Tansy ragwort           |
| Bedstraw, catchweed  | Dock, smooth                      | Nettle, stinging           | Tanweed                 |
| Bedstraw, pineywoods | Dogbane                           | Nettle, tall               | Thistle                 |
| Beggarticks          | Dogfennel                         | Old world diamond flower   | Thistle, blessed        |
| Beggarweed, creeping | Dollarweed                        | Oxalis (*yellow            | Thistle, bull           |
| Betony, Florida      | Elderberry                        | woodsorrel & creeping      | Thistle, Canada         |
| Bindweed             | False dandelion (*spotted catsear | woodsorrel)                | Thistle, musk           |
| Bindweed, field      | & common catsear)                 | Parsley-piert              | Thistle, Russian        |
| Bindweed, hedge      | Falseflax                         | Parsnip                    | Thistle, Scotch         |
| Bitter wintercress   | Fiddleneck                        | Pearlwort                  | Trailing crownvetch     |
| Bittercress, hairy   | Filaree, redstem                  | Pennsylvania smartweed     | Velvetleaf              |
| Bitterweed           | Filaree, whitestem                | Pennycress                 | Venice mallow           |
| Black medic          | Fleabane, daisy                   | Pennywort (*dollarweed)    | Veronica (*corn         |
| Black-eyed Susan     | Fleabane, hairy                   | Peppergrass                | speedwell)              |
| Bloodflower milkweed | Fleabane, rough                   | (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           | Virginia buttonweed     |
| Buttercup, bulbous   | Gumweed                           | (tickseed)                 | Virginia creeper        |
| Buttercup, creeping  | Hawkweed                          | Plantain                   | Virginia pepperweed     |
| Carolina geranium    | Hawkweed, orange                  | Plantain, blackseed        | Water pennywort         |
| Carpetweed           | Healall                           | Plantain, bracted          | Wavyleaf bullthistle    |
| Catnip               | Heartleaf drymary                 | Plantain, broadleaf        | Western clematis        |
| Chickweed, common    | Hemp                              | Plantain, buckhorn         | Western salsify         |
| Chickweed, mouseear  | Henbit                            | Plantain, hoary            | Wild buckwheat          |
| Chicory              | Hoary cress                       | Plantain, narrowleaf       | Wild carrot             |
| Cinquefoil           | Innocence (Blue-eyed Mary)        | Plantain, slender          | Wild four-o'clock       |
| Cinquefoil, rough    | Jimsonweed                        | Plantain, woolly           | Wild garlic             |
| Clover               | Knawel                            | Poison ivy                 | Wild geranium           |
| Clover, crimson      | Knotweed, prostrate               | Poison oak                 | Wild lettuce            |
| Clover, hop          | Kochia                            | Pokeweed                   | Wild marigold           |
| Clover, red          | Lambsquarters                     | Poorjoe                    | Wild onion              |
| Clover, strawberry   | Lespedeza                         | Prickly lettuce            | Wild parsnip            |
| Clover, sweet        | Lespedeza, common                 | Prickly sida               | Wild radish             |
| Clover, white        | Mallow                            | Puncturevine               | Wild rape               |
| Cockle               | Mallow, common                    | Purslane                   | Wild strawberry         |
| Cocklebur            | Matchweed                         | Purslane, common           | Wild sweet potato       |
| Cocklebur, Oriental  | Mexicanweed                       | Ragweed                    | Wild violet             |
| Cocklebur, spiny     | Morningglory                      | Red sorrel (*sheep sorrel) | Woolly croton           |
| Common mullein       | Morningglory, woolly              | Redweed                    | Wormseed                |
| Compassplant         | Mugwort                           | Scarlet pimpernel          | Yarrow                  |
| Creeping Jenny       | Mustard                           | Shepherd's purse           | Yellow rocket           |
| (Creeping Charlie)   | Mustard, black                    | Sowthistle                 | Yellowflower pepperweed |
| Cudweed              | Mustard, hedge                    | Sowthistle, spiny          |                         |
| Cudweed, purple      | 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
- Easy to use [battery] power sprayer
- Includes [battery] powered sprayer
- [Use with] [battery] powered sprayer
- Includes [Easy to use] Wand [Battery powered] sprayer

|                       |  |
|-----------------------|--|
| <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:** 002217-00865.20200529.notif-proposed-highlighted

**2. Reason for Issue:** sprayer instructions, ad claim

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