

2217-874

12-11-2009

1
20



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. James L. Kunstman, Ph.D
PBI/Gordon Corporation
Post Office Box 014090
Kansas City, Missouri 64101

DEC 11 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10
Storage and disposal and other changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated October 5, 2009 for:

EPA Registration 2217-874 EH-1411 Herbicide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10, and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2217- 874	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification
4. Company/Product (Name) EH-1411 Herbicide	PM# Product Manager—Team 23	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated	NOTIFICATION DEC 11 2009
<input checked="" type="checkbox"/> Resubmission in response to Agency letter dated <u>March 24, 2009</u>	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Labeling notifications according to Pesticide Registration Notice (PRN) 98-10 and PRN 2007-4, Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment.

e-mail to jkunstman@pbigordon.com FAX: 816-421-2731

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per Container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1, 2.5, 30, or 55 U.S. GALLONS		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name James L. Kunstman, Ph.D.	Title Director of Regulatory Services	Telephone No. (Include Area Code) 816-460-6292
---	---	--

Certification
 I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title Director of Regulatory Services	6. Date Application Received (Stamped)
4. Typed Name James L. Kunstman, Ph.D.	5. Date October 5, 2009	

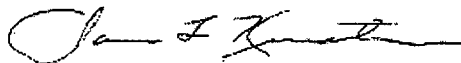
Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
2217-874	10/5/2009	002217.00874.20091005.amend-proposed-highlighted 002217-00874.20091005.amend-proposed-clean

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



Signature

10/05/2009

Date

James L. Kunstman, Ph.D.

Name (typed)

Director, Regulatory Services

Title

4
20

October 5, 2009

Document Processing Desk (PRN)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attn: Ms. Joanne I. Miller (PM-23)

Dear Ms. Miller:

**Subject: Labeling notifications according to Pesticide Registration Notice (PRN) 98-10 and PRN 2007-4, Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment."
EH 1411 Herbicide (EPA Reg. No. 2217-874)**

I. Labeling notification per PRN 98-10: Notifications Non-notifications and Minor Formulation Amendments.

March 24, 2009: An Agency letter stated that the labeling of EH 1411 Herbicide (EPA Reg. No. 2217-874) was acceptable and re-registered for 2,4-D provided that the following revisions were made.

Deficiency 1: Per the product chemistry review, the ingredient statement must be revised to include the statement "contains petroleum distillate."

Response: The draft labeling was revised as requested. See page 1.

Deficiency 2. Under the Personal Protective Equipment section, add the text "(PPE)" immediately following the section heading. In addition, due to the acute toxicity review, revise the glove statement "chemical-resistant gloves (except for applicators using ground boom equipment)" to read "chemical-resistant gloves."

Response: The draft labeling was revised as requested. See page 1.

Deficiency 3. The mechanical transfer text (first two paragraphs) under the Engineering Controls Statement section is not required for 2,4-D.

Response: The draft labeling was revised as requested. See page 2.

Deficiency 4. User Safety Requirements must be revised to include the following:

"Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them."

Response: The draft labeling was revised as requested. See page 2.

Deficiency 5. The Environmental Hazards text currently on the label must be revised to add the text "

... and may adversely affect non-target plants" to the end of the first sentence.

Response: The draft labeling was revised as requested. See page 2.

Deficiency 6. The REI in the Agricultural Use Requirements box must be revised to "48 hours" from 24 hours. In addition, the early entry PPE must be revised to include the following: "chemical-resistant headgear for overhead exposures, protective eyewear".

Response: Even though the canopy of well maintained turfgrass is less than ankle high and this product bears a Caution signal word, the draft labeling was revised as requested. See page 3.

Also, the personal protective equipment for reentry workers is more restrictive than the personal protective equipment for mixers, loaders, and applicators. In the current risk assessments for occupational users, the magnitude of unit exposures for mixers, loaders, and applicators exceeds the magnitude of unit exposure for bystanders or reentry workers.

Deficiency 7. With the exception of drift-related text appearing in the Environmental Hazards ("Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas") and General Precautions and Restrictions ("Do not apply this product in a way that will contact workers or other persons, either directly or through drift"), all drift text appearing on the label must be placed together and be located below the following required text. Any conflicting text must be deleted from the label.

Spray drift text must be added to the label and should read:

"Spray Drift Management

A variety of factors including weather conditions (e.g., wind directions, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a coarse or coarser spray, apply only as a coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles. When apply sprays that contain 2,4-D mixed with other active ingredients that require a medium or more fine spray, apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a medium spray, leave one swath unsprayed at the downwind edge of the treated field.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if:
a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. 2,-4-D esters may volatilize during conditions of low humidity and high temperatures.

Do not apply during conditions of low humidity and high temperatures. For ground boom application: Do not apply with a nozzle height greater than 4 feet above the crop canopy."

Response: The draft labeling was revised as requested. See pages 9-10.

Deficiency 8. The following statements must be added to the label:

"Aerial application of this product is prohibited. Do not use this product on or near desirable plants, including within the dripline of the roots of desirable trees and shrubs, since injury may result."

Response: The draft labeling was revised as requested. See page 5.

Deficiency 9. Under the "Limitations on Broadcast applications to ornamental turfgrass and sod farms" table, delete the text "excluding spot treatments."

Add the following limitations for spot treatment to the label:

"The maximum spot treatment application rate is 9.6 pints/ A per application. Limited to 2 applications per season with a minimum of 30 days between applications."

Response: Your dosage rates are incorrect, but the draft labeling was revised as requested. See page 9.

Deficiency 10. Correct the Environmental Hazard statement to read as follows:

This pesticide **is** toxic to fish and aquatic invertebrates

Response: Even though your request differs from the defined the labeling requirements of the Reregistration Eligibility Decisions, the draft labeling was revised as requested. See page 2.

Deficiency 11. Add the following statements to the labeling:

Use of this product in certain portions of California, Oregon and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al.v.EPA, COI-OI32C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

Response: The draft labeling was revised as requested. See page 11.

II. Certification :

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

III. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

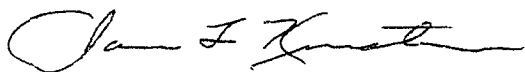
1. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment." Please refer to page 11 of the draft labeling.
2. **Certification:** This notification is consistent with the guidance PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

IV. Enclosures:

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. One (1) annotated version of the draft labeling and
3. One (1) version of the draft labeling without notations

If you have any questions, please call me at 816-460-6292 or contact me at jkunstman@pbigordon.com.

Sincerely,



James L. Kunstman, Ph.D.
Director of Regulatory Services

9
20

EH-1411 HERBICIDE

NOTIFICATION

EPA Reg. No. 2217-874

DEC 11 2009

ACTIVE INGREDIENT:

2,4-D, 2-ethylhexyl ester	23.22%
2,4-DP-p, 2-ethylhexyl ester	11.27%
Dicamba acid	2.71%
Carfentrazone-ethyl	0.50%
INERT INGREDIENTS:	62.30%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 1.24 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 15.40%.
- 0.62 lb (+)-R-2-(2,4-dichlorophenoxy)propionic acid equivalent per gallon or 7.63%.
- 0.22 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 2.71%.
- 0.04 lb Ethyl α ,2-dichloro-5-[4(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzenepropanoate or 0.50%

Isomer Specific by AOAC Methods.

~~Contains petroleum distillate~~

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find some one to explain it to you in detail.)

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. Avoid contact with skin, eyes, or clothing. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE)

Some materials that are chemical resistant to this product are barrier laminate, nitrile rubber, neoprene rubber or Viton gloves. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

All mixers, loaders, applicators, and other handlers must wear:

- long-sleeved shirt and long pants,
- shoes and socks, plus



- chemical-resistant gloves (except for applicators using ground-beam equipment) and
- chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

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 materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Engineering Control Statements:

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

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 swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
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 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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.	
NOTE TO PHYSICIAN: May pose an aspiration pneumonia hazard. Contains petroleum distillate.	

Environmental Hazards

This pesticide may be toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

11
20

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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170.

This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of ~~24~~ 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- coveralls worn over short-sleeved shirt and short pants,
- chemical-resistant footwear plus socks,
- chemical-resistant gloves made of any water-proof material,
- ~~chemical-resistant headgear for overhead exposures,~~
- ~~protective eyewear.~~

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Reentry Statement: Do not enter or allow people (or pets) to enter the treated area until sprays have dried.

PRODUCT DESCRIPTION:

EH-1411 Herbicide contains four active ingredients including carfentrazone-ethyl that broaden the spectrum of weed control. Carfentrazone-ethyl is in the aryl triazolinone family and inhibits protoporphyrinogen oxidase (Protox), a pivotal enzyme in chlorophyll production. Without this key enzyme, a build-up of peroxide occurs, thus causing the weed plant cells to rupture (explode).

EH-1411 Herbicide offers these advantages:

- Excellent postemergent activity with proven performance for broadleaf weed control in turfgrass.
- Superior cool weather performance.
- High selectivity (turfgrass safety) in established cool season turfgrass and warm season turfgrass.
- Good toxicological, environmental, and ecological properties compared to the standards.
- Carfentrazone-ethyl combination provides rapid and effective weed control for common and troublesome weed species in turfgrass, e.g. spurge, pennywort (dollarweed), dandelion, and white clover.

- The speed of action (rate of phytotoxicity) and the early injury symptoms are unique features of carfentrazone-ethyl combinations. Generally, the injury symptoms can be noticed within hours of the application and plant death can occur within 7 to 14 days.

SPRAY PREPARATION AND TANK MIXTURES:

EH-1411 Herbicide is an emulsifiable concentrate intended for dilution with water. In certain applications, liquid fertilizer may replace part of the water as a diluent.

Water as diluent:

Add one-half the required amount of water to the spray tank, then add EH-1411 Herbicide slowly with agitation, and complete filling the tank with water. To prevent separation of the emulsion, mix thoroughly and continue agitation while spraying.

This product forms an emulsion and can separate upon extended or prolonged standing. Re-agitate to assure uniformity of the spray mixture. Storage of the spray mixture beyond 72 hours is not recommended.

Do not use tank additives that alter the pH of the spray solution below pH 5 or above pH 8. Buffer the spray solution to alter the pH range as appropriate.

Liquid fertilizers as diluents:

Use suitable sources and rates of fertilizer based upon local recommendations. Refer to the mixing directions on the labels of the liquid fertilizers (e.g. UAN or urea solutions). Always perform a jar compatibility test before large scale mixing.

Adjuvants and spray additives:

Adjuvants include surfactants, spreaders, spreader-stickers, spray thickeners, foaming agents, activators, detergents, and spray drift reducing agents. All additives change the physical and biological properties of the spray solution.

Certain adjuvants combined with this product can damage the leaf tissue of turfgrass. If any discoloration or cosmetic effects are objectionable or would be unacceptable, then adjuvant(s) combined with EH-1411 Herbicide would not be recommended.

GROUND EQUIPMENT:

Spray distribution: The accuracy and uniformity of the herbicide application is the sole responsibility of the applicator.

Power sprayers fitted with a boom or spray wand/gun may be used for broadcast applications and spot treatments. Boom sprayers equipped with appropriate flat fan nozzles, tips, and screens are suitable for broadcast applications. For best spray distribution and coverage, select a spray volume and delivery system that will ensure accurate and uniform coverage.

Spray volumes of 20 to 220 gallons per acre with spray pressures adjusted to between 20 to 40 psi are appropriate. Use higher spray volumes for dense weed populations (up to 220 gallons per acre or 5 gallons per 1,000 sq.ft.).

- Calibration and proper application are essential when using this product.
- Over-application or rates above those recommended on this label can cause turf injury.
- **Hand-held technique:** Wands fitted with flat fan nozzle tips may be used with the appropriate technique. Flat fan nozzles should not be waved in a back-and-forth motion, or in a side-to-side motion, or in a swinging arm motion. Instead, the nozzle should be held stationary at the proper height. Side-to-side motion results in uneven coverage.

Hand operated sprayers including backpack sprayers, compression sprayers, and knapsack sprayers are appropriate for small turfgrass areas when power equipment is unavailable, uneconomical, or impractical.

This product may cause injury to susceptible/nontarget plants at the use site by contacting the foliage, stems, or roots. To prevent injury to susceptible crops and other desirable broadleaf plants including but not limited to cotton, legumes, tobacco, tomatoes, garden/vegetable crops, and ornamentals (flowers, trees, and shrubs) avoid contact with the spray solution, spray droplets, and spray mist (fine droplets). Do not apply when conditions are conducive to spray drift from the use site to untreated areas.

After using this product, clean sprayer with soap or detergent and water, or an approved spray tank cleaner and rinse thoroughly before applying other pesticides.

WHERE TO USE:

EH-1411 Herbicide provides selective broadleaf control in warm season and cool season turfgrass in five (5) use 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 (fairways, aprons, and roughs) , and office buildings.
- Ornamental sites include turfgrass established around residences, parks, streets, retail outlets, cemeteries, industrial and institutional buildings, recreation areas, fairgrounds, and areas adjacent to athletic fields.
- 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.
- Agricultural site: Commercial sod production
- Noncropland Sites: Highway rights-of-way (principal, interstate, county, private, and unpaved roads): Roadsides, roadside ditches, road shoulders, road embankments, dividers, and medians. Municipal, state, and federal lands: Airports and military installations.

Prohibitions of Sites:

- Do not apply to any body of water such as lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays). Do not apply to any shorelines (noncropland sites adjacent to the edges of a body of water) for lakes, streams, rivers, ponds, reservoirs, or estuaries (salt water bays).
- Do not apply to wetlands (swamps, bogs, potholes, or marshes).
- Do not apply to agricultural irrigation water or on agricultural irrigation ditchbanks and canals.
- Do not apply to agricultural drainage water or on agricultural ditchbanks.

Turfgrass tolerance:

- The turfgrass tolerance to EH-1411 Herbicide may vary among turfgrass species and temporary phytotoxicity may occur in certain instances.
- Temporary turfgrass yellowing may occur on certain varieties (F1) hybrids of hybrid bermudagrass.
- Environmental conditions and certain spray tank additives (e.g. adjuvants, wetting agents, surfactants), liquid fertilizers, and tank mixtures containing other emulsifiable concentrates may reduce the selectivity on the turfgrass.

These cool season turfgrass species may be treated:

- Kentucky bluegrass, annual bluegrass, annual ryegrass, perennial ryegrass, tall fescue, red or fine leaf fescues and
- Mixtures in noncropland areas established for aesthetic purposes, roadside vegetation, or for low maintenance areas, e.g. Kentucky bluegrass, tall fescue, smooth bromegrass, and orchardgrass.

These warm season turfgrass species may be treated:

- Bahiagrass, buffalograss, common bermudagrass, hybrid bermudagrass and zoysiagrass.

Prohibitions:

- Do not apply this product to St. Augustinegrass, centipedegrass, carpetgrass, dichondra,
- Do not apply this product to golf course tees and putting greens established with creeping bentgrass, colonial bentgrass, annual bluegrass and hybrid bermudagrass.

- Do not apply this product to legumes and lawns where desirable clovers are present.
- Do not apply broadcast apply when air temperatures exceed 85°F; some injury may be expected with spot treatments when air temperatures exceed 85°F.
- Do not use this product on or near desirable plants, including contact of spray on exposed root systems or adventitious shoots within the drip line of the roots of desirable trees and shrubs, since injury may result.
- Aerial application of this product is prohibited.

APPLICATION SCHEDULES:

Early postemergent applications of EH-1411 Herbicide are recommended for annual, biennial, and perennial weeds. Apply EH-1411 Herbicide to broadleaf weeds that are young and actively growing for the best results. EH-1411 Herbicide combines a contact herbicide with systemic herbicides and provides little or no residual activity at recommended use rates.

EH-1411 Herbicide may be applied as a single broadcast application or as split/sequential broadcast applications in the spring, summer, or fall. Spring and fall treatments under adequate soil moisture conditions are preferred to the summer treatments. Generally, summer broadcast applications to older, drought stressed weeds are less effective.

Sequential broadcast applications or follow-up applications as spot treatments are recommended for more mature weeds, for dense infestations, and for adverse environmental conditions.

Spot treatments during the summer may be appropriate for sparse infestations, or as a follow-up treatment anytime broadleaf weeds are susceptible.

Extremes in environmental conditions e.g. temperature and moisture, soil conditions, and cultural practices may affect the activity of EH-1411 Herbicide. Under warm moist conditions, herbicide symptoms may be accelerated. While under very dry conditions, the expression of herbicide symptoms is delayed, and weeds hardened off by drought are less susceptible to EH-1411 Herbicide.

For newly seeded areas:

The application of EH-1411 Herbicide to grass seedlings is recommended after the second mowing.

For newly sodded, sprigged, or plugged areas:

The application of EH-1411 Herbicide to newly sodded, sprigged, or plugged grasses should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations.

For dormant turf:

This product may be applied to fully dormant bermudagrass, fully dormant buffalograss, fully dormant zoysiagrass, and fully dormant bahiagrass.

HOW MUCH TO USE: USE RATES AND SPRAY VOLUMES FOR TURFGRASS:

Generally, the lower application rates within the specified range will provide satisfactory control of sensitive weed species. The higher application rates within the specified range will be required for dense infestations of perennial weeds, for adverse/extreme environmental conditions, or for weeds beyond the appropriate growth stages.

Use rates and spray volumes of EH-1411 Herbicide as a broadcast treatment for use on turfgrass are presented in Table 1.

TABLE 1. RATE RECOMMENDATIONS FOR SOD FARMS, ORNAMENTAL LAWNS AND TURFGRASS.		
	Rate	Recommended Spray Volume
Cool-Season Turf		
Kentucky bluegrass, annual bluegrass, annual ryegrass, perennial ryegrass, tall fescue, red or fine leaf fescues, creeping and colonial bentgrass (excluding golf greens and tees).	3.5 to 4.5 pints/acre (1.30 to 1.7 fl.oz./1,000 sq.ft.)	20 to 220 gallons/acre (0.5 to 5.0 gallons/1,000 sq.ft.)
Mixtures of cool season species in noncropland areas established for roadside vegetation management or for low maintenance. (Kentucky bluegrass, tall fescue, smooth bromegrass & orchardgrass.		
Warm-Season Turf		
Hybrid and common bermudagrass zoysiagrass, bahiagrass, and buffalograss.	2.0 to 3.0 pints/acre (0.75 to 1.1 fl. oz./1,000 sq.ft.)	20 to 220 gallons/acre (0.5 to 5.0 gallons/1,000 sq.ft.)
Do not apply this product during spring green-up or in the fall during the transition between active growth and dormancy. Dormant turf. Applications of this product to fully dormant bermudagrass, fully dormant buffalograss, fully dormant zoysiagrass, and fully dormant bahiagrass are suggested.		

Limitations on broadcast treatments for ornamental turfgrass and sod farms:

The maximum application rate is 4.5 pints of product per acre per application (0.70 lb 2,4-D ae, 0.35 lb 2,4-DP-p ae, and 0.12 lb dicamba ae per acre per application). The maximum seasonal rate is 9.0 pints of product per acre (1.40 lb 2,4-D ae, 0.70 lb 2,4-DP-p ae, and 0.24 lb dicamba ae per acre per year).

For ornamental turfgrass, the maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. For sod farms, the maximum number of broadcast applications is limited to 2 per year with a minimum of 21 days between applications.

SPOT TREATMENTS

WITH HAND OPERATED SPRAYERS (INCLUDING BACKPACK SPRAYERS, COMPRESSION SPRAYERS, AND KNAPSACK SPRAYERS):

- Apply any time the emerged broadleaf weeds are actively growing.
- Calibration and proper applications are essential when using this product.
- Uniform applications are essential when using this product. Over-application or rates above those recommended on this labeling including overlaps of this product can cause turf injury.
- **Hand-held technique:** Wands fitted with flat fan nozzle tips may be used with the appropriate technique. Flat fan nozzles should not be waved in a back-and-forth motion, or in a side-to-side motion, or in a swinging arm motion. Instead, the nozzle should be held stationary at the proper height. Side-to-side motion results in uneven coverage.

For cool season turfgrass, (Kentucky bluegrass, annual bluegrass, annual ryegrass, perennial ryegrass, tall fescue, red or fine leaf fescues, creeping and colonial bentgrass excluding golf greens and tees), Mix 1.3 to 1.7 fl.oz. of EH-1411 Herbicide per one (1.0) gallon of water for treatment of approximately 1,000 sq. ft of turfgrass. Apply any time the emerged broadleaf weeds are susceptible.

For warm season turfgrass (only bahiagrass, buffalograss, common bermudagrass, hybrid bermudagrass and zoysiagrass). Mix 0.75 to 1.1 fl.oz. of EH-1411 Herbicide per one (1.0) gallon of water for treatment of approximately 1,000 sq.ft. of turfgrass. Apply any time the emerged broadleaf weeds are susceptible.

Limitations on spot treatments for ornamental turfgrass:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 1.7 fl.oz. per 1,000 sq.ft. per application (0.35 lb 2,4-DP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

Tank mixtures: Do not use tank mixture combinations unless your experience indicates that the tank mixture is effective and will not result in turf injury. No label dosage rate should be exceeded. Follow the labeling of each companion product for precautionary statements, directions for use, dosage rates, and application schedules. Tank mixture recommendations are for use only in states where the companion products and application sites are registered.

CULTURAL TIPS FOR IMPROVED CONTROL:

Irrigation:

- Do not apply this product through any type of irrigation system.
- Rainfast in 3 hours. Do not apply this product immediately before rainfall or irrigation.
- If possible, do not irrigate or water the turfgrass within 3 hours after application.
- If dry conditions exist, irrigation or watering 8 to 24 hours before application, and again 8 to 24 hours after application is recommended.

Mowing:

- Delay mowing for 2 days before and until 2 days after the application of this product.

Reseeding interval:

- Treated areas may be reseeded 2 weeks after application.

BROADLEAF WEEDS CONTROLLED:

EH-1411 Herbicide will control or suppress the following broadleaf weeds and will control or suppress other broadleaf weeds that are susceptible to 2,4-D.

BROADLEAF WEEDS			
Aster, white heath & white prairie	Field bindweed (*morningglory & creeping jenny)	Lambsquarters	Red sorrel (*sheep sorrel)
Bedstraw	Field oxeye-daisy (*creeping oxeye)	Lawn burweed	Shepherdspurge
Beggarweed, creeping	Filaree, whitestem & redstem	Lespedeza, common	Spotted spurge
Bindweed	Florida pusley	Mallow, common	Spurge
Black medic	Ground ivy	Matchweed	Thistle
Broadleaf plantain	Groundsel	Mouseear chickweed	Veronica (*corn speedwell)
Buckhorn plantain	Hawkweed	Old world diamond flower	Virginia buttonweed
Bull thistle	Healall	Oxalis (*yellow woodsorrel & creeping woodsorrel)	White clover (*Dutch clover, honeysuckle clover, white trefoil, & purplewort)
Burclover	Henbit	Parsley-piert	Wild carrot
Burdock, common	Innocence (Blue-eyed Mary)	Pennsylvania smartweed	Wild garlic
Buttercup, creeping	Knotweed	Pepperweed	Wild geranium
Carpetweed	Dock	Pigweed	Wild lettuce
Chickweed, common	Dogfennel	Pineappleweed	Wild mustard
Chicory	Dollarweed (*pennywort)	Plantain	Wild onion
Cinquefoil	English daisy	Poison ivy	Wild strawberry
Clover	False dandelion (*spotted catsear & common catsear)	Poison oak	Wild violet
Compassplant		Puncturevine	Yarrow
Curly dock		Purple cudweed	Yellow rocket
Dandelion		Purslane	and many other broadleaf weeds.
Dayflower		Ragweed	
Deadnettle		Redweed	
*Synonyms			

Spray Drift Management

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of ground application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

Use only Medium or coarser spray nozzles according to ASAE (S-572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a coarse or coarser spray, apply only as a coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a medium or more fine spray, apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a medium spray, leave one swath unsprayed at the downwind edge of the treated field.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

2,4-D esters may volatilize during conditions of low humidity and high temperatures. Do not apply during conditions of low humidity and high temperatures.

Equipment

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the target site. Aerial applications of this product are prohibited.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a locked storage area inaccessible to children or pets. Keep from freezing.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your state Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: For Metal Containers: Triple-rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedure approved by state and local authorities. For Plastic Containers: Triple-rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities by burning. If burned, stay out of smoke.

[For Plastic Containers - Nonrefillable with capacities equal to or less than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple-rinse (or pressure-rinse) container (or equivalent) promptly after emptying.

Triple-rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

OR

Pressure-rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure-rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

[For Plastic Containers - Nonrefillable with capacities greater than 5 gallons:]

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple-rinse (or pressure-rinse) container (or equivalent) promptly after emptying.

Triple-rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

OR

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

[For Refillable Containers:]

CONTAINER HANDLING: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Container cleaning: Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Use of this product in certain portions of California, Oregon and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, COI-032C (W/D-WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

LIMITED WARRANTY AND DISCLAIMER

IMPORTANT: Read this LIMITED WARRANTY AND DISCLAIMER before buying or using this product. By opening and using this product, buyer and all users agree to accept the terms of this LIMITED WARRANTY AND DISCLAIMER in their entirety and without exception. If the terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full.

It is impossible to eliminate all risks inherently associated with use of this product. Damage to the treated article, ineffectiveness, or other unintended consequences can result from use of the product under abnormal conditions such as weather, presence of other materials, or the manner of use or application, etc. Such factors and conditions are beyond the control of the manufacturer, and **BY PURCHASING AND USING THIS PRODUCT THE BUYER AND ALL USERS OF THIS PRODUCT AGREE TO ACCEPT ALL SUCH RISKS.** Buyer and all users further agree to assume all risks of loss or damage from the use of the product in any manner that is not explicitly set forth in or that is inconsistent with label instructions, warnings and cautions.

The manufacturer warrants only that this product conforms to the chemical description given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use, subject to the inherent risks described below. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED.**

THE EXCLUSIVE REMEDY OF BUYER AND ALL USERS OF THIS PRODUCT, AND THE EXCLUSIVE LIABILITY OF THE MANUFACTURER, FOR ANY AND ALL LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. 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. The Manufacturer must be promptly notified in writing of any claims, whether based in contract, tort, negligence, strict liability, or otherwise, to be eligible to receive either remedy stated above.

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. No employee or agent of the manufacturer or seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

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
- Spurge (or clover) control in as little as one week.
- Proven performance.
- Consistently fast control on tough weeds like dandelion, spurge, clover, plantain, ground ivy and [various other listed weeds].
- From the makers of Trimec® herbicides.
- Trimec® is a registered trademark of PBI/Gordon Corporation.
- For information call XXX-XXX-XXXX [contact www.xxx-xxxx.com]
- ProForm® logo presented on the containers.



DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00874.20091005.amend-proposed-highlighted.doc
2. **Reason for Issue:** Incorporate EPA comments