

2217-878

12/23/2008

1/5



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

23 DEC 2008

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

James L. Kunstman  
PBI/Gordon Corporation  
1217 West 12<sup>th</sup> Street  
P.O. Box 014090  
Kansas City, MO 64101

Dear Dr. Kunstman:

SUBJECT: RED Label Amendment 2,4-D  
EH-1412 Herbicide  
EPA Registration No. 2217-878

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable with the following provisions:

- 1) Per the acute toxicity review, the Spanish signal word "AVISO" must be added to the signal word section.
- 2) The Agency recommends that "A Note to Physician" be added to the label that addresses eye irritation concerns.
- 3) Per the 2,4-D, Dicamba and MCPP-p combined label table, the first sentence in the Environmental Hazard section must be revised to read "This chemical is toxic to fish and aquatic invertebrates and may adversely affect nontarget plants."
- 4) The following revisions are needed to the Directions For Use:

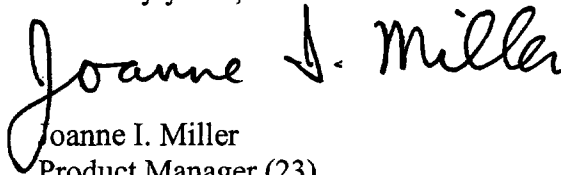
-Because mechanical transfer text is no longer needed the text appearing in Item #2 under the heading "General Requirements For End-Use Product Labeling" may be deleted from the label.

2/7

Please note: Final reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

Submit one (1) copy of your final printed labeling before you release the product for shipment. A stamped copy of the labeling is enclosed for your records. Please note that final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

Sincerely yours,



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

Enclosure

3

# EH-1412 HERBICIDE

## EPA Reg. No. 2217-878

### For Manufacturing Or Formulating Use Only

**ACTIVE INGREDIENT:**

2,4-D, 2-ethylhexyl ester .....	69.02%
MCPP-p acid.....	10.41%
Dicamba acid.....	4.41%
<b>INERT INGREDIENTS:.....</b>	<b>16.16%</b>
<b>TOTAL.....</b>	<b>100.00%</b>

**THIS PRODUCT CONTAINS:**

- 4.38 lbs. 2,4-dichlorophenoxyacetic acid equivalent per gallon or 45.78%
  - 1.00 lbs. (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 10.41%
  - 0.42 lbs. 3,6-dichloro-o-anisic acid equivalent per gallon or 4.41%
- Isomer Specific By AOAC Methods.

### KEEP OUT OF REACH OF CHILDREN

### WARNING

**STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.**

**KEEP FROM FREEZING**

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**23 DEC 2008**  
 Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act  
 as amended, for the pesticide  
 registered under EPA Reg. No.

2217-878

### PRECAUTIONARY STATEMENTS

#### **Hazards to Humans and Domestic Animals**

**WARNING:** Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Harmful if swallowed. Wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves, and eye protection (face shield or goggles).

Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.



<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.</li> <li>• 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 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 do so by the 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 advice.	

**Environmental Hazards**

This chemical is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

**DIRECTIONS FOR USE**

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

**OPTION 1: For formulating only into end-use products for the following use patterns and sites:**

**1. TERRESTRIAL NONFOOD CROP AND NONCROPLAND AREAS**

- a) Ornamental trees, shrubs and vines, lawn and turf grasses: yards, cemeteries, parks.
- b) Uncultivated agricultural areas: fence rows, rights-of-way, barrier strips, established perennial grasses.
- c) Uncultivated nonagricultural areas: yards, lawn, turf, cemeteries, parks, airports, recreation areas (including golf courses), fairgrounds, roadsides, rights-of-way (highway, railroad, and utility), industrial sites, and paved areas.
- d) This product may be used to formulate products for any additional uses not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.
- e) Formulators using this product are responsible for obtaining EPA registration of their formulated product.
- f) This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf (excluding sod farms) uses after June 15, 1994, must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993, must bear the revised label language below.
- g) All products released for shipment on or after October 1, 2005 must bear revised labeling complying with the maximum application rates for general non-crop sites; tree, brush and woody plant control on rights-of-way; and forestry use patterns other than site preparation, if registered for such uses.

**GENERAL REQUIREMENTS FOR END-USE PRODUCT LABELING**

- 1. Containers over 1 gallon and less than 5 gallons in capacity must bear the following statement: "Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron."

- 5  
7
2. Containers of 5 gallons or more in capacity must also bear the following statement: Do not open-pour product from this container. A mechanical system (such as probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal."

## **SPECIFIC REQUIREMENTS FOR END-USE PRODUCT LABELING**

### **2. FOR INDUSTRIAL and NON-CROP USES**

- a) Personal Hygiene Statements: "Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower."
- b) The maximum application rate to general non-crop sites is the lower of 1) existing application rate on currently registered label or 2) 2 pounds for 2,4-D acid equivalent per acre per application site. The maximum non-crop application for tree, brush and woody plant control on rights-of-way is the lower of 1) existing application rate on currently registered label or 2) 4 pounds of 2,4-D acid equivalent per acre per application site. The maximum seasonal application rate to non-crop sites is 4 pounds 2,4-D acid equivalent per acre per application site.

### **3. FOR RESIDENTIAL AND TURF USES**

- a) Personal Hygiene Statements: (1) For All Granular Products: "After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water."; (2) For All Liquid Products: "After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower."
- b) The maximum application rate to turf is the lower of (1) existing application rate on currently registered label or 1.5 pounds 2,4-D acid equivalent per acre per application per site. The maximum number of broadcast applications per treatment site is 2 per year.

The following reentry statement must be included: Entry Restrictions outside the scope of WPS.

#### Liquids:

##### General Precautions and Restrictions:

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

#### Granules:

##### General Precautions and Restrictions:

- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- Do not allow people or pets to enter the treated area until dusts have settled.

## **OPTION 2: FOR THE FORMULATION OF END-USE PRODUCT(S) REGISTERED UNDER FIFRA SECTION 3:**

Detailed Directions for Use may be omitted from the labeling of pesticide products which are intended for use only by formulators in preparing pesticides for sale to the public per 40 CFR 156.10 with these conditions:

1. Detailed directions for formulation are presented on the technical data sheets provided by PBI/Gordon Corporation.

6/7

2. This container size of this herbicide is intended for use only in the manufacturing or formulating of the pesticides listed below. Also, this herbicide is being transferred to another EPA establishment under contract.
3. The product as finally manufactured or formulated as EPA-registered: EH-1412 Herbicide (EPA Reg. No. 2217-878) is intended for use only in the formulation of the following end use products registered under FIFRA Section 3 by PBI/Gordon Corporation: **EH 1414 Weed and Feed (EPA Reg. No. 2217-884)**

This/these product(s) listed above may be formulated, produced or packaged with the appropriate labeling. In addition, FIFRA Section 3(e) provides that PBI/Gordon Corporation may authorize other companies to market supplemental registrations with additional brand (distributor) names.

## **STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Keep from freezing.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. 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 container in a sanitary landfill, or by other procedures 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 incineration, or if allowed by state and local authorities by burning. If burned stay out of smoke.

TRIMEC® is a registered trademark of PBI/GORDON CORPORATION.

## **LIMITED WARRANTY AND DISCLAIMER**

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

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 EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the 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. \_\_\_\_\_

## DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier:** 002217-00878.20071105
- 2. Previous Version:** AP031705
- 3. Reason for Issue:** Various changes pertaining to re-registration. Re-format label.