8/2/2013



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

🗄 AUG D 2 2013

James L. Kunstman, Ph.D. PBI/Gordon Corporation 1217 12th Street P.O. Box 014090 Kansas City, MO 64101

Subject:

Label Notification per PRN 98-10 Product Name: EH-1428 Herbicide EPA Registration Number: 2217-887 Application Dated: February 22, 2013 Decision Number: 476674

Dear Dr. Kunstman,

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for EH-1428 Herbicide (EPA Reg. No. 2217-887) dated February 22, 2013. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 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.

Please note that marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting the marketing claims made on the product label is not available, then those claims must be removed.

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 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 FIFRA12(a)(1)(E). 40CFR156.10(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 Emily Hartman via email at hartman.emily@epa.gov or by phone at (703) 347-0189.

Sincerely V. Montague, Product Manager 23

Herbicide Division Registration Division Office of Pesticide Programs

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Please read instructions on	reverse before completi	ng iorm.		Form Ap	proved	1. On No.	2070-0060	D. Approval Expires 2-28	-95
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Explanation: Use additio Labeling notification ac					ail to ji	kunstman@	pbigordon	.com FAX: 816-421-273	1
We ask to add advertis	sing claims. Please	refer to page 16	of the enc	losed draft l	abelir	ıg.			
		S	ection –	111		_			
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1217 W. 12th STREET · P.O. BOX 014090 KANSAS CITY, MISSOURI 64101-0090 816-421-4070 · 1-800-821-7925 FAX: 816-474-0462

February 22, 2013

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Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard (South Building) 2777 South Crystal Drive Arlington, VA 22202-4501 Attn: Kathryn V. Montague, PM-23

Dear Ms Montague:

NOTIFICATION: Labeling notification per PRN 98-10: Notifications, Non-notifications and Minor Formulation Amendments. Sections II (N): EH-1428 Herbicide (EPA Reg. No. 2217-887)

I. Labeling notification per Pesticide Registration Notice (PRN 98-10):

Section II(N): Other Revisions

• We ask to add advertising claims that are consistent with the Directions for Use previously approved. Please refer to pages 16 of the draft labeling.

II. Label History

The enclosed proposed label includes language submitted in a Notification dated November 29, 2012 which is still pending with the Agency. [Seviewer E. Hartman]

III. Certification statement:

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 willEuly $^{\circ}_{c}$ 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 $^{\circ}_{c}$ is for consistent for the end of the end

IV. Enclosures:

- 1. Application for Pesticide Amendment (EPA Form 8570-1)
- 2. One (1) copy the draft labeling with annotations.
- 3. One (1) copy the draft labeling without notations.
- 4. One (1) CD containing copies of the draft labeling

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

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Sincerely,

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

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EH-1428 HERBICIDE

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EPA Reg. No. 2217-887

Two sublabels represent the entire master label of EH-1428 Herbicide. Please refer to the appropriate section of the labeling as shown as follows:

Section	
Language Common to All Sublabels	
Sublabel 1	
Sublabel 2	
Appendix	
Document Control Information	 ·····



1 of 18 002217-00887.20130222.notif-proposed-highlighted.doc

Language Common to All Sublabels

EH-1428 HERBICIDE

NOTIFICATION

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EPA Reg. No. 2217-887

ACTIVE INGREDIENT:	
2,4-D, dimethylamine salt	0.253%
Quinclorac	
Dicamba, dimethylamine salt	
Sulfentrazone	0.015%
INERT INGREDIENTS:	<u>99.582%</u>
TOTAL	100.000%

THIS PRODUCT CONTAINS:

0.018 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 0.210%

0.010 lb 3,7-dichloro-8-quinolinecarboxylic acid per gallon or 0.121%

0.002 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 0.024%

0.001 lb N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl] phenyl]methanesulfonamide per gallon or 0.015%

Isomer Specific by AOAC Method.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if swallowed, Wear long-sleeved shirt and long pants, shoes plus socks and gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

First Aid		t.
If swallowed:	 Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or d Do not give anything by mouth to an unconscious person. 	ostor, i
If in eyes:	 Hold eyes open and rinse slowly and gently with water for 15-20 minutes. Recontact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center for treatment advice. 	ະກວານອັດ
	ct container or label with you when calling a poison control center or doctor or goi may also contact 1-877-800-5556 for emergency medical treatment advice.	ng for

This pesticide is toxic to fish and aquatic invertebrates. 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.

[Environmenal Hazards (alternate per PRN 2008-1)

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

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.]

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SUBLABEL 1

DIRECTIONS FOR USE

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

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 sprays have dried.

For home lawn care:

EH-1428 Herbicide is a ready-to-use (RTU) product intended for "spot" treatment of individual broadleaf and grass weeds by homeowners on residential lawns. This product should be applied to lawns containing the following species of grass: Kentucky bluegrass, Perennial ryegrass, Fescue species (including tall, red, and fine leaf varieties), Bermudagrass¹, buffalograss and Zoysiagrass.

¹Application to bermudagrass may cause temporary yellowing or discoloration but full recovery can be expected. Do not apply to bermudagrass when daytime temperatures exceed 85°F.

EH-1428 Herbicide should <u>not</u> be used on lawns containing bentgrass, St Augustinegrass, bahiagrass, centipedegrass, or carpetgrass. Do <u>not</u> use on dichondra or lawns with desirable clovers or legumes, on vegetable gardens, fruits, or ornamentals (flowers, trees, groundcovers, hedges, landscape/flower beds and shrubs)

[options for different size containers]

- This 24 fl.oz. retail container size treats approximately 180 weeds or up to 180 sq.ft.
- This 32 fl.oz. (1.0 guart) retail container size treats approximately 250 weeds or up to 250 sq.ft.
- This 128 fl.oz. (1.0 gallon) retail container size treats approximately 1,000 weeds or up to 1,000 sq.ft.
- This 1.3 gallon retail container size treats approximately 1,300 weeds or up to 1,300 sq.ft.
- This 1.33 gallon retail container size treats approximately 1,300 weeds or up to 1,300 sq.ft.

WEEDS CONTROLLED:

EH-1428 Herbicide will control or suppress the following broadleaf and grass weeds. Partial weed lists are presented below:

Broadleaf Weeds				
Bedstraw	Ground ivy	Morningglory	Redweed	cccc
Black medic	Healall	Old world diamond flower	Sheep sorrel	C
Buckhorn	Henbit	Peppergrass	Shepherdspurse	
Burdock	Innocence (Blue-eyed	Pigweed	Speedwell	
Chicory	Mary)	Plantain	Spurge	
Chickweed	Knotweed	Poison ivy	Wild corrot.	Ĺ
Clover	Lambsguarters	Poison oak	Wild garlic	
Corn speedwell	Lawn burweed	Purple cudweed	Wild lettuble ?	i (i
Dandelion	Lespedeza	Purslane	Wild onion'	
Dock	Mallow	Ragweed	Yarrov	
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Foxtail (green, giant and yellow)	Yellow nutsedge	(((i t

HAND SPRAYER PRODUCT

(Directions & Storage and Disposal)

- 1. Shake well.
- 2. Connect trigger sprayer. Unscrew and discard the white cap on the bottle. Insert the hose into the bottle and tighten the cap securely.
- 3. Prime Sprayer: Turn the sprayer nozzle one-half turn counter-clockwise. Hold the sprayer lower than the bottle and squeeze the trigger several times until it sprays. Adjust the nozzle to coarse spray pattern to minimize wind drift. (graphic)
- 4. Spray just enough [EH-1428 Herbicide] [product] to lightly cover [broadleaf and grass] weeds. Excessive spraying can injure some lawns. Do not apply when daytime temperatures are above 90° F as lawn injury can occur. (graphic) Spray only the weeds, not the entire lawn.
- 5. Weeds will begin wilting and browning overnight.

[Alternate Hand Sprayer Directions SPRAYER APPLICATION BEFORE USE:

- 1. Shake well before each use.
- 2. Peel sticker from flip-top cap and open cap. Discard sticker.
- 3. Remove sprayer from its slot beneath the bottle handle and remove and discard plastic wrap. Pull black hose tip to completely extend tubing.
- 4. Firmly press black hose tip into opening in cap until it snaps into place.
- 5. Hold sprayer below the level of the container and prime by pumping trigger several times until product is dispensed.
- 6. Adjust nozzle to desired setting.

AFTER USE:

- 7. To store, turn sprayer nozzle off.
- 8. DO NOT disconnect hose.
- 9. Return sprayer to its slot. Hose can be pushed back into sprayer handle.]

USE TIPS

- Some hard-to-kill weeds may require re-treatment. Wait at least 30 days between applications some weeds can take that long to die.
- Rainproof [Rain fast] rain or watering 3 hours after application will not wash away effectiveness. [If rainfall occurs within 3 hours of application, the product should be reapplied.]
- > Do not allow spray to drift onto desirable plants since injury may result.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Turn the nozzle to "OFF" position and store with sprayer above the level of liquid in container to prevent leakage. 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 or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

TRIGGER SPRAYER PRODUCT

(Directions & Storage and Disposal)

- 1. Shake well.
- 2. Adjust nozzle to coarse spray pattern to minimize wind drift. (graphic)

- 3. Spray just enough [EH-1428 Herbicide] [product] to lightly cover [grass and broadleaf] weeds. Excessive spraying can injure some lawns. Do not apply when daytime temperatures are above 90°F as lawn injury can occur. (graphic) Spray only the weeds, not the entire lawn.
- 4. Weeds will begin wilting and browning overnight.

USE TIPS

- Some hard-to-kill weeds may require re-treatment. Wait at least 30 days between applications some weeds can take that long to die.
- Rainproof [Rain fast] rain or watering 3 hours after application will not wash away effectiveness. [If rainfall occurs within 3 hours of application, the product should be re-applied.]
- Do not allow spray to drift onto desirable plants since injury may result.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Turn the nozzle to "OFF" position and store with sprayer above the level of liquid in container to prevent leakage. 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 or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

[Optional Directions for Use] CLAIMS, DIRECTIONS AND STORAGE AND DISPOSAL FOR THE POWER PUMP Patent Pending

[Revolutionary (NEW) Power Pump(TM) [Spray] • Works like a pressure sprayer • Ready to Pump and Spray • Refillable • Power Pump Pressure Sprayer • Pump & Spray Your Weeds Away • Rest Your Trigger Finger]

EH-1428 Herbicide kills more than [number] types of [grass and broadleaf] [lawn] weeds down to the root. [ALTERNATE: EH-1428 Herbicide kills all major [grass and broadleaf] [lawn] weeds down to the root. And EH-1428 Herbicide is formulated to kill only the weeds, not the lawn.] And the revolutionary Power Pump [Spray] eliminates the need to squeeze a trigger sprayer over and over again. The Power Pump [Spray] works like a pressure sprayer - just pump it a few times and spray. And the Power Pump [Spray] can be refilled up to 5 times with [EH-1426 (2217-885) or EH-1460 (9688-268)] Herbicide [brand name] for incredible value!

Use to Spot Treat: Bedstraw, Black medic, Buckhorn, Canada Thistle, Chickweed, Chicory, Clover, Crabgrass, Cudweed, Curly dock, Dandelion, Dollarweed, English daisy, Filaree, Fleabane, Foxtail, Ground ivy, Heal-all, Henbit, Knotweed, Lambsquarters, Lespedeza, Matchweed, Morningglory, Mustard, Oxalis, Pennywort, Pepperweed, Pigweed, Plantain, Poison ivy, Poison oak, Prickly lettuce, Purslane, Ragweed, Sheep sorrel, Shepherdspurse, Speedwell, Spurge, Wild carrot, Wild garlic, Wild lettuce, Wild onion, Yarrow, Yellow Nutsedge and more!

- 1. CONNECT WAND HOSE TO POWER PUMP [SPRAY] BOTTLE. Unwrap the wand. Unscrew and discard the Black Cap on the bottle. Push the Clear Tube down through the small opening on the bottle. (graphic) Tightly screw the Green Hose Connector Cap onto the bottle. (graphic) Make sure the Green Button on the wand is "OFF" or "UP" before pressurizing. (graphic) 2. PRESSURIZE THE POWER PUMP [SPRAY]. Break off the Pump Handle "TAB" with your thumb.
- (graphic) Pump 20 to 30 times to build up pressure.

NOTE: The Power Pump [Spray] bottle may bulge slightly as it is pressurized. Never pressurize by any means other than the pump included. You'll need to pump occasionally during use to keep the Power Pump [Spray] pressurized.

3. SHAKE WELL. (graphic)

4. SPRAY WEEDS. Spray just enough [EH-1428 Herbicide] [product] to lightly cover [grass and broadleaf] weeds. Excessive spraying can injure some lawns. Just press the Green Button on the wand to spray. If needed, the button can be locked "ON" by pushing it down and forward at the same time. The reverse motion will lock it "OFF." Do not apply when daytime temperatures are above 90°F as lawn injury may occur. Spray only the weeds, not the entire lawn.

5. Weeds will begin wilting and browning overnight.

USE TIPS

- Some hard-to-kill weeds may require re-treatment. Wait at least 30 days between applications some weeds can take that long to die.
- Rainproof [Rain fast] rain or watering 3 hours after application will not wash away effectiveness. [If rainfall occurs within 3 hours of application, the product should be re-applied.]
- > Do not allow spray to drift onto desirable plants since injury may result.

REFILLING

The Power Pump [Spray] can be refilled up to 5 times with [EH-1426 (2217-885) or EH-1460 (9688-268)] Herbicide. Add [five (5) fl.oz. (for EH-1426 (2217-885)) or 8.5 fl.oz. (for EH1460 (9688-268))] of concentrate and dilute to a gallon with water. Use "Fill to Here" mark on the side of the Power Pump [Spray] bottle as a guide. Shake well to mix.

This dilution rate results in a product with the same strength as that supplied in the Power Pump [Spray] when purchased. Make sure the Green Pump Cap and the Green Hose Connector Cap are tightly secured before re-pressurizing. Make sure the Green Button on the wand is "OFF" or "UP" before pressurizing. (graphic) **IMPORTANT: Do not refill more than 5 times.**

To keep track of the number of times refilled, put a mark through the appropriate number: (1) (2) (3) (4) (5-final). Do not use any product other than [EH-1426 (2217-885) or EH-1460 (9688-268)] Herbicide in this Power Pump [Spray]. Incompatible chemicals may damage the pump making it unsafe to use.

[Satisfaction Guaranteed: If for any reason you are not completely satisfied with the performance or results of this [brand name] product, it will be repaired or replaced free of charge. Simply provide proof of purchase and return the product and/or unused portion to the place of purchase.]

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always release pressure by unscrewing the pump cap before storing. 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 unless the directions for use allow a different (concentrate) product to be diluted in the container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

[Optional Directions for Use] DIRECTIONS FOR USE for Spectracide Weed Stop EzSPRAY(TM) applicator: EzSPRAY(TM) EASY SET UP

1. Remove sprayer from side holder. [Gently pull tubing out.] [Unwrap tubing]

- 2. Remove seal from top of cap. Unplug cap.
- 3. Securely snap the [green] plug into hole in cap.
- 4. Remove plastic tab near [bottom] [top] of sprayer to activate batteries.
- 5. Twist nozzle to adjust spray from CLOSE to SPRAY to STREAM.
- 6. When priming the sprayer, hold sprayer level to the ground. Sprayer may not prime if it is held at an angle. Once primed, it will spray in any direction.

[graphics included for each of the five steps above]

HOW TO USE THE EZSPRAY(TM)

- A. Aim toward target [weeds/plants] [area to be treated], and away from people and pets.
- B. Press the trigger to spray.
- C. Release the trigger to stop spray.

After use:

- 1. Twist nozzle completely to CLOSE position
- 2. Secure sprayer upright in holder [holster].
- 3. Failure to adjust nozzle completely to CLOSE position and properly secure sprayer in [holder] [holster] may result in leakage and damage to property or injury to people or animals.

To replace batteries:

- 1. [Slide battery compartment door to unlatch and open.] [Push release button near nozzle and lift up on battery hatch.]
- Remove used batteries and insert [four] [two] new AA batteries in correct positions as marked per diagram inside of battery compartment. Never insert the positive end where the negative end belongs and vice versa. Always use a complete set of new batteries of the same type when replacing batteries. Never mix alkaline, carbon-zinc or rechargeable batteries.
- 3. Securely close battery compartment door.
- 4. Always follow manufacturer's recommendations for use and disposal of batteries.

Additional operating notes:

- Do not submerge in water
- Before each use inspect sprayer carefully makes sure hose is flexible and not kinked, worn or cracked, and that all connections are tight.
- When storing sprayer for prolonged periods remove batteries.

REFILL DIRECTIONS

Refill only with [EH-1426 (2217-885) or EH-1460 (9688-268)] Herbicide [brand name]. Remove cap. Carefully measure and mix [5 fl.oz. (10 Tbsp.) (for EH-1426 (2217-885)) or 8.5 fl.oz. (17 Tbsp.) (for EH-1460 (968-268))] in one gallon of water. Replace and tightly close cap. Wipe off any spilled product.

Additional advertising items to be included on EzSPRAY(TM) container label:

- Battery Powered [with graphic]
- EzSPRAY(TM) NO PUMPING NO PULLING NO FATIGUE!
- 4 AA Batteries Included! [with graphic]

USE TIPS

- Some hard-to-kill weeds may require re-treatment. Wait at least 30 days between applications some weeds can take that long to die.
- Rainproof [Rain fast] rain or watering 3 hours after application will not wash away effectiveness. [If rainfall occurs within 3 hours of application, the product should be re-applied.]
 - > Do not allow spray to drift onto desirable plants since injury may result.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

GUARANTEED RESULTS or your money back. If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6 to 8 weeks for processing.

Questions or comments? Call toll free 1-800-xxx-xxxx.

[telephone number, address, website information for supplemental registrant or distributor].

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Turn the nozzle to "CLOSE" position. To prevent leakage, attach sprayer to clip. Store this product only in its original container in a secure storage area away from sources of heat or open flame and in an area inaccessible to children and pets. Keep from freezing.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container unless the directions for use allow a different (concentrate) product to be diluted in the container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

[Optional Directions for Use] EASY ACTION PUMP [SPRAYER] Directions [HOW TO USE THE EASY ACTION PUMP [SPRAYER]

- 1. For the initial use, remove the tie that is securing the handle to the base of the pump.
- 2. REMOVE THE WAND from the holster and PULL THE HOSE from the storage compartment.
- 3. Make sure the sprayer wand is securely tightened to the spray handle. (Graphical representation.)
- 4. TURN THE PUMP HANDLE CLOCKWISE to tightly seal the pump to the bottle and unlock the pump handle for pumping. (Graphical representation)
- 5. RAISE THE PUMP HANDLE FROM THE BOTTLE AND PUMP until you begin to feel resistance.
- 6. Secure the pump handle for carrying by pushing the handle into the base of the pump and turn the handle counterclockwise one quarter turn to lock.

(Graphical representation)

- 7. BEGIN SPRAYING by pushing down on the spray handle trigger. (Graphical representation)
- 8. ROTATE THE NOZZLE AT THE TIP of the wand to adjust the spray from a direct spray to a broadcast mist. (Graphical representation)
- 9. For continuous spray, push the trigger down and slide it forward to lock. SLIDE THE TRIGGER BACK TO RELEASE it from the lock position.

[Optional Directions for Use]

[How To Use The Easy Action Pump [Sprayer]] [How To Use]

- 1. For the initial use, remove the tie from the handle and the base of the pump.
- 2. Remove the wand from the holster and pull the hose from the storage compartment.
- 3. Turn the pump collar clockwise to make sure the pump is tightly sealed on the bottle. (Optional Illustration)
- 4. Turn the pump handle counterclockwise one- eighth turn to release the handle.
- 5. Raise the pump handle from the bottle and pump until you begin to feel resistance (10-20 pumps). (Optional Illustration)
- 6. When you begin to feel resistance, push the pump handle into the base of the pump and turn the handle clockwise one eighth -turn to secure it for carrying.
- 7. Once the pump handle is secured, begin spraying by pushing down on the spray handle trigger. (Optional Illustration)

8. Rotate the nozzle at the tip of the wand to adjust the spray from a direct spray to a broadcast mist. (Optional Illustration)

Note: If sprayer does not function properly, remove nozzle cover and check nozzle and holes in rubber component for obstructions. Replace nozzle cover and use as instructed above.]

Storage: Slowly turn the pump handle counterclockwise to loosen the pump mechanism from the bottle to release pressure. Turn the handle back clockwise to seal the unit for storage. Turn the handle counterclockwise one quarter turn to lock the handle. Push the hose back into the storage compartment. Place the wand back in the holster. Store this product in its original container in a secure storage area.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Slowly turn the pump handle counterclockwise to loosen the pump mechanism from the bottle to release pressure. Turn the handle back clockwise to seal the unit for storage. Turn the handle counterclockwise one quarter turn to lock the handle. Push the hose back into the storage compartment. Place the wand back in the holster. Store this product in its original container in a secure storage area. Store this product only in its original container in a secure storage area away from sources of heat or open flame and in an area inaccessible to children and pets. Keep from freezing.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container unless the directions for use allow a different (concentrate) product to be diluted in the container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

OR

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Slowly turn the pump collar counterclockwise to loosen the seal and release pressure. Turn the collar back clockwise to retighten the seal. Push the hose back into the storage compartment. Place the wand back in the holster. Store this product only in its original container in a secure storage area away from sources of heat or open flame and in an area inaccessible to children and pets. Keep from freezing.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container unless the directions for use allow a different (concentrate) product to be diluted in the 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.

SUBLABEL 2

DIRECTIONS FOR USE

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

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 sprays have dried.

WHERE TO USE:

On Lawns: This product is intended for use by homeowners as a spot treatment on lawns. This product should be applied only to the following species of turfgrass:

Cool season turfgrass	Warm season turfgrass
Kentucky bluegrass	Bermudagrass ¹
Perennial ryegrass	Buffalograss
Fescue spp., including tall, red and fine leaf fescues	Zoysiagrass
¹ Application to bermudagrass may cause temporary yellowir not apply to bermudagrass when daytime temperatures exc	

DO NOT use EH-1428 Herbicide for the following:

Cool season turfgrass	Warm season turfgrass	Other areas
Bentgrass, creeping	St. Augustinegrass	Lawns with desirable clovers or legumes
Bentgrass, 'Seaside'	Bahiagrass	Dichondra
Bentgrass, colonial	Centipedegrass	Vegetable gardens or fruits (food crops)
-	Carpetgrass	Ornamentals (flowers, trees, groundcovers, hedges,
	Seashore paspalum	landscape/flower beds and shrubs)

WHEN TO USE

Generally, apply this product to actively-growing weeds during the early growth stages for the best results. Apply when daytime temperatures are between 45° and 90° F.

SPRING AND EARLY SUMMER:

- **Crabgrass (large and smooth):** Apply this product from crabgrass emergence until the 6 leaf stage (2 tillers) or when the crabgrass is 3 to 4 inches tall. This period begins the first time that you can see crabgrass in your lawn. Use two applications with a 14-day interval between applications.
- Foxtail (green, giant and yellow): Apply this product to foxtail during the early growth stages or when the foxtail is 1 to 4 inches tall. Use two applications with a 14-day interval between applications.
- Yellow nutsedge: Two applications are required when the yellow nutsedge plants are 3 to 6 inches tall. The second application should follow the first application 14 days later.
- Dandelion, plantain, buttercup, speedwell, knotweed, pennywort (dollarweeed) and other broadleaf weeds: Apply when broadleaf weeds are young and actively growing with adequate soil moisture.
- Use two applications with a 30-day interval between applications.

FALL:

• Henbit, chickweed, white clover, ground ivy, lawn burweed, pearlwort, Carolina geranium and other broadleaf weeds: Apply when broadleaf weeds are young and actively growing with adequate soil moisture for best results.

Note for weeds controlled: Supplemental registrants may select broadleaf weeds from the list presented in the appendix and may include additional species on the container labels for different geographic regions.

HOW TO USE:

Ready-To-Use: No mixing. No measuring. No fuss.

For Containers with Triggers Sprayers: EH-1428 Herbicide is ready-to-use and is applied directly from the container fitted with the trigger sprayer. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Usually, two (2) pumps of this trigger sprayer will provide adequate coverage of individual weeds. Excessive spraying can injure some lawns.

For Refill Containers: EH-1428 Herbicide is ready-to-use and is applied directly from the container. Remove the cap from the container and attach the trigger sprayer. Direct the spray to the target weeds to provide uniform coverage of the upper leaf surfaces. Excessive spraying can injure some lawns.

USE PRECAUTIONS:

- Avoid drift of spray mist onto vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants.
- Avoid applications of this product when turfgrasses are under stress since injury may result

CULTURAL TIPS:

For newly seeded areas of Kentucky bluegrass, fine fescue blends and perennial ryegrass: Apply this product to newly seeded grasses when well-established (approximately 6 weeks after seedling emergence) or after the third mowing.

For newly sodded, sprigged, or plugged areas of bermudagrass and zoysiagrass: The application of this product to newly sodded, sprigged, or plugged grasses should be delayed until 3 to 4 weeks after the sodding, sprigging, or plugging operations.

Seeding: Turf species listed on this label can be seeded into the treated areas at four (4) weeks after the application of this product.

Mowing: Delay mowing 2 days before and until 2 days after the application of this product.

STORAGE & DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a locked storage area. Keep from freezing.

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 or www.website.com 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. IN NO CASE, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTIAL, 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 SUBLABEL 1

1. Advertising claims and marketing phrases that may be presented on promotional materials and the container labels of supplemental registrants.

- For use on Many Northern and Southern Grasses including Bluegrass, Fescue, Zoysia, Bermuda, and Perennial Ryegrass
- Kills the Weeds, not the Lawn
- Kills xx+ Weed Types Roots and All.
- Kills xx+ Weeds
- Kills weed roots
- Kills Dandelion, Chickweed, Wild onion, Plantain, Poison ivy and many others. Weed details on back. See Results in Hours.
- Overnight results Rainproof in hours Rainproof in as little as 3 hours won't wash away.
- Water-Based
- Especially effective on all types of hard-to-kill weeds
- Kills xx+ types of weeds [as listed] Kills weed roots! Kills all major broadleaf weeds



- Clear-view measuring window
- For home lawn care.
- Kills over xx weed types including dandelion, chickweed, wild onion, plantain and poison ivy
- Kills broadleaf weeds in lawns
- Kills all major broadleaf weeds, roots and all. And [brand name] is formulated to kill only the weeds, not the lawn. Use as directed to kill all major broadleaf weeds in your lawn.
- · Kills dandelion and many other broadleaf weeds
- [Brand name] controls more than xx troublesome weeds including dandelion, clover, plantain and wild onion. It kills even woody weeds like poison ivy and poison oak in both northern and southern lawns.
- Kills Twice the Weeds! As listed on our Weed Stop product.
- Use on Lawns to Kill the Toughest Weeds, Like Clover and Dandelion.
- New [improved] formula [now includes crabgrass control]
- All-in-one [complete] [total] [2-in-1] weed control [for lawns]
- [Now] kills [controls] crabgrass [yellow nutsedge] [foxtail]
- Kills [controls] all types of [lawn] weeds
- Targets the toughest [stubborn] weeds [crabgrass] [yellow nutsedge].
- 100% root kill
- · Kills the toughest weeds down to the root



- [Kills the root so] weeds won't come back
- · Lawn-friendly formula
- Weed deadly. Lawn friendly.
- Kills weeds [including crabgrass] not the lawn.



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- For a weed-free lawn.
- Weed-free. Worry-free.
- No weeds. No worry.
- Starts working immediately
- Fast acting [formula]
- Destroys weeds [dandelions] [clover] [oxalis] [crabgrass] [yellow nutsedge] completely [down to the root].
- Long lasting [formula]
- [Works fast] on [hard-to-kill] weeds
- [Even] works in cold [and hot] weather [temperatures]
- · Let [Weed Stop] [the liquid] do the weeding
- · Kills on contact



- A simple [an easy] step towards a weed free lawn [yard]
- [Now] kills all types of weeds [grassy or broadleaf]
- Won't Harm Lawns (when used as directed).
- Please read before use level (diagram) not level (diagram) When priming, hold sprayer level to the ground. If held at an angle, sprayer will not prime.
- EzSpray Power Action Sprayer [batteries included]

EFFICACY

- Tough weed killer
- Kills even the toughest broadleaf weeds [like (clover) (dandelion) (oxalis)]
- Kills even tough broadleaf weeds [like (clover) (dandelion) (oxalis)]
- Treats Many Northern and Southern Grasses
- Treats Bluegrass, Fescue, Zoysia, Bermuda, Perennial ryegrass
- Destroys the hard-to-kill broadleaf weeds [like (clover) (dandelion) (oxalis)]
- Kills all major broadleaf weeds [like (clover) (dandelion) (oxalis)]
- Kills dandelion, chickweed, wild onion, oxalis, plantain, poison ivy and many others. [See Weed details on back.]
- Kills all [major] broadleaf weeds
- · Kills broadleaf weeds in lawns
- Kills poison ivy and poison oak
- Provides broadleaf control
- [Controls][Kills] clover, dandelion, plantain, chickweed and [other broadleaf weeds] [others as listed]
- Clobbers clover
- [Complete] clover control [as little as one week]
- · Controls clover in one week
- Kills XX [types of] [brush and] weeds [roots and all]
- Kills weed roots
- Kills the root
- Kills weed roots!
- Kills more weeds
- Kills tough lawn weeds
- Especially effective on all types of hard-to-kill weeds [Superior results] [Kills more weeds] than the competition [Our toughest formula [ever] [or the toughest weeds]

SPEED

- Overnight results
- [See] results in hours

- Consistently fast on tough weeds like clover, plantain, ground ivy and spurge [various other weeds listed]
- Starts working on contact
- [Our] fastest formula ever
- [Our] fastest lawn weed killer ever

WEATHER

- [Cool][all] weather performance
- Proven [all] [cool] weather performance
- · Performs in both hot and cold weather

RAINPROOF

- Rainproof [For control that] won't wash away
- Can't be washed [away][off]
- Can't be washed [off by rain]
- [Rainfast][Rainproof] [in hours [Won't wash away]
- Rainproof Won't wash away

OTHER

- Water-based
- Guaranteed [results] or your money back
- Clear-view measuring window
- For home lawn care
- · For home lawns only
- · For a beautiful, weed-free lawn
- Helps keep lawns weed-free
- Ideal for spot treating individual lawn weeds
- Kills the weeds, not the lawn
- Kills weeds, not lawn grasses
- Kills [down to] the root, [not the lawn]
- For use on lawns
- Targets weeds, leaves [grasses] [the lawn] unharmed
- [U.S. Patent 6,849,579] patented formula
- Kills yellow nutsedge
- · Visible results in 8 hours



- · Kills both broadleaf and grassy weeds
- Kills all types of weeds
- · Rainfast in 3 hours



- Continuous Spray
- Increased Pressure for [5 Minute] Continuous Spray
- Up to 5 minutes of Continuous Spray
- Adjustable Spray Patterns [For Spot Application] [Covers Large Area]
- Extended Wand for Hard-to-Reach Areas
- Locking Trigger Reduces Hand Fatigue
- Easy Action Pump [Sprayer]
- No Assembly Required
- Up to 10 Minutes of Continuous Spray

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- Up to 12 minutes of continuous spray
- Up to XX minutes of continuous spray

MEASUREMENT CALCULATIONS

• Total lawn area in square feet = length x width.

EQUAL MEASURES:

- 1 fl.oz. = 2 Tablespoons = 6 Teaspoons (tsp.)
- 2 fl.oz. = 4 Tablespoons
- 4 fl.oz. = 1/2 cup; 16 fl. oz. = 1 pint;
- 8 fl.oz. = 1 cup; 32 fl. oz. = 1 quart

PRODUCT FACTS What it Does: [optional info box]

What It Does: Kills major broadleaf and troublesome grass weeds Including dandelion, chickweed and clover as well as crabgrass, foxtail, and yellow nutsedge. (See inside for complete list)

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Where to Use: (icon weeds) Lawns: Kills the weeds not the lawn

When to Use:

Apply when daytime temperatures are between 45° and 90°F.

Questions & Comments: (icon phone)(icon computer) Call 1-800-xxx-xxxx or Visit our Website at <u>www.companyname.com</u>

WEEDS	<u>,,,,,</u> ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Amaranth, purple	Cupid shaving brush	Mugwort	Speedwell, common
Amaranth, slender	Cudweed	Mustard, ball	Speedwell, corn
Aster, heath	Daisy, English	Mustard, black	Speedwell, ivyleaf
Aster, white heath	Daisy, oxeye	Mustard, blue	Speedwell, Persian
Aster, purple	Dandelion, common	Mustard, hedge	Speedwell, purslane
Aster, white prairie	Dandelion, false	Mustard, Indian,	Speedwell, slender
Artichoke	Day flower	Mustard, tansy	Speedwell, snow
Austrian fieldcress	Deadnettle	Mustard, tumble	Speedwell, thymeleaf
Bedstraw, catchweed	Dichondra	Mustard, white	Spiny amaranth
Bedstraw, smooth	Dock, broadleaf	Mustard, wormseed	Spurge, spotted
Bedstraw, northern	Dock, curly	Nettle, stinging (burning)	Spurge, prostrate
Bedstraw, pineywoods	Dogbane	Nettle, tall	Spurweed
Beggarticks, hairy	Dogfennel	Nettle, wood	Star of Bethlehem
Betony, Florida	Dollarweed	Parsley-piert	Strawberry, Indian mock
Bindweed, Field	(pennywort)	Parsnip	Tansy ragwort
Bindweed, hedge	Doveweed	Pearlwort	Tanweed
Bitter Wintercress	Elderberry	Pennycress (Frenchweed)	Thistle, blessed
Bittercress, hairy	Falseflax	Pepperweed, perennial	Thistle, bull
Bitterweed	False sunflower	Pepperweed, Virginia	Thistle, Canada
Black-eyed Susan	Fiddleneck	(peppergrass)	Thistle, flodman (prairie)
Black medic	Filaree, redstem	Pigweed, prostate	Thistle, musk
Blood flower milkweed	Filaree, whitestem	Pigweed, redroot	Thistle, platte
Blue lettuce	Fleabane, daisy	Pigweed, Russian	Thistle, plumeless
Brassbuttons	(annual)	Pigweed, smooth	Thistle, Russian
Bristly oxtongue	Fleabane, rough	Pigweed, tumble	Thistle, Scotch
Broomweed	Galinsoga, hairy	Pineappleweed	Thistle, wavyleaf
Buckhorn	Galinsoga, smallflower	Plains coreopsis (tickseed)	Thistle, yellow (horrible)
Bullnettle	Goldenrod	Plantain, blackseed	Trailing crownvetch
Burclover	Ground ivy	Plantain, bracted	Velvetleaf
Burdock	Groundsel	Plantain, broadleaf	Vervain, blue
Burweed, lawn (spurweed)	Gumweed	Plantain, buckhorn	Vervain, hoary
Buttercup, bulbous	Hairy fleabane	Plantain, hoary	Vervain, prostrate

WEEDS			
Buttercup, creeping	Hawkweed, meadow	Plantain, narrowleaf	Vervain, tall
Buttonweed, common	Hawkweed, mouseear	Plantain, slender	Vetch, bird
(poorjoe)	Hawkweed, orange	Plantain, woolly	Vetch, hairy
Buttonweed, Virginia	Hawkweed, yellow	Poison ivy	Vetch, milk
Carolina geranium (wild)	Healall	Poison oak	Vetch, narrowleaf
Carpetweed	Heartleaf drymary	Pokeweed	Vetch, wild
Catnip	Hemp	Prairie sunflower	Virginia creeper
Catsear, spotted (false	Henbit	Prickly lettuce (compass plant)	Western clematis
dandelion)	Hoary cress	Prickly sida	Western salsify
Chamber bitter	Horsenettle	Prostrate knotweed	Wild aster
Chickweed, common	Horseweed	Puncturevine	Wild buckweat
Chickweed, mouseear	Jimsonweed	Purslane, common	Wild carrot
Chickweed, sticky	Johnny-Jumpup violet	Pusley, Brazil	Wild four-o-clock
Chicory	Knawel	Pusley, Florida	Wild garlic
Cinquefoil	Knotweed, prostrate	Pusley, large flower	Wild lettuce
Clover, crimson	Kochia	Ragweed, bur	Wild marigold
Clover, alsike	Lambsquarters	Ragweed, common	Wild mustard (yellow rocket)
Clover, hop	Lespedeza	Ragweed, lanceleaf	Wild onion
Clover, rabbit foot	Mallow, alkali	Ragweed, western	Wild parsnip
Clover, red	Mallow, bristly	Redstem filaree	Wild radish
Clover, strawberry	Mallow, common	Rough cinquefoil	Wild rape
Clover, yellow sweet	Mallow, dwarf	Scarlet pimpernel	Wild strawberry
Clover, white sweet	Mallow, Venice	Shepherdspurse	Wild sweet potato
Clover, white	Marcela	Smartweed, ladysthumb	Wild violet
Cockle	Matchweed	Smartweed, pale	Woodsorrel, creeping
Cocklebur	Mexicanweed	Smartweed, Pennsylvania	Woodsorrel, violet
Cocklebur, oriental	Moneywort	Smooth chaff-flower	Woodsorrel, yellow (Oxalis)
Cocklebur, spiny	Morningglory, bigroot	Smooth dock	Woolly croton
Common mullein	Morningglory, ivyleaf	Sorrel, red (sheep)	Wormseed
Corn spurry	Morningglory, Mexican	Sowthistle, annual	Yarrow, common
Creeping beggarweed	Morningglory, red	Sowthistle, spiny	Yarrow, western
Creeping Jenny (creeping	Morningglory, tall	Spanish needles	Yarrow, yeilow
Charlie)	Morningglory, woolly	Speedwell, bi-lobed	

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APPENDIX SUBLABEL 2

1. Advertising claims and marketing phrases that may be presented on promotional materials and the container labels of supplemental registrants.

PRODUCT FACTS [optional info box]

What It Does: Kills major broadleaf and troublesome grass weeds Including dandelion, chickweed and clover as well as crabgrass, foxtail, and yellow nutsedge. (See inside for complete list)

Where to Use: (icon weeds) Lawns: Kills the weeds not the lawn

When to Use:

Apply when daytime temperatures are between 45°F and 90°F.

Questions & Comments: (icon phone) (icon computer) Call 1-800-xxx-xxxx or Visit our Website at <u>www.companyname.com</u>

EH-1428 Herbicide will control or suppress the following broadleaf weeds. A partial list is presented below:

Aster, white heath & white	Dogfennel	Knotweed	Purslane
prairie	Dollarweed (*pennywort)	Lambsquarters	Ragweed

Bedstraw False dandelion (*spotted Lawn burweed Redweed Beggarweed, creeping catsear & common Red sorrel (*sheep sorrel) Lespedeza, common Bindweed catsear) Mallow, common Shepherdspurse Black medic Field bindweed Matchweed Spurge Broadleaf plantain (*morningglory & creeping Mouseear chickweed Thistle Buckhorn plantain jenny) Old world diamond flower Virginia buttonweed Field oxeye-daisy White clover (*Dutch clover, Bull thistle Oxalis (*yellow woodsorrel (*creeping oxeye) honeysuckle clover, white Burdock, common & creeping woodsorrel) Filaree, whitestem & Buttercup, creeping Parsley-piert trefoil, & purplewort) redstem Pennsylvania smartweed Wild carrot Carpetweed Chickweed, common Florida betony Pepperweed Wild garlic Florida pusley Wild geranium Chicory Pigweed Cinquefoil Ground ivy Pineappleweed Wild lettuce Clover Groundsel Plantain Wild mustard Hawkweed Curly dock Poison ivv Wild onion Dandelion Healall Poison oak Wild strawberry Dayflower Henbit Prickly lettuce (*compass Yarrow Deadnettle Innocence (Blue-eyed plant) Yellow rocket Dock Mary) Puncturevine and many more broadleaf Purple cudweed weeds *Synonyms

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APPENDIX ALL SUBLABELS

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. _
- [NOTE: If the design, format, or small size of the container labels makes it impractical to present the entire ingredient statement on the front panel, then we ask to add a referral statement and present the substatement on the back panel: See back panel for substatement of ingredient statement.]

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00887.20130222.notif-proposed-highlighted.doc

2. Reason for Issue: ad claims