

2217-897

08-25-2009

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

AUG 25 2009

Dear Dr. Kunstman:

Subject: Label Amendment According to Agency Letter (dated January 14, 2009)
EH-1438 Herbicide
EPA Registration Number 2217-897

The label, referred to above, submitted in connection with the application under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. One copy of the label stamped "Acceptable" is enclosed for your records. This label supersedes all the previously accepted labels for this product. If you have any questions, please contact Tracy White by phone at (703) 308-0042 or via email at white.tracy@epa.gov.

Sincerely,

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

Enclosure

2/7

ACCEPTED

AUG 25 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

2217-897

EH-1438 HERBICIDE

EPA Reg. No. 2217-897

ACTIVE INGREDIENT:

2,4-D, 2-ethylhexyl ester	1.153%
Mecoprop-p acid	0.174%
Dicamba acid	0.073%
Sulfentrazone	0.034%
OTHER INGREDIENTS:	<u>98.566%</u>
TOTAL	100.000%

THIS PRODUCT CONTAINS:

- 15.30 lb 2,4-dichlorophenoxyacetic acid equivalent per ton or 0.765%. CAS 1928-43-4.
- 3.48 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per ton or 0.174%. CAS 16484-77-8.
- 1.46 lb 3,6-dichloro-o-anisic acid equivalent per ton or 0.073%. CAS 1918-00-9.
- 0.68 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 ton or 0.034%. CAS 122836-35-5.

Isomer Specific by AOAC Methods
 TRIMEC® is a registered trademark of PBI/Gordon Corporation.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Harmful if swallowed. Avoid contact with eyes or clothing. Wear long-sleeved shirt and long pants, and 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	
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 swallowed:	<ul style="list-style-type: none"> • 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 doctor. • Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment information.</p>	



Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters 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.

[Environmental Hazards (alternate per PRN 2008-1)

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. 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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

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.]

DIRECTIONS FOR USE

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

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.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

INSTRUCTIONS:

EH-1438 Herbicide is a combination of four proven weed killers - 2,4-D, mecoprop-p, dicamba and sulfentrazone. This herbicide controls a wide range of lawn weeds, including dandelion, chickweed, knotweed, plantain, henbit, spurge and many others commonly found in home lawns.

USE PRECAUTIONS:

- Do not use on dichondra, carpetgrass, St. Augustinegrass, or turfgrass where desirable clovers are present.
- Do not apply this product to newly seeded grasses until well-established or after the second or third mowing.
- Seeding should be delayed until three (3) weeks after the application.
- Do not use this product on flowers, vegetables, groundcovers, gardens or landscape plantings including shrubs and trees. Do not exceed specified dosage for any area.
- This product will not prevent weed seeds from producing new plants.
- Do not use this product on or near desirable plants, and avoid spreading granules onto exposed root systems or adventitious shoots (rhizomes) including within the drip line of ~~the roots of~~ desirable trees and shrubs, since injury may result.
- Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans.

Do not apply when windy. Apply this product directly to your lawn, and sweep any product landing on the driveway, sidewalk, gutter, or street back onto the treated area. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day.

HOW MUCH TO APPLY:

Apply 2.5 to 3.0 pounds of product per 1,000 square feet of turfgrass. A second application may be made in approximately 30 days.

Best results for the lower rate within the range are obtained for broadleaf weeds that are young and growing actively (vigorously). Dense populations, mature weed growth stages and perennial weeds will require the higher rate within the specified range.

Do not apply more than 3 pounds of product per 1000 square feet of turfgrass per application. If necessary, a second application may be made no sooner than 30 days after the first. Do not apply more than 6 pounds of product per 1000 square feet per year. [note to reviewer: the following information may be omitted from the final printed label: 3 pounds of this product contains 1.0 lb 2,4-D (ae), 0.23 lb mecoprop-p (ae), and 0.10 lb dicamba (ae).]

WHEN TO APPLY:

Apply when broadleaf weeds are actively growing in spring or early fall. Apply when the air is calm (Choose a calm day) to ensure uniform coverage and avoid spreading Herbicide onto flowers, vegetables, and ornamental shrubbery.

Possible retreatment may be necessary if lawn is heavily overrun by weeds, if adverse low moisture conditions prevail, or if weeds are in a state of poor growth.

WHAT TO EXPECT:

1. Mow lawn to normal height 1 to 2 days before application.
2. Water lawn thoroughly at least 1 to 2 days before application to sustain moisture until the next watering (see step 5).
3. Apply when broadleaf weeds are young and actively growing, preferably in the morning when dew is on the grass. At the time of application, moisture on the weed leaves from dew, rainfall or irrigation/watering aids in control. If grass is not moist at time of application, sprinkle lightly with water.
4. Avoid applying when temperatures are consistently above 90°F.
5. Do not wash from weed leaves for 1 to 2 days after application. At this time, a thorough watering should be made.

DISTRIBUTION AND SPREADER PATTERNS:

Always apply with a properly calibrated rotary or drop type fertilizer spreader to distribute the Herbicide evenly. Never apply by hand.

Coverage - To determine how much you need to apply, multiply the length of your lawn by its width. This equals your total square footage. Deduct all non-lawn areas (house, gardens, etc.). One bag covers up to XXX square feet.

[Note to Supplemental Registrants: Select the appropriate bag size and present only the information provided for that bag size on your product labeling. Also, equipment settings of drop spreaders, rotary spreaders, and other granular applicators may be presented on the container labels.]

Bag Size, Lbs.	Application Rate, Lbs./1,000 Sq.Ft.	Treated Area for This Bag Size, Sq.Ft.	Bag Size, Lbs.	Application Rate, Lbs./1,000 Sq.Ft.	Treated Area for This Bag Size, Sq.Ft.
12	2.5	4800	17	2.5	6800
	2.75	4400		2.75	6200
	3.0	4000		3.0	5700
12.5	2.5	5000	18	2.5	7200
	2.75	4500		2.75	6500
	3.0	4200		3.0	5400
13	2.5	5200	19	2.5	7600
	2.75	4700		2.75	6900
	3.0	4300		3.0	6300
14	2.5	5600	20	2.5	8000
	2.75	5100		2.75	7200
	3.0	4700		3.0	6700
15	2.5	6000	25	2.5	10000
	2.75	5450		2.75	9000
	3.0	5000		3.0	7500
16	2.5	6400	30	2.5	12000
	2.75	5800		2.75	11000
	3.0	5300		3.0	10000

SINGLE PASS DISTRIBUTION:

For best results, apply this product evenly and uniformly avoiding streaking, skips or overlaps.

1. For rotary spreaders, operate at intervals corresponding to the swath width. For drop spreaders, overlap the wheel tracks to ensure complete coverage.
2. First, spread the borders of your lawn and header strips for turning around. Then apply this product to the center with straight line passes
3. Walk at a steady pace to ensure even coverage. Close the spreader opening when turning to change directions or when stopping.

CALIBRATION INSTRUCTIONS AND SPREADER SETTINGS:

Calibrate the spreader according to the manufacturer's directions. Initial spreader settings may require adjustment to deliver the recommended rate under actual application conditions.

To provide proper distribution, calibrate spreader before application.

- For 2.5 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 400 square feet and adjust to apply at the rate of 1 pound of product per 400 square feet.
- For 2.75 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 360 square feet and adjust to apply at the rate of 1 pound of product per 360 square feet.
- For 3.0 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 330 square feet and adjust to apply at the rate of 1 pound of product per 330 square feet.

Spreader	Delivers lb/1,000 sq.ft.		
	2.5 lb	2.75 lb	3.0 lb
LESCO® Rotary calibration gauge setting #	X	X	X
Ortho® Drop (5000)	X	X	X
Ortho® Rotary (6000)	X	X	X
Precision® Red Devil® Rotary	X	X	X
Quaker® Rotary	X	X	X
Republic® EZ Drop	X	X	X
Republic® EZ Grow	X	X	X
Republic® EZ Rotary	X	X	X
Scotts® Drop (PF3)	X	X	X
Scotts® Easy Green	X	X	X

Spreader	Delivers lb/1,000 sq.ft.		
	2.5 lb	2.75 lb	3.0 lb
Scotts® Speedy Green	X	X	X
True Temper Rotary	X	X	X

BROADLEAF WEEDS			
Annual yellow sweetclover	Clover, sweet	Mugwort	Spiny amaranth
Aster	Clover, white	Musk thistle	Spiny cocklebur
Austrian fieldcress	Cockle	Mustard	Spiny sowthistle
Bedstraw	Cocklebur	Narrowleaf plantain	Spotted catsear
Beggarticks	Common mullein	Narrowleaf vetch	Spotted spurge
Betony, Florida	Creeping jenny	Nettle	Spurweed
Bindweed, field	Cudweed	Orange hawkweed	Stinging nettle
Bird vetch	Curly dock	Oxalis	Strawberry, India mock
Bitter wintercress	Daisy, English	Parsley-piert	Tall nettle
Bittercress, hairy	Daisy fleabane	Parsnip	Tall vervain
Bitterweed	Daisy, oxeye	Pearlwort	Tansy ragwort
Black-eyed Susan	Dandelion	Pennycress	Tansy mustard
Black medic	Dichondra	Pepperweed	Thistle
Black mustard	Dogfennel	Pigweed	Trailing crownvetch
Blackseed plantain	Dollarweed	Pineywoods bedstraw	Tumble mustard
Blessed thistle	False dandelion	Plains coreopsis	Tumble pigweed
Bloodflower milkweed	Falseflax	Plantain	Velvetleaf
Blue lettuce	False sunflower	Poison ivy	Venice mallow
Blue vervain	Fiddleneck	Poison oak	Virginia buttonweed
Bracted plantain	Florida pusley	Pokeweed	Virginia creeper
Bristly oxtongue	Frenchweed	Poorjoe	Virginia pepperweed
Broadleaf dock	Galinsoga	Prairie sunflower	Wavyleaf bullthistle
Broadleaf plantain	Goldenrod	Prickly lettuce	Western clematis
Broomweed	Ground ivy	Prickly sida	Western salsify
Buckhorn	Gumweed	Prostrate knotweed	White mustard
Buckhorn plantain	Hairy fleabane	Prostrate pigweed	Wild aster
Bulbous buttercup	Hawkweed	Prostrate spurge	Wild buckwheat
Bull thistle	Healall	Prostrate vervain	Wild carrot
Bullnettle	Heartleaf drymary	Puncturevine	Wild four-o'clock
Burclover	Heathaster	Purslane, common	Wild garlic
Burdock	Hedge bindweed	Ragweed	Wild geranium
Burning nettle	Hedge mustard	Red sorrel	Wild lettuce
Burweed	Henbit	Redroot pigweed	Wild marigold
Buttercup	Hoary cress	Redstem filaree	Wild mustard
Buttonweed	Hoary plantain	Rough cinquefoil	Wild onion
Canada thistle	Hoary vervain	Rough fleabane	Wild parsnip
Carolina geranium	Horsenettle	Russian pigweed	Wild radish
Carpetweed	Jimsonweed	Russian thistle	Wild rape
Catchweed bedstraw	Knawel	Scarlet pimpernel	Wild strawberry
Catnip	Knottweed	Scotch thistle	Wild sweet potato
Catsear	Kochia	Sheep sorrel	Wild vetch
Chickweed, common	Lambsquarters	Shepherdspurse	Woodsorrel
Chickweed, mouseear	Lespedeza	Slender plantain	Woolly croton
Chicory	Mallow	Smallflower galinsoga	Woolly morningglory
Cinquefoil	Matchweed	Smooth dock	Woolly plantain
Clover, crimson	Mexicanweed	Smooth pigweed	Wormseed
Clover, hop	Milk vetch	Sorrel	Yarrow
Clover, red	Morningglory	Sowthistle	Yellow rocket
Clover, strawberry	Mouseear hawkweed	Spanishneedles	Yellowflower pepperweed
		Speedwell	and other broadleaf weeds

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container and keep any bags containing unused product in a locked storage area inaccessible to children and domestic animals.

~~**CONTAINER DISPOSAL:** If empty: Do not reuse this container. Place in trash or offer for recycling if available. If partially filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.~~

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. 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 SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Weight _____
- EPA Est. No. _____

2. Alternate optional maximum rate statement:

The maximum broadcast application rate is 3.0 pounds of product per 1,000 sq.ft. per application (1.0 lb 2,4-D ae, 0.23 lb MCPP-p ae, and 0.10 dicamba ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 6.0 pounds of product per 1,000 sq.ft. (2.0 lb 2,4-D ae, 0.45 lb MCPP-p ae, and 0.19 lb dicamba ae per acre).

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00897.20090708.amend-proposed.doc

2. **Reason for Issue:** Incorporate EPA comments, PRN 2008-1, PRN 2007-4