

2217-916

11/07/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dr. James L. Kunstman, Ph. D.
Product Registration
PBI/Gordon, Corporation
P.O. Box 014090
Kansas City, Missouri 64101

NOV 7 2008

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change(s) Additional Marketing Claims & Table Rate
Change
EPA Reg. No. 2217-916
Application Dated August 20, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 08/20/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "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 2217-916	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DM 899 Liquid Weed and Feed II	PM# Product Manager—Team 23	
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 _____	

NOTIFICATION
 NOV 7 2007

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

- We ask to add a rate table that provides a wider range (from 5,000 sq. ft. to 50,000 sq. ft.) of mixing instructions. All ratios remain consistent will application rates previously accepted. This table is presented as highlighted text on page 5 of the enclosed label.
- A single marketing claim (This 2.5 Gallon Container covers up to 50,000 sq. ft.) is added to the Appendix on page 6.

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 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.

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

Section - III

1. Material This Product Will Be Packaged In:			
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	2. Type of Container <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 type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container 1 pint, 1 quart, 2 quarts, 1 Gallon, 2.5 Gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input 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 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
<p align="center">Certification</p> <p><i>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.</i></p>		6. Date Application Received (Stamped)
2. Signature 	3. Title Director of Regulatory Services	
4. Typed Name James L. Kunstman, Ph.D.	5. Date August 20, 2008	

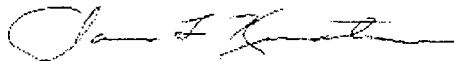
Certification with Respect to Label Integrity

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
2217-916	8/20/2008	002217-00916.20080820.proposed

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

08/20/2008

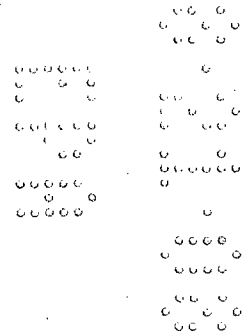
Date

James L. Kunstman, Ph.D.

Name (typed)

Director, Regulatory Services

Title



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 a 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 call toll-free, 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.

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 sprays have dried.

OTHER USE PRECAUTIONS:

Do not allow spray to drift to vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants since injury may result. Do not spray when grass is emerging from dormancy. Do not apply to newly seeded lawn grasses until well established. Do not spray when the temperature exceeds 85°F. Seed can be sown 3 to 4 weeks after application. Do not use on carpetgrass, dichondra, St. Augustinegrass, centipedegrass, closely-mowed bentgrass, nor on lawns or turf where desirable clovers are present. Do not exceed specified dosages for any area.

Do not apply as a fine mist because of potential for injury to desirable plants.

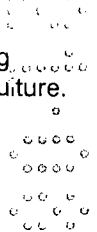
Do not use this product on or near desirable plants, including within the drip line of the roots of desirable trees and shrubs, since injury may result.

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. 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. Rinse applicator over lawn area only.

WEEDS			
Black medic Dock Clover Common chickweed Dandelion	Dock English Daisy Knotweed Lambsquarters Mallow	Mouseear chickweed Oxalis Pigweed Plantain	Purslane Ragweed and many other broadleaf lawn weeds.

Fertilizer Labeling Requirements:

- All fertilizer products distributed in Washington at a minimum, must have the following labeling statement: "This product has been registered with the Washington State Department of Agriculture."



When applied as directed, this fertilizer meets the Washington standards for arsenic, cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc. You have the right to receive specific information about Washington standards from the distributor of this product."

- Information regarding the contents and levels of metals in this product is available on the internet at: "<http://www.aapfco.org/metals.htm>."

For Fertilizer Grade 15-0-0

A lawn will typically utilize 1 to 4 pounds of nitrogen per 1,000 square feet each growing season. When applied as directed this product supplies 0.07 pounds of nitrogen per 1,000 square feet with each application. Use this product in conjunction with an additional fertilization program to provide at least 1 pound of nitrogen per 1,000 square feet each growing season. Consult your state agricultural extension agent for the proper amount of nitrogen to be applied in your area.

For Fertilizer Grade 20-0-0

A lawn will typically utilize 1 to 4 pounds of nitrogen per 1,000 square feet each growing season. When applied as directed this product supplies 0.095 pounds of nitrogen per 1,000 square feet with each application. Use this product in conjunction with an additional fertilization program to provide at least 1 pound of nitrogen per 1,000 square feet each growing season. Consult your state agricultural extension agent for the proper amount of nitrogen to be applied in your area.

DM 899 Liquid Weed & Feed II should be supplemented with lawn fertilizer every 3 weeks from March through September (or April through October depending upon the growing season in your area). Please consult your state agricultural extension agent concerning a regular fertilizer program.

WHERE TO USE:

DM 899 Liquid Weed & Feed II may be used on bentgrass, bermudagrass, bluegrass, fescue lawns, vacant lots, playgrounds and other similar areas where broadleaf weeds are present. DM 899 Liquid Weed & Feed II controls most broadleaf weeds, including chickweed, clover, dandelion, knotweed and plantain.

WHEN TO USE:

1. Use up to two (2) broadcast treatments during the growing season when weeds are actively growing.
2. On new lawns, wait until the grass has reached a height of 2 inches before making a broadcast treatment. Wait 3 weeks after application before seeding or planting stolons.
3. Poor weed control may result if spray is applied during drought or just before rain.
4. For best results, mow 1 to 2 days before treating.
5. Do not water lawn within 24 hours after treatment.

HOW MUCH TO USE: Shake Well Before Using.

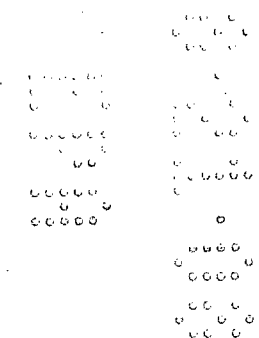
(One Of The Following Will Be Used Depending On Type of Hose End Sprayer)

For hose-end sprayers as a broadcast treatment:

- One quart covers up to 5,000 square feet.
- One-half gallon covers up to 10,000 square feet.
- One Gallon covers up to 20,000 square feet.

For larger areas asa broadcast treatment

- Use 3 quarts in 15 gallons of water and apply to 15,000 square feet.
- Use 4 quarts in 20 gallons of water and apply to 20,000 square feet.
- Use 5 quarts in 25 gallons of water and apply to 25,000 square feet.
- Use 6 quarts in 30 gallons of water and apply to 30,000 square feet.



Limitations on broadcast applications to turfgrass:

The maximum application rate is 32 fl.oz. of product per 5,000 sq.ft. per application (0.76 lbs 2,4-D acid equivalent and 0.39 lb MCP-P 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 64 fl.oz. of product per 5,000 sq.ft. (1.53 lbs 2,4-D ae and 0.78 lb MCP-P ae per acre), excluding spot treatments.

OPTION (A) INSTRUCTIONS

1. Connect spray nozzle to garden hose.
2. Shake contents of bottle well.
3. Remove safety cap.
4. Attach tube to nozzle applicator.
5. Attach bottle to open end of spray nozzle. Turn bottle counter clockwise until threads mesh. Then turn the bottle clockwise until tightly closed.
6. Turn on water; place finger over hole on right side of nozzle and proper ratio will automatically be dispersed. Spray directly over area requiring application evenly and uniformly. (Check handy measuring guide to see how much of this liquid has been used.)

OPTION (B) INSTRUCTIONS

Connect spray nozzle to garden hose; remove safety cap from container; attach tube to applicator and insert tube section. Attach container to end of nozzle.

Turn on water; place finger over hole on right side of nozzle and proper ratio will automatically be dispersed. Spray directly over area requiring application evenly and uniformly. (Check handy measuring guide to see how much liquid has been used.)

OPTION (C) INSTRUCTIONS

1. Attach garden hose to connector on dispenser.
2. Insert screwdriver into slot in orange lock ring and twist, snapping lock ring in two.
3. Remove both parts of separated lock ring.
4. Turn arrow on activator switch to OFF position.
5. Push activator switch securely down against top of sprayer, which will pierce the safety seal inside the dispenser.
6. To begin spraying, turn on water and then move activator switch to the ON position.
7. To stop dispensing the product, turn off water.

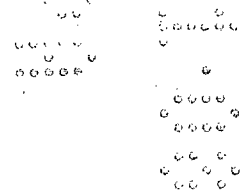
OPTION (D) INSTRUCTIONS

1. Attach spray nozzle to garden hose. Turn nozzle clockwise to firmly attach it to hose.
2. Remove cap from bottle (directions on cap) and screw bottle into spray nozzle.
3. Turn the on/off switch on top of the spray nozzle counter clockwise to the OFF position. Then turn on the water at the faucet.
4. To begin spraying, turn the sprayer nozzle switch clockwise to the ON position. The water automatically mixes with the product. Walk at a steady pace spraying in a side to side arc, slightly overlapping treated areas. Refer to the graduated scale on side of container to guide coverage.
5. To stop spraying, turn the sprayer nozzle switch counter clockwise to the OFF position and turn off water at the faucet.

OPTION (E) INSTRUCTIONS

This one gallon package is intended as a refill for the quart hose end sprayer applicator/container of DM 899 Liquid Weed & Feed II. However, this product may be used in any hose end sprayer in which herbicides have been used.

Add DM 899 Liquid Weed & Feed II to the hose end sprayer jar. DO NOT ADD WATER TO THE JAR. One quart covers up to 5,000 square feet. One-half gallon covers up to 10,000 square feet. One Gallon covers up to 20,000 square feet.



**OPTION (F) INSTRUCTIONS
ASSEMBLY INSTRUCTIONS**

1. Attach siphon tube to hose end sprayer attachment.
2. Remove cap from bottle and insert sprayer attachment.
3. Securely tighten sprayer attachment on bottle.
4. Screw hose into hose end sprayer attachment.

SPRAYING INSTRUCTIONS

1. Turn on water. **TO START FLOW OF PRODUCT:** Place finger over the hole on top right side of sprayer attachment. Hold about 3 feet above area to be treated moving at a steady pace to ensure consistent coverage.
2. **TO STOP FLOW OF PRODUCT:** Remove finger from hose to break siphon action.

NOTE: To ensure adequate coverage, use moderate to high water pressure when applying through hose end sprayer attachment.

OPTION (G) INSTRUCTION

[MIXING INSTRUCTIONS WITH WATER (for pull-behind sprayers)

Mix one quart of DM 899 Liquid Weed and Feed II with 5 gallons of water and apply over 5,000 square feet.

For larger areas:

- Use 3 quarts in 15 gallons of water and apply to 15,000 square feet.
- Use 4 quarts in 20 gallons of water and apply to 20,000 square feet.
- Use 5 quarts in 25 gallons of water and apply to 25,000 square feet.
- Use 6 quarts in 30 gallons of water and apply to 30,000 square feet.]

[Start Optional

How much Gordon's Liquid Weed & Feed2 to use: Mixing instructions for pull behind sprayers (Shake well before using)		
Mix . . .	in . . .	to cover
1 qt (0.25 gal)	5 gal water	5,000 sq.ft.
2 qt (0.5 gal)	10 gal water	10,000 sq.ft.
3 qt (0.75 gal)	15 gal water	15,000 sq.ft.
4 qt (1 gal)	20 gal water	20,000 sq.ft.
6 qt (1.5 gal)	30 gal water	30,000 sq.ft.
8 qt (2 gal)	40 gal water	40,000 sq.ft.
10 qt (2.5 gal)	50 gal water	50,000 sq.ft.

End Optional]

STORAGE AND DISPOSAL

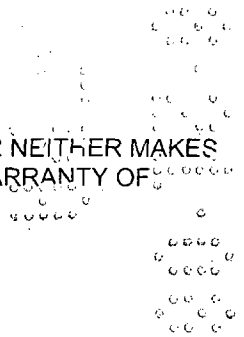
PESTICIDE STORAGE: Keep from freezing. Store in original container in a locked storage area inaccessible to children. Do not store near food or feedstuffs.

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

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF



MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. 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:

- Perfect for tank sprayer applications.
- Control broadleaf weeds and fertilize in one step!
- KEEP FROM FREEZING
- One Quart covers up to 5,000 square feet
- Controls dandelion, chickweed, knotweed, plantain, clover, mallow, purslane, and many other broadleaf lawn weeds.
- No Spreading—No Complicated Mixing—Just attach to a garden hose and spray.
- [This Container] [2.5 Gallons] covers [up to] 50,000 sq.ft.
- For use in pull behind sprayers

2. Fertilizer claims:

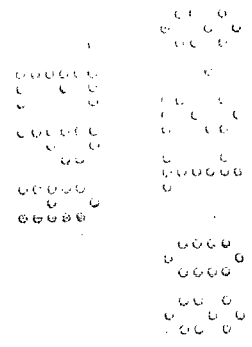
- FL.#987

For Fertilizer Grade of 15-0-0	
Net Contents:	Net Weight:
1 quart	2 lbs., 6 ounces
1 gallon	9 lbs., 6 ounces (9.35 lbs.)
2.5 gallons	23 lbs., 6 ounces

For Fertilizer Grade of 20-0-0	
Net Contents:	Net Weight:
1 quart	2 lbs., 6 ounces
1 gallon	9 lbs., 9 ounces (9.57 lbs.)
2.5 gallons	23 lbs., 14 ounces

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00916.20080820.proposed.doc
2. Reason for Issue: Correct typo, ad claim, add optional rate table



NOTIFICATION

NOV 7 2007