

2217-923

10/26/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

James L. Kunstman, Ph.D.
1217 W. 12th Street
P.O. Box 014090
Kansas City, MO 64101

OCT 26 2011

Subject: EH-1468 ORP
Alternate Brand Names: Pronto Vegetation Killer, Gordon's Pronto Vegetation Killer
EPA Reg. No. 2217-923
Label Notification per PRN 98-10

Dear Dr. Kunstman,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for EH-1468 Herbicide (EPA Reg. No. 2217-923) dated October 19, 2011. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds 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.

If you have any questions, please contact Emily Hartman of my staff at (703) 347-0189 or hartman.emily@epa.gov.

Sincerely,

Kable Bo Davis, Product Manager 25
Herbicide Branch
Registration Division
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/> Registration	OPP Identifier Number
<input type="checkbox"/> Amendment	
<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 2217- 923	2. EPA Product Manager Kable Bo Davis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EH-1468 ORP	PM# Product Manager—Team 25	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

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

NOTIFICATION

OCT 26 2011

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

Notification of label change per PR Notice 98-10.

1. Request for an alternate brand name: Pronto Vegetation Killer. Please refer to page 1 of the enclosed draft labeling.
2. Certification : This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA. 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 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1 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	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Director of Regulatory Services		
4. Typed Name James L. Kunstman, Ph.D.	5. Date October 19, 2011		

EH-1468 ORP

NOTIFICATION

EPA Reg. No. 2217-923

OCT 26 2011

Alternate Brand Names: **Pronto Vegetation Killer**
Gordon's Pronto Vegetation Killer

ACTIVE INGREDIENTS:

Imazapyr, isopropylamine salt	1.74%
Glyphosate, isopropylamine salt	3.82%
INERT INGREDIENTS:	94.44%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 0.12 lb Imazapyr (2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridinecarboxylic acid) per gallon or 1.42%
- 0.24 lb Glyphosate (N-(phosphonomethyl)glycine) per gallon or 2.83%

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 & Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are natural rubber. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

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

- long-sleeved shirt and long pants,
- shoes and socks,
- chemical-resistant gloves for all mixers and loaders, plus applicators using handheld equipment.

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.



User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

First Aid

If 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.
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Have the product container or label with you when calling a poison control center or doctor or going for treatment. For additional information in case of emergency, call toll free 1-877-800-5556.

Environmental Hazards

This product is toxic to plants. Drift and run-off may be hazardous to plants in water adjacent to treated areas. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash waters or rinsate. See Directions for Use for additional precautions and requirements.

Physical or Chemical Hazards Statement

Combustible. Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

1. Product Application Restrictions

- Do not enter or allow others to enter treated areas 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.
- Do not use on feed or food crops.

2. Product Information [What It Does]

EH-1468 ORP is a nonselective herbicide which kills most annual and perennial grasses, broadleaf weeds, vines, brush, and trees. The product is absorbed through leaves, stems, and roots and moves throughout the plant. Treated plants stop growing soon after application. EH-1468 ORP will also provide residual control for up to 12 months in the treated area. Heavy rainfall will reduce the length of residual control. Heavy clay soils may increase the length of residual control.

3. Use Sites [Where To Use]

EH-1468 ORP may be used to control weeds in: [In fencerows, hedgerows, agricultural uncultivated areas, shelter belts, farm yards, and farm premises. Around domestic (residential) dwellings, outdoor buildings, structures and shelters such as beef barns, hog barns, dairy barns, stables, dog kennels and poultry houses. Along fences of paddocks, corrals, feedlots, and livestock holding areas. For the establishment and maintenance of wildlife openings. In roadways, roadsides, airports, landing fields, industrial sites, storage yards, lumber yards, tank farms, pumping installations, fuel tanks, pipelines, non-

agricultural uncultivated areas or soils, paved areas (including crack and crevice), curbs, sidewalks, driveways, parking areas, brick walks, gravel paths, paths, patios, and vacant lots, urban areas, cemeteries, recreational areas, play areas, and tennis courts. Along fences.]

IMPORTANT: Use only in areas where you want to 1) kill all existing vegetation and 2) suppress regrowth for up to 12 months. Do not use in gardens, flower beds or in areas intended to be seeded or planted within 12 months. Newly planted trees, shrubs and flowers are especially sensitive. This product is not intended for treating aquatic plants. In lawns, do not use for individual weed control.

[If you **do not** desire to suppress regrowth, use a product which only contains glyphosate [such as xxx] instead.]

4. Application Directions

The maximum number of applications is 1 broadcast and 1 spot treatment per year OR 2 spot treatments per year OR 1 brush control application per year. The maximum annual rate is 36 fl.oz. per 1,000 sq.ft. per year [1.47 lbs imazapyr ae/A/yr, 2.94 lbs glyphosate ae/A/yr].

Equipment Cleanup: Thoroughly flush application equipment with water after using this product. Do not flush equipment near desirable plants or their root zones.

4.1 For Total Vegetation Control (Including Bareground Treatment)

Use hand-operated spray equipment such as backpack sprayers, pump-up sprayers, or sprinkling can. Mix 18 fl.oz. of product [0.74 lb imazapyr ae/A, 1.47 lb glyphosate ae/A] with water to produce 3 to 5 gallons of spray solution. Weeds should be growing vigorously at the time of application for maximum herbicide activity. [Addition of a surfactant to the spray solution will enhance performance.]

For Broadcast Treatments: Uniformly spray the area where bareground is desired. 18 fl.oz. of product will cover 1000 sq.ft.

For Spot Treatments: Spray the foliage of clumps of weeds. Apply no more than 18 fl.oz. of product per 1000 sq.ft. 1 spot treatment may be used after a broadcast treatment to control weed escapes.

4.2 For Brush Control

Use hand-operated spray equipment such as backpack sprayers or pump-up sprayers. Mix 36 fl.oz. of product [1.47 lbs imazapyr ae, 2.94 lbs glyphosate ae] with water to produce 1 gallon of spray solution. Uniformly spray the foliage of woody weeds. Excessive wetting of foliage is not recommended. Weeds should be growing vigorously at the time of application for maximum herbicide activity. [Addition of a surfactant to the spray solution will enhance performance.]

5. For All Application Types: Avoiding Injury to Non-Target Plants

Movement of the product from the target plant or site may injure non-target plants. Follow these precautions to manage off-target movement.

1. **Runoff:** Do not over apply causing runoff from the treated foliage. Do not apply to slopes.
2. **Spray Drift:** Spray drift from applying this product may result in damage to sensitive plants adjacent to the treatment area. Avoiding spray drift is the responsibility of the applicator.
 - Applicators are required to use a nozzle height below 4 feet above the ground or plant canopy and Coarse or coarser droplet size (ASABE S572) or, if specifically using a spinning atomizer nozzle, applicators are required to use a volume mean diameter (VMD) of 385 microns or greater.
 - Applications with wind speeds greater than 10 mph are prohibited.
 - Applications into temperature inversions are prohibited.

3. **Roots of Trees and Shrubs:** Untreated plants can be affected by root uptake. Do not use over the root zone of desirable trees and shrubs. Roots extend beyond the drip line and can extend under fences, driveways, patios, sidewalks, paths, and similar landscape elements.
4. **Movement of Treated Soil:** Do not treat powdery, dry or light sandy soils when the soil may be blown by wind. If necessary soil surface should be settled by rain or irrigation.

6. Weeds Controlled

EH-1468 ORP will control or suppress most grasses, broadleaf weeds, woody brush, vines, and trees. The degree of control and residual varies by plant species. [List of weeds controlled:]

[Optional weed list table. Some or all may be included on label.

GRASSES			
Annual bluegrass	Crowfootgrass	Itchgrass	Sandbur
Bahiagrass	Dallisgrass	Johnsongrass	Smooth brome
Barnyardgrass	Downy brome	Kentucky bluegrass	Timothy
Beardgrass	Fall panicum	Lovegrass	Torpedograss
Bermudagrass	Feathertop	Orchardgrass	Vaseygrass
Big bluestem	Fescue	<i>Panicum</i> spp.	Wild barley
Broadleaf signalgrass	Foxtail	Prairie cordgrass	Wild oats
Canada bluegrass	Giant reed	Prairie threeawn	Wirestem muhly
Cheat	Goosegrass	Quackgrass	Witchgrass
Cogongrass	Guineagrass	Reed canarygrass	Woolly cupgrass
Crabgrass	Italian ryegrass	Sand dropseed	

BROADLEAF WEEDS			
Arrowwood	Dogfennel	Mullein	Smartweed
Broom snakeweed	Fiddleneck	Nettleleaf goosefoot	Sorrell
Bull thistle	Filaree	Oxeye daisy	Sowthistle
Burclover	Fleabane	Pepperweed	Spurge, annual
Burdock	Giant ragweed	Pigweed	Stinging nettle
Camphorweed	Goldenrod	Plantain	Sunflower
Canada thistle	Gray rabbitbrush	Pokeweed	Sweet clover
Carolina geranium	Henbit	Primrose	Tansymustard
Carpetweed	Hoary vervain	Puncturevine	Texas thistle
Chickweed, mouseear	Horseweed	Purple loosestrife	Velvetleaf
Clover	Indian mustard	Purslane	Western ragweed
Cocklebur	Japanese bamboo/knotweed	Pusley, Florida	Wild carrot
Common chickweed	Knotweed, prostrate	Rocket, London	Wild lettuce
Common ragweed	Kochia	Rush skeletonweed	Wild parsnip
Cudweed	Lambsquarters	Russian knapweed	Wild turnip
Dandelion	Little mallow	Russian thistle	Woollyleaf bursage
Desert camelthorn	Milkweed	Saltbush	Yellow starthistle
Diffuse knapweed	Miner's lettuce	Shepherdspurse	Yellow woodsorrel
Dock		Silverleaf nightshade	

VINES			
Field bindweed	Poison ivy	Virginia creeper	Wild rose (Including: Multiflora and Macartney rose)
Hedge bindweed	Redvine	Wild buckwheat	
Honeysuckle	Trumpetcreeper	Wild grape	
Morningglory			

WOODY BRUSH AND TREES			
Alder	Chinaberry	Madrone	Sassafras
American beech	Chinese tallow-tree	Maple	Sourwood
Ash	Chinquapin	Melaleuca	Sumac
Aspen	Cottonwood	Mulberry	Sweetgum
Autumn olive	Cypress	Oak	Sycamore
Bald cypress	Dogwood	Persimmon	Tanoak
Bigleaf maple	Eucalyptus	Poison oak	Titi

WOODY BRUSH AND TREES			
Birch	Hawthorn	Popcorn-tree	Tree of heaven
Black oak	Hickory	Poplar	Vaccinium spp.
Blackgum	Huckleberry	Privet	(Including: Blueberry and Sparkleberry)
Boxelder	<i>Lyonia</i> spp. (Including: Fetterbush and Staggerbush)	Red alder	Willow
Brazilian peppertree		Red maple	Yellow-poplar
Ceanothis		Saltcedar	
Cherry			

End optional weed list table.]

STORAGE AND DISPOSAL

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

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

PESTICIDE DISPOSAL: Wastes resulting from the use of this product that cannot be used or chemically reprocessed should be disposed of in a landfill approved for pesticide disposal or in accordance with applicable federal, state, or local procedures.

CONTAINER HANDLING: Nonrefillable container: Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling, if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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 STATEMENT cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

[alternate warranty]

LIMITED WARRANTY AND DISCLAIMER

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

It is impossible to eliminate all risks inherently associated with use of this product. Damage to the treated article, ineffectiveness, or other unintended consequences can result from use of the product under abnormal conditions such as weather, presence of other materials, or the manner or use of application, etc. Such factors and conditions are beyond the control of the manufacturer, and **BY PURCHASING AND USING THIS PRODUCT THE BUYER AND ALL USERS OF THIS PRODUCT AGREE TO ACCEPT ALL SUCH RISKS.** Buyer and all users further agree to assume all risks of loss or damage

from the use of the product in any manner that is not explicitly set forth in or that is inconsistent with label instructions, warnings and cautions.

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

THE EXCLUSIVE REMEDY OF BUYER AND ALL USERS OF THIS PRODUCT, AND THE EXCLUSIVE LIABILITY OF THE MANUFACTURER, FOR ANY AND ALL LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OF HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THE PRODUCT. The Manufacturer must be promptly notified in writing of any claims, whether based in contract, tort, negligence, strict liability, or otherwise, to be eligible to receive either remedy stated above.

The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere. No employee or agent of the manufacturer or seller is authorized to vary or exceed the terms of this LIMITED WARRANTY AND DISCLAIMER in any manner.

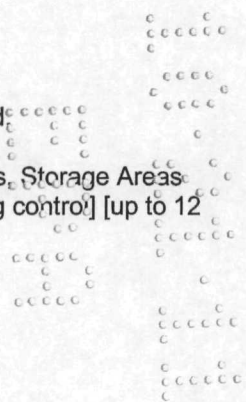
APPENDIX

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

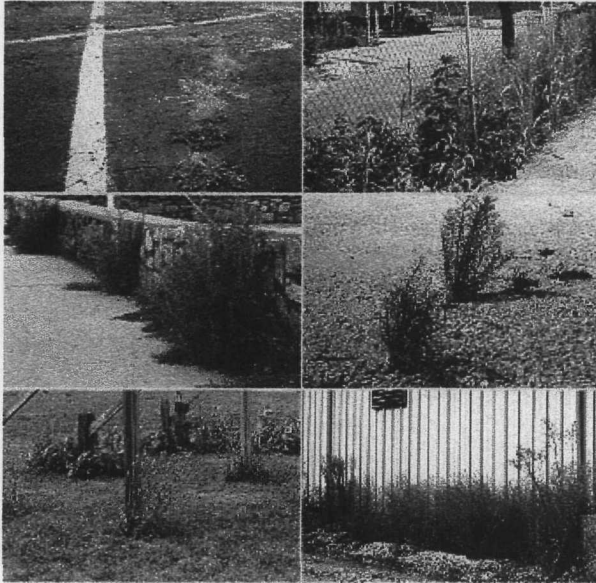
- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- Offers long-term weed control in places where no growth is wanted
- Kills [Controls] [unwanted] [weeds], [brush], [plants], and [grasses]
- Prevents weeds and vegetative growth for up to 1 year.
- Apply only where no vegetation growth is wanted for up to 1 year.
- Kills [Controls] all vegetation
- XX fl.oz. of product treats up to YYYY sq.ft
- Covers [Treats] XXXX sq.ft.
- Covers [up to] XXXX sq.ft.
- Year-long control of tough weeds & brush
- For driveways, patios, fence rows, and other places where no vegetation is desired
- Use Where No Growth Is Desired
- Fencerows, Driveways, And More Sites As Listed . . . Farmyards, Around Buildings, Storage Areas
- Dual-Action technology kills and prevents weeds, grass and brush for [season-long control] [up to 12 months]
- Season-long control of tough weeds, grass, and brush
- Goes to the roots to stop growth fast



- Apply where no vegetation is desired in areas such as fencerows, driveways, around buildings, propane tanks, around storage areas, farmyards, parking areas, patios, and pathways, [and more areas listed on label].



DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00923.20111005.notif-proposed-clean.doc
2. **Reason for Issue:** Alternate Brand Name, minor corrections, alternate warranty, ad claims

