

2217-924

9/28/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

SEP 28 2009

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

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request General Label Change (Additional Marketing Claims )  
EPA Reg. No. 2217-924  
Application Dated September 4, 2009

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/04/09 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

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United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number <b>2217-924</b>	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>EH-1468 Herbicide</b>	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. <b>Expedited Review.</b> 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 _____	<b>NOTIFICATION</b>  <b>SEP 7 8 2009</b>
<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.)

**Notification Per Pesticide Registration Notice (PRN) 98-10:**

We ask to present additional marketing claims—please refer to the Appendix on page 5 of the enclosed draft labeling.

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](mailto:jkunstman@pbigordon.com) FAX: 816-421-2731

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input 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		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per Container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pint, 1 quart, 1 gallon, 2.5 gallon		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" 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
2. Signature 		6. Data Application Received (Stamped)
3. Title Director of Regulatory Services		
4. Typed Name James L. Kunstman, Ph.D.	5. Date September 4, 2009	

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# EH-1468 HERBICIDE

**NOTIFICATION**

SEP 28 2009

## EPA Reg. No. 2217-924

ACTIVE INGREDIENT:

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. Wear long-sleeved shirt and long pants, socks, and shoes. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

First Aid	
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 - 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
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.



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## **DIRECTIONS FOR USE**

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

### **General Application Restrictions**

- Do not allow people or pets 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.
- For residential use only.

### **General Information [What It Does]**

EH-1468 Herbicide 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 Herbicide 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.

### **Use Sites [Where To Use]**

EH-1468 Herbicide may be used to control weeds in: [In fencerows, hedgerows, agricultural uncultivated areas, shelter belts, farm yards, and farm premises. Around domestic 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. Paved areas (including crack and crevice), curbs, sidewalks, driveways, parking areas, brick walks, gravel paths, paths, patios, and vacant lots, urban areas, 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.

### **[Application Directions]**

#### **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.

**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.]

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.

**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. 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.

**Weeds Controlled**

EH-1468 Herbicide 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 blugg grass
Crabgrass	Italian ryegrass	Sand dropseed	

BROADLEAF WEEDS			
Arrowwood	Dogfennel	Mullein	Smartweed
Broom snakeweed	Fiddleneck	Nettleleaf goosefoot	Sorrel
Bull thistle	Filaree	Oxeye daisy	Sowthistle
Burclover	Fleabane	Pepperweed	Spurge, annual
Burdock	Giant ragweed	Pigweed	Stinging nettle
Camphorweed	Goldenrod	Plantain	Sunflower

leaf 7

<b>BROADLEAF WEEDS</b>			
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	

<b>VINES</b>			
Field bindweed	Poison ivy	Virginia creeper	Wild rose (Including: Multiflora and Macartney rose)
Hedge bindweed	Redvine	Wild buckwheat	
Honeysuckle	Trumpet creeper	Wild grape	
Morningglory			

<b>WOODY BRUSH AND TREES</b>			
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
Birch	Hawthorn	Popcorn-tree	Tree of heaven
Black oak	Hickory	Poplar	<i>Vaccinium</i> 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 or 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 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 STATEMENT 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:**

- Offers long-term weed control in places where no growth is wanted
- Kills [Controls] [unwanted] [tough] [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 XXXX sq.ft.
- Year-long control of tough weeds & brush
- For driveways, patios, fence rows, and other places where no vegetation is desired.

## **DOCUMENT CONTROL INFORMATION**

1. Unique Label Identifier: 002217-00924.20090904.notif.proposed.doc

2. Reason for Issue: New product

