



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 17, 2017

Mr. Eric D. Smith
Federal Registration Manager
PBI/Gordon Corporation
1217 W. 12th St.
Kansas City, MO 64101

Subject: Notification per PRN 98-10 – Adding ABN and CA required statement
Product Name: EH-1492 Consumer
EPA Registration Number: 2217-1017
Application Date: November 11, 2016
Decision Number: 523869

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. 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. The alternate brand name, "Brush-No-More Brush Killer Concentrate" has been added to the product record.

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 Federal Insecticide Fungicide and Rodenticide Act 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 FIFRA section 12(a)(1)(E). 40 CFR 156.10(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, you may contact Kathryn Montague at 703-305-1243 or via email at montague.kathryn@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Kathryn V. Montague".

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

NOTIFICATION

2217-1017

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

05/17/2017

EH-1492 CONSUMER

EPA Reg. No. 2217-1017

Alternate Brand Names: Brush-No-More Brush Killer Concentrate

ACTIVE INGREDIENTS:

Triclopyr, triethylamine salt	7.81%
2,4-D, diethanolamine salt	16.49%
Dicamba, dimethylamine salt	1.38%
OTHER INGREDIENTS:	74.32%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 0.50 lb 3,5,6-trichloro-2-pyridinyloxyacetic acid per gallon or 5.60%.
 - 1.00 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 11.17%.
 - 0.10 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 1.15%.
- Isomer specific by AOAC Methods.

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find some one to explain it to you in detail.)

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

See attached booklet for complete [Precautionary Statements and] Directions for Use, including Storage and Disposal, and back panel for [complete Precautionary Statements, including] First Aid.

Net Contents: _____
EPA Est. No. _____

Company Name and Address:
PBI/Gordon Corporation
1217 West 12th Street
Kansas City, Missouri 64101



PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Harmful if swallowed. Avoid contact with skin or clothing. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Wear long-sleeved shirt and long pants, socks, shoes, and waterproof gloves.

User Safety Recommendations

- Users should wash thoroughly with soap and water after handling and 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. If pesticide gets on skin, wash immediately with soap and water.
- 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.
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 by a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If on skin or on clothing:	<ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15 - 20 minutes.• Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.• Call a poison control center or doctor for treatment advice.
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 information.	

Environmental Hazards

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.

These chemicals (triclopyr, 2,4-D and dicamba) have properties and characteristics associated with chemicals detected in groundwater. The use of these chemicals 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.

1. Product Application 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 enter or allow people (or pets) to enter treated area until sprays have dried.
- This product will kill or injure all broadleaf and woody plants contacted. Do not directly spray areas containing desirable broadleaf plant species, unless injury or loss of the plants can be tolerated. Do not allow [EH-1492 Consumer] to come into direct contact with flowers, fruit or ornamental trees, or other desirable broadleaf plants.
- It is the responsibility of the applicator to avoid spray drift at the application site. Do not allow the herbicide solution to mist, drip, drift, or splash from treated areas onto desirable broadleaf plants, as small amounts of this product can damage sensitive plants near the treated area. If desirable plants are accidentally sprayed, immediately rinsing leaves with water may reduce or eliminate plant damage.
- For ground application only. Aerial applications are not permitted. Do not apply this product through any type of irrigation system.
- 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.
- Do not reseed lawns in treatment area until at least three weeks after treatment.

2. Product Information [What It Does]

[EH-1492 Consumer] is a herbicide that enters plants through their leaves, woody stems, and cut surfaces. Once in the plant, the product moves throughout the plant. Visual symptoms after treatment include foliage wilting and yellowing, depending on environmental conditions and plant species. It is effective in controlling woody plants, vines, and brush.

3. Directions To Control Brush, Woody Plants, and Vines

3.1 Use Sites [Where To Use]

Apply to brush, woody plants, and vines around residential areas such as homes, sheds, barns, patios, gardens, fence rows, driveways, and landscaped areas.

3.2 Mixing

Mix 2 to 5 fl.oz. per gallon of water. See Table 1 to choose application rates.

Amount of product per 1 gallon of water	When to Use, Growing Conditions, Plant Stage
2 fl.oz.	Young, actively growing, easy to control species
3 fl.oz.	Mid size, actively growing, easy to control species
4 fl.oz.	Large plants or stress conditions such as drought or high temperatures
5 fl.oz.	Large, dense plant populations or hard to control species

3.3 Spraying

Spray brush, woody plants, and vines until foliage and green stems are thoroughly wet but not dripping. Adjust sprayer nozzle to a coarse spray (low pressure, big droplet). Spray equipment options include backpack sprayers and hand-held sprayers.

Maximum Application Rates: An individual woody plant may be treated only once per year. Do not apply more than 1 gallon of product per acre per year [1 lb 2,4-D acid equivalent, 0.5 lb triclopyr acid equivalent and 0.1 lb dicamba acid equivalent per acre per year].

3.4 For Best Results

- Make treatments when plants are actively growing, in the full leaf stage in the spring to early summer and growing under favorable environmental conditions.
- Extreme growing conditions such as drought or cold temperatures prior to, at the time of, or following an application may reduce or delay control.
- Wet foliage at the time of application may decrease control.
- Delay clipping 2 days before or until 2 days after the application of this product.
- Applications of [EH-1492 Consumer] are rainfast within 6 hours after application.

3.5 Brush, Woody Plants, and Vines Controlled

alder	Ceanothus spp.	maples	sycamore
ash	cottonwood	poison ivy	tamarack
beech	dogwood	poison oak	wax myrtle 1
birch	elderberry	sassafras 1	wild grape
black locust	hawthorn	scotch broom	wild plum
boneset	hemlock	sumac (including poison	wild roses
cascara	honeysuckle	sumac)	willow

1 Top growth control only

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a cool, dry area away from 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. 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. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

“ [ATTENTION:][NOTICE:] This product can expose you to diethanolamine, which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.”

Herbicide Benefit Claims

- [Controls], [kills] [brush] [brushy weeds] [including] [poison ivy], [and] [poison oak], [may include any species listed on label]
- Controls brush including poison ivy, poison oak, poison sumac, wild rose
- Kills: Poison ivy, poison oak, poison sumac, wild rose, [and brush] as listed on the label
- [Controls], [kills] [brush] [listed on label]. [may include any species listed on label]
- [Controls] [kills] [brush] with [spines] [and] [thorns]
- [Kills] [controls] XX+ [brush].
- A brush killer
- For [post emergent] [effective] control of [unwanted] [tough] [hard-to-kill] [hard-to-control] [brush]
- [Controls] [kills] [woody] [brush]
- Works on actively growing woody plants
- [Tool] for cleaning up trees or shrubby brush
- [Controls] [kills] [tough] [hard-to-control] [hard-to-kill] brush including poison ivy and poison oak
- Contains [three] [3] active ingredients for [effective] [brush] [any weed(s) listed on the label] control
- One application per year per plant
- Kills poison ivy, poison oak, and 20+ other brush species as listed
- Kills poison ivy, poison oak and other listed brush, woody plants and vines
- For [effective] control of unwanted brush, such as poison ivy, poison oak and other listed species
- For [effective] control of poison ivy, poison oak, and other unwanted brush as listed
- Concentrated formulation

General Marketing Claims

- [Note to reviewer: This statement may be placed on containers to comply with California Prop 65: Attention: This product contains a chemical known to the state of California to cause cancer.]
- Water-based [formula] [herbicide]
- Getting Started
- How Much to Use
- Where To Use:
- When To Use:
- How Often To Use:
- Makes up to xx gallons [of spray solution]
- 1 [pint], [quart], [gallon], [bottle] makes up to XX gallons [of spray solution]
- Mixes with water
- Designed for use with [tank sprayers] [and] [or] [pump-up sprayers]
- Rain-Proof in 6 hours.
- [Use] around [homes], [patios], [walkways], [wooded areas], [walkways], [gardens], [along fences], and [driveways]
- [Apply] Spring to early summer [application]
- No Surfactant Required
- For questions or comments call toll-free 800.884.3179 Mon.-Fri. 8:00 a.m. – 4:30 p.m. CST or visit GordonsUSA.com
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DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier:** 002217-01017.20161118.notif-proposed-highlighted
- 2. Reason for Issue:** ABN, CA Prop 65 revised statement

Internal Usage Notes
Associated Container Label: Brush-No-More Brush Killer Concentrate