

9688-106

6/10/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

William H. Metzger
Chemsico, Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 64114-0642

JUN 10 2009

Subject: Label Amendment
Chemsico Grass & Weed Killer M
EPA Reg. No. 9688-106
Application Dated May 5, 2009

Dear Mr. Metzger:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable, provided you make the following changes before you release the product for shipment.

1. Remove the following claim as it implies the product possesses special qualities due to its 'unique' composition, which is false and misleading:
"Its **unique formula** is absorbed into grassy weeds and travels to the roots, killing the entire plant-roots **and all**."
2. Remove the following claim as it implies a 'new' added use of this product:
"**Now** for lawn renovation [replacement]."
3. Remove the following claims or submit environmental fate studies for their support:
"Kills Existing Weeds **Only, no residual activity in the soil.**"

"It works **only when it contacts foliage and is deactivated when it hits the soil**, making it ideal for use around flowers, shrubs and trees."
4. Remove the following claim as it is overly broad:
"Kills grassy weeds fast-roots **and all.**"
5. Remove all claims of 48 hour re-seed time as they conflict with the 7 day re-seed time in the directions for lawn renovation/replacement. Though this section has been marked "optional," it must be treated as if it is going to appear on the final printed product label.

Continued on Page 2

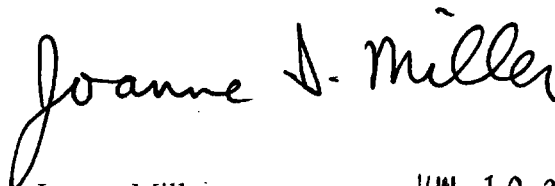
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6. Per the Label Review Manual, revise the subheading "Pesticide Disposal" to read **"Pesticide Disposal and Container Handling."**
7. Per the acute toxicity review for this product, the following PPE statement must be added to the Hazards to Humans and Domestic Animals section:

"Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves made of any waterproof material."

A stamped copy of your labeling is enclosed for your records. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. Amended labeling will supercede all previously accepted ones.

Sincerely,



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

JUN 10 2009

Front Panel

Chemsico

Grass & Weed Killer M

KILLS WEEDS & GRASS IN WALKS, DRIVES, PATIOS AND FENCES

Concentrate • Water-based • Do-it-yourself weed-killer • Kills weeds and some grasses • Kills weeds, grasses and unwanted vegetation • Kills Existing Weeds Only, no residual activity in soil • Controls grass and weeds within 24 hours • Works in 24 hours! • Starts Working in 24 Hours • Next Day Results • Begins Absorbing on Contact • Better coverage • Better Kill • For walks, drives, fences, patios and similar areas • Kills the roots • For Use Around Walkways, Patios, Fences, Flowers, Shrubs and Trees • [Use] [Great] [Now] For Lawn Renovation [Replacement] • Able to re-seed treated areas in 48 hours • 48 hour Re-seed • Re-seed [Replant] in 48 hours • Re-seed treated areas in 48 hours • Can Reseed or Sod Lawn in 48 Hours • Replant [Lawns] in 48 Hours • Won't stain gravel or paved areas • Once It Enters the Plant, It Won't Wash Off • Fast Acting Formula Absorbs [Down] to the Root • Fast Acting Formula • [1 QT] Makes up to 10 gallons • [0.5 Gal] Makes up to 21 gallons • One Quart treats up to 1,000 sq ft • *Guaranteed Results for Your Money Back • GreenThumb® Satisfaction Guarantee

ACCEPTED
with COMMENTS
In EPA Letter Dated:

JUN 10 2009

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

9688-106

Active Ingredients:

Diquat Dibromide	2.30%
Fluazifop-P-butyl	0.75%
Other Ingredients:	96.95%

KEEP OUT OF REACH OF CHILDREN

CAUTION See side for additional precautionary statements

NET CONTENTS 1 QT (32 FL OZ/946 mL); 2 QT (64 FL. OZ./ 1.89 L);
1 Gal (128 FL OZ/ 3.78 L)

[ADDITIONAL OPTIONAL CLAIMS: Kills grassy weeds fast – roots and all • Power Pump Refill • Chemsico Grass & Weed Killer M Works in 24 Hours! • Kills some weeds on contact]

Chemsico Grass & Weed Killer M will kill most hard-to-kill grass & weeds. Its unique formula is absorbed into grassy weeds and travels to the roots, killing the entire plant - roots and all. It works only when it contacts foliage and is deactivated when it hits the soil, making it ideal for use around flowers, shrubs and trees.

Chemsico Grass & Weed Killer M is ideal for killing unwanted grass & weeds throughout your yard. (icon) Patios • (icon) Walkways • (icon) Flower & Ornamental Beds • (icon) Along Fences

[OPTIONAL PRODUCT FACT BOX]

PRODUCT FACTS

What It Does:

Controls Unwanted Grass and Weeds in 24 hours

Where To Use:

Outdoors: along Fences, in Cracks of Walks, Drives and Patios and in Flower and Ornamental Beds, Lawn Renovation/Replacement

When To Use:

Apply on a Sunny Day when it is above 60°F. Re-seed Treated Areas in 48 hours

Questions & Comments: (icon phone) (icon computer) Call 1-800-332-5553 or visit our Website at www.zzzz.com

Back Panel

STOP. READ ENTIRE LABEL BEFORE USE.

[Option for Booklet Label: Peel Here. Stop. Read all instructions inside before using. Press to Reseal]

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. *For outdoor residential use only.*



ENTRY RESTRICTIONS

Do not allow people or pets to touch treated plants until sprays have dried.

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APPLICATION RESTRICTIONS

Do not apply this product in a way that will contact any person or pet, either directly or through drift. Only person applying this product may be in the area during application.

WEED TYPES	DILUTION RATE
EASY TO KILL: such as ajuga, black medic, dandelion, morning glory, oxalis, plantain (broadleaf, lanceleaf)	3-5 oz./gal. water
HARDER TO KILL: such as ground ivy, knotweed, portulaca, spotted spurge	6-9 oz./gal. water
HARDEST TO KILL: such as barnyard grass, bermudagrass, blue grass (annual, perennial), crabgrass (smooth, large), foxtail (green, yellow), goosegrass, Johnson grass (seedling), quackgrass, ryegrass (annual)	9-12 oz./gal. water

HOW TO APPLY

- 1) SHAKE WELL (graphic).
- 2) Select the dilution rate you need based on the types of grasses or weeds you want to kill. The dilution rate is the number of ounces of concentrate to mix with each gallon of water.
- 3) Choose an application method: Pressure Sprayer • Trigger Sprayer • Sprinkling Can
Mix concentrate with water to the desired dilution rate.
- 4) Thoroughly wet the weeds or grass you want to kill.
- 5) Wilting and browning will begin within hours.

USE TIPS

- For best results, apply on a sunny day when it's above 60°F. If it rains within 12 hours of spraying, retreatment may be necessary.
- Don't spray on desirable plants – this product will kill them too. Also, don't spray on windy days to avoid drift to desirable plants. Rinse them off immediately if contact occurs.
- Treated areas may be replanted in 48 hours.
- Use higher concentrations (up to 12 ounces per gallon) for tough grasses such as Bermuda and Annual Bluegrass. Some hard-to-kill weeds may require more than one application.

USER SAFETY RECOMMENDATION

Clothing exposed to this product should be washed in detergent and hot water. Such items should be kept and washed separately from other laundry. Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. User should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

OPTIONAL DIRECTIONS FOR LAWN RENOVATION/REPLACEMENT**HOW [ALTERNATE: WHEN] TO USE**

1. Use this product to remove [kill] the old lawn and existing weeds and grasses.
2. For best results, apply in spring or fall, when daytime temperatures are at least 60° F.
3. If the lawn is dry [Under dry conditions], water lawn every other day for a week before applying Chemsico Grass & Weed Killer M.
4. Do not mow for 7 days before or after treatment.
5. Use 9 fl oz (18 Tbs) per gallon of water for each 300 sq ft of area to be treated. (1 qt Treats 1000 sq ft)
6. For tough grasses such as Bermuda increase rate to 12 fl oz (24 Tbs) per gallon of water. (1 qt treats up to 800 sq ft)

TIPS FOR REPLANTING

- After 7 days, prepare the soil for planting by raking or roto-tilling the lawn. **[Wait 7 days after last application to rake, till or replant with seed or sod]**
- Rake up and remove loosened thatch or debris.
- Mix in starter fertilizer and soil amendments, if needed. Level the soil.
- Apply seed according to directions on seed package, or install sod. Grass seed must have good contact with soil to germinate and grow.
- Keep area moist for 2 weeks to establish new lawn, then water as needed.

OPTIONAL DIRECTIONS FOR REFILLING CHEMSICO GRASS & WEED KILLER Z POWER PUMP

Refilling the Chemsico Grass & Weed Killer Z Power Pump: Mix 12 fl oz and dilute to a gallon with water. See the Power Pump label for complete directions.

OPTIONAL CLAIMS AND DIRECTIONS FOR REFILLING CHEMSICO GRASS & WEED KILLER PP RTU POWER PUMP

[Easy to mix • Just add water • Single-use refill • No measuring required • Power Sprayer Refill]

To refill the Chemsico Grass & Weed Killer PP RTU Power Pump: [Mix 9 fl oz] [pour in the entire contents of this 9 fl oz bottle] and dilute to a gallon with water. See the Power Pump label for complete directions.

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STORAGE AND DISPOSAL

Pesticide Storage: Store in a cool, dry area away from heat or open flame.

Pesticide Disposal: If empty: Nonrefillable Container. Do not reuse this container unless the directions for use allow a different (concentrated) product to be diluted in the 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.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals**

CAUTION. Harmful if inhaled. Avoid breathing spray mist. Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

First Aid

If Inhaled: 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. **If Swallowed:** 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. **If on Skin or Clothing:** 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 in Eyes:** 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.

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

Environmental Hazards

This pesticide is toxic to aquatic invertebrates. Do not apply directly to water.

NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

[Questions or comments? Call 1-800-332-5553]

[*If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

[Satisfaction Guaranteed: If for any reason you are not completely satisfied with the performance or results of this Green Thumb product, it will be repaired or replaced free of charge. Simply provide proof of purchase and return the product and/or unused portion to the place of purchase.]

Made in the USA by Chemsico, Division of United Industries Corporation, P.O. Box 142642, St. Louis, MO 63114-0642

EPA Reg. No. 9688-106

EPA Est. No. 9688-MO-1

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