

9688-109

5.1.2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Eric D Smith
Chemisco, Div of United Industries Corp.
P.O. BOX 142642
St. Louis, MO 63114

MAY 1 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated April 1, 2009 for:

EPA Registration 9688-109 Chemisco Spot Weed Killer A

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

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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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 11-30-93

	United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460 Application for Pesticide:	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Section I

1. Company/Product Number 9688-109	2. Product Manager G. LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Spot Weed Killer A	PM# 13	
5. Name and Address of Applicant (include ZIP Code) Chemsico, Div of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114 <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 labelling to: <div style="text-align: center;">NOTIFICATION</div> EPA Reg. No. _____ Product Name MAY 01 2009

Section II

<input type="checkbox"/> Amendment - Explain below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed label in response to Agency letter date _____ <input type="checkbox"/> "ME TOO" Application. <input type="checkbox"/> Other - explain below
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification per label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. 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 EPA. I further understand that if the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "YES," Unit package wgt No. per container	If "YES," Package wgt No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Eric D. Smith	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 314-683-2455

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 Regulatory Affairs Manager	
4. Typed Name Eric D. Smith	5. Date April 1, 2009	

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Chemsico

Division of United Industries
P.O. Box 142642
St. Louis, MO 63114-0642

NOTIFICATION PER PR NOTICE 98-10

April 1, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attention: Mr. George LaRocca
Product Manager 13

Subject: Chemsico Spot Weed Killer A
EPA Reg. No. 9688-109

Please find the enclosed notification to update the Storage and Disposal Statement in accordance to PR Notice 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. 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 EPA. I further understand that if the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

The following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. Two clean copies of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 you have questions or need further information.
Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager

CHEMSICO

Spot Weed Killer A

[Won't harm lawns • Kills weeds down to the root, not the lawn • Kills 33+ weed-types, roots and all • Kills 66+ types of weeds! • Kills over 60 types of Brush and Weeds • Kills weed roots • Kills the roots • Effective poison oak and ivy killer • Kills the weeds [brushy weeds] [brush], not the lawn • Water-based • Ready-to-Use • See Results in Hours • Overnight Results • Kills all major broadleaf weeds! • Kills poison ivy and poison oak • Also kills blackberries, kudzu and others listed • Can't be washed away [off] by rain • Rain fast in hours • Rainproof in hours • Rainfast – Effective even after rain • Rainproof – For control that won't wash away • Rainproof – Won't wash away • Kills the Weeds – Not the Lawn • Guaranteed Results Or Your Money Back • GreenThumb® Satisfaction Guarantee • Guaranteed Results† • †For terms of guarantee, see back panel • Just Aim & Spray • Refillable* • Ready To Use]

Active Ingredients:

*2,4-D, dimethylamine salt	0.593%
†Mecoprop-p, dimethylamine salt	0.144%
‡Dicamba, dimethylamine salt	0.066%
Other Ingredients	99.197%
Total	100.000%

Contains: *0.493% 2,4-D equivalent, †0.119% Mecoprop-p equivalent, ‡0.055% Dicamba equivalent. Contains single isomer form of MCPP-p

KEEP OUT OF REACH OF CHILDREN
CAUTION See back[booklet] for additional precautionary statements

Net Contents 1 Gallon (3.78 L)

OPTIONAL MARKETING LANGUAGE

[Chemsico Spot Weed Killer A kills more than 33 [66] types of [broadleaf] [brushy] [lawn] weeds down to the root. And Chemsico Spot Weed Killer A is formulated to kill only the weeds, not the lawn.

Chemsico Spot Weed Killer A kills all major [broadleaf] [brushy] [lawn] weeds down to the root. And Chemsico Spot Weed Killer A is formulated to kill only the weeds, not the lawn.]

OPERATING INSTRUCTIONS FOR EZ SPRAY™

1. Remove sprayer from side holder. Gently pull tubing out. [Graphic depiction]
2. Remove seal from top of cap. Unplug cap. [Graphic depiction]
3. Securely snap the [green] plug into hole on cap. [Graphic depiction]
4. Remove plastic tab near bottom of sprayer to activate batteries. [Graphic depiction]
5. Twist nozzle to adjust spray from CLOSE to SPRAY to STREAM. [Graphic depiction]

HOW TO USE THE EZ SPRAY

- Aim toward target weeds/plants, and away from people and pets.
- Press the trigger to spray.
- Release the trigger to stop spray.

After use: 1. Twist nozzle completely to CLOSE position. 2. Secure sprayer upright in holder. 3. *Failure to adjust nozzle completely to CLOSE position and properly secure sprayer in holder may result in leakage and damage to property or injury to people or animals.*

To replace batteries: 1. Slide battery compartment door to unlatch and open. 2. Remove used batteries and insert four new AA batteries *in correct positions* as marked per diagram inside of battery compartment. Never insert the positive end where the negative end belongs and vice versa. *Always* use a complete set of new batteries of the same type when replacing batteries. *Never* mix alkaline, carbon-zinc or rechargeable batteries. 3. Securely close battery compartment door. 4. *Always* follow manufacturer's recommendations for use and disposal of batteries.

Additional Operating Notes: • Do not submerge in water. • Before each use inspect sprayer carefully, make sure hose is flexible and not kinked, worn or cracked, and that all connections are tight. • When storing sprayer for prolonged periods remove batteries.

NOTIFICATION
MAY 01 2009

JLF

Use Chemsico Spot Weed Killer A as directed to spot treat [the following types of weeds in your lawn]:

[BROADLEAF WEEDS]

Bedstraw, Black medic, Buckhorn, Canada thistle, Chickweed, Chicory, Clover, Cudweed, Curled dock, Dandelion, Dollarweed, English daisy, Filaree, Fleabane, Ground ivy, Heal-all, Henbit, Knotweed, Lambsquarter, Lespedeza, Matchweed, Morning glory, Mustard, Oxalis, Pennywort, Pepperweed, Pigweed, Plan-tain, Poison ivy, Poison oak, Prickly lettuce, Purslane, Ragweed, Sheep sorrel, Shepherdspurse, Speedwell, Spurge, Wild carrot, Wild garlic, Wild lettuce, Wild onion, Yarrow

(OPTIONAL WEEDS)

[Aster, Bindweed, Bristly oxtongue, Burdock, Carolina geranium, Carpetweed, Cinque foil, Cranesbill, Creeping woodsorrel, Deadnettle, Dog fennel, False dandelion, Hairy bittercress, Hawkweed, Kochia, Pearlwort, Pennycress, Prostrate vervain, Puncturevine, Red sorrel, Scarlet pimpernel, Soliva, Spotted catsear, Spurweed, Wild geranium, Wild violet, Yellow rocket]

OPTIONAL BRUSHY WEEDS

[BRUSHY WEEDS]

[Ash, Birch, Blackberry, Black cherry, Brambles, Cedar, Gooseberry, Hackberry, Kudzu, Lilac, Multiflora rose, Raspberry, Sagebrush, Snowberry, Sumac, Trumpet vine, Virginia creeper, Wild cherry, Wild plum]

[Optional product fact box]

PRODUCT FACTS

What It Does:

[Kills all Major Broadleaf Weeds including Dandelion, Chickweed and Clover]
[Kills over 60 types of brush & weeds including Poison Ivy, Poison Oak, Blackberry & Kudzu]

Where To Use: (icon weeds)

Lawns: Kills the Weeds not the Lawn

When To Use:

Do not apply when daytime temperatures are above 85° F as lawn injury can occur

Questions & Comments: (icon phone) (icon computer)

Call 1-800-332-5553 or visit our website www.website.com

STOP. READ ENTIRE LABEL BEFORE USE.

[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.



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 allow people or pets to enter the treated area until sprays have dried.

**HAND SPRAYER PRODUCT
(DIRECTIONS & STORAGE AND DISPOSAL)**

1. Shake well.
2. Connect trigger sprayer. Unscrew and discard the [white] cap on the bottle. Insert the hose into the bottle and tighten the cap securely.
3. Prime Sprayer: Turn the sprayer nozzle one-half turn counter-clockwise. Hold the sprayer lower than the bottle and squeeze the trigger several times until it sprays. Adjust the nozzle to coarse spray pattern to minimize wind drift. (graphic)
4. Spray just enough [Chemsico Spot Weed Killer A] [product] to lightly cover [broadleaf] [brushy] weeds [brush]. **Excessive spraying can injure some lawns.** Do not spray weeds [brush] growing within the dripline of trees. (graphic) Do not apply when daytime temperatures are above 85° F as lawn injury can occur. (graphic) Spray only the weeds [brush], not the entire lawn.
5. Weeds [brush] will begin wilting and browning overnight.

USE TIPS

- > Some hard-to-kill weeds [brush] may require re-treatment. Wait at least 3 weeks between applications — some weeds [brush] can take that long to die.
- > Rainproof [Rain fast] – rain or watering 6 hours after application will not wash away effectiveness. [If rainfall occurs within 6 hours of application, the product should be reapplied.]
- > Do not allow spray to drift onto desirable plants since injury may result.

STORAGE AND DISPOSAL

Storage: Turn the nozzle to "OFF" position and store with sprayer above the level of liquid in container to prevent leakage. 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.

Disposal: If empty: Non-refillable container. Do not reuse or refill this container. 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.

TRIGGER SPRAYER PRODUCT (DIRECTIONS & STORAGE AND DISPOSAL)

1. Shake well.
2. Adjust nozzle to coarse spray pattern to minimize wind drift. (graphic)
3. Spray just enough [Chemsico Spot Weed Killer A] [product] to lightly cover [broadleaf] [brushy] weeds [brush]. **Excessive spraying can injure some lawns.** Do not spray weeds [brush] growing within the dripline of trees. (graphic) Do not apply when daytime temperatures are above 85°F as lawn injury can occur. (graphic) Spray only the weeds [brush], not the entire lawn.
4. Weeds [brush] will begin wilting and browning overnight.

USE TIPS

- ❖ Some hard-to-kill weeds [brush] may require re-treatment. Wait at least 3 weeks between applications — some weeds [brush] can take that long to die.
- ❖ Rainproof [Rain fast] – rain or watering 6 hours after application will not wash away effectiveness. [If rainfall occurs within 6 hours of application, the product should be re-applied.]
- ❖ Do not allow spray to drift onto desirable plants since injury may result.

Use to Spot Treat: Bedstraw, Black medic, Buckhorn, Canada Thistle, Chickweed, Chicory, Clover, Cudweed, Curled dock, Dandelion, Dollarweed, English daisy, Filaree, Fleabane, Ground ivy, Heal-all, Henbit, Knotweed, Lambsquarter, Lespedeza, Matchweed, Morning glory, Mustard, Oxalis, Pennywort, Pepperweed, Pigweed, Plantain, Poison ivy, Poison oak, Prickly lettuce, Purslane, Ragweed, Sheep sorrel, Shepherds-purse, Speedwell, Spurge, Wild carrot, Wild garlic, Wild lettuce, Wild onion, Yarrow and more!

STORAGE AND DISPOSAL

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.

Disposal: If empty: Non-refillable container Do not reuse or refill this container. 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.

EZ SPRAY PRODUCT (DIRECTIONS & STORAGE AND DISPOSAL)

HOW TO USE

Spray just enough [Chemsico Spot Weed Killer A] [product] to lightly cover [broadleaf] [brushy] weeds [brush]. **Excessive spraying can injure some lawns.** Do not spray weeds [brush] growing within the dripline of trees. Do not apply when daytime temperatures are above 85° F as lawn injury can occur. Spray only the weeds [brush], not the entire lawn. Weeds [brush] will begin wilting and browning overnight.

USE TIPS

- Some hard-to-kill weeds [brush] may require re-treatment. Wait at least 3 weeks between applications — some weeds [brush] can take that long to die.
- Rainproof [Rain fast] – rain or watering 6 hours after application will not wash away effectiveness. [If rainfall occurs within 6 hours of application, the product should be reapplied.]
- Do not allow spray to drift onto desirable plants since injury may result.

*REFILL DIRECTIONS

Refill only with [Brand name] concentrate. Remove cap. Carefully measure and mix 10 fl oz (20 Tbsp) in one gallon of water. Replace and tightly close cap. Wipe off any spilled product.

STORAGE AND DISPOSAL (FOR EZ SPRAY™)

Storage: Turn the nozzle to "CLOSE" position. To prevent leakage, attach sprayer to clip. Store this product only in its original container in a secure storage area away from sources of heat or open flame and in an area inaccessible to children and pets. Keep from freezing. **Disposal:** Nonrefillable container. Do not reuse or refill this container unless the directions for use allow a different (concentrated) product to be diluted in the 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.

PRECAUTIONARY STATEMENTS (FOR ALL PRODUCTS)

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing. When using this product, wear protective eyewear, long-sleeved shirt, long pants, socks, shoes and rubber gloves. After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower. Washing hands thoroughly with soap and water before eating, drinking, chewing gum or using tobacco will reduce exposure. Avoid contamination of food or feedstuffs.

First Aid

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 by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person. **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. **If on Skin:** 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.

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 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 except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

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.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[GUARANTEED RESULTS OR YOUR MONEY BACK

If you are not satisfied with this product for any reason send your written request for a refund to the address below, together with the 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 GreenThumb® 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.]

Questions or comments? Call toll free 1-800-332-5553.

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

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EPA Est. No. 9688-MO-1
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NOTIFICATION
MAY 01 2009

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