06/04/2009



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Eric D. Smith Regulatory Affairs Manager Chemsico, Division of United Industries Corp P.O. Box 142642 St. Louis, MO 63114

JUN 4 2009

 RE: Notification to Update the Label with Additional Weed Types and Related Marketing Claims
 Registration Number: 9688-109
 Submission Dated: April 7, 2009

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, April 7, 2009, for the product, Chemsico Spot Weed Killer A. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions) 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely yours,

cm

Linda Arrington Notifications & Minor Formulations Team Leader Registration Division (7505P) Office of Pesticide Programs

	United States Enviro Office of Pesticio Washington, D Application	le Programs (H750 0C 20460	05C)	Registration Amendment x Other	OPP Identifier Number
		Section			
1. Company/Product Number 9688-109			2.Product Manager G. LaRocca	3. Proposed Classific	ation
			PM#		Restricted
4. Company/Product (Name) Chemsico Spot Weed Killer A		13		X None Restricted	
5. Name and Address of Applicant		Code)	6 Expedited Review.	In accordance with FIFRA	Section 3(c)(3)
5. Name and Address of Applicant <i>(include ZIP Code)</i> Chemsico, Div of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114		(b)(i), my product is similar or identical in composition and labell to: EPA Reg. No.		and labelling	
Check if this is a r	new address		Product Name	MOTIFI	
	<u> </u>	Section		JUN U	4 2009
Amendment - Explain below Resubmission in response to Agency letter dated X Notification - Explain below.			Final printed label in response to Agency letter date "ME TOO" Application. Other - explain below		
		d I may be subj Section I		and penalties under secti	tice 98-10 and 40 CFR ons 12 and 14 of FIFRA.
1. Material in Which This Product W Child-Resistant Packaging Yes *				2. Type of Container Metal Plastic	
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NOTIFICATION PER PR NOTICE 98-10

April 7, 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: Notification of Additional Marketing Claims and Weed Types per PR Notice 98-10 Chemsico Spot Weed Killer A EPA Reg. No. 9688-109

Please find the enclosed notification per PR Notice 98-10 to update the label with additional weed types and related marketing claims. The weed list previously located in the body of the label on pages 2 & 3 has been indexed into a chart, found on the last page of the label, with over 200 weed types listed. All label changes are highlighted throughout the label.

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 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 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 copies of a clean label
- 4. A copy of the most recent accepted label for your reference

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,

Regulatory Affairs Manager

CHEMSICO Spot Weed Killer AUN 0 4 2009

[Won't harm lawns • Kills weeds down to the root, not the lawn • Kills 200+ weed-types, roots and all • Kills 200+ types of weeds! • Kills over 200 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] • 4 AA alkaline Batteries included! [Battery Powered EzSpray]

Active Ingredients:

*2,4-D, dimethylamine salt	0.593%
†Mecoprop-p, dimethylamine salt	
‡Dicamba, dimethylamine salt	0.066%
Other Ingredients	
Total	
Contains: *0.493% 2/4-D aquivalent, *C: *19% Mecoprop-p equequivalent. Contains single isomer form of MCPP-p	uivalent, ‡0.055% Dicamba

KEEP OUT OF REACH OF CHILDREN

CAUTICN 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] [200] 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.

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

[See back panel for entire list of weeds]

[Optional product fact box]

What It Does:

[Kills all Major Broadleaf Weeds including Dandelion, Chickweed and Clover] [Kills over 200 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

PRODUCT FACTS

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.

A STOP

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 antil sparay 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

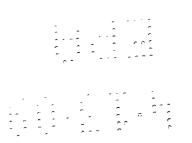
- Some hard-to-kill weeds [brush] may require re-treatment. Wait at least 3 weeks between applications — some weeds [brush] can take that long to die.
- Rainproof [Rain fast] rain or watering 6 hours after application will not wash away effectiveness. [If rainfall occurs within 6 hours of application,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

Use to Spot Treat: [See back panel for entire weed list]

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)

FN: 9688-109-A5-N8

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.

4/7/09

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

EPA Reg. No. 9688-109 EPA Est. No. 9688-MO-1 © 2009

[Bracketed Text] = Optional language

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4/7/09

- BROADLEAF WEEDS -						
Annual yellow sweetclover	Cockle	Musk thistle	Spiny amaranth			
Aster	Cocklebur	Mustard	Spiny cocklebur			
Austrian fieldcress	Common mullein	Narrowleaf plantain	Spiny sowthistle			
Bedstraw	Creeping Jenny (Creeping Charlie)	Narrowleaf vetch	Spotted catsear			
Beggarticks	Cudweed	Nettle	Spotted spurge			
Betony, Florida	Curly dock	Orange hawkweed	Spurweed			
Bindweed, field	Daisy, English	Oriental cocklebur	Stinging nettle			
Bird vetch	Daisy fleabane	Oxalis	Strawberry, India mock			
Bitter wintercress	Daisy, oxeye	Parsley-piert	Tall nettle			
Bittercress, hairy	Dandelion	Parsnip	Tall vervain			
Bitterweed	Dichondra	Pearlwort	Tansy ragwort			
Black-eyed Susan	Dogbane	Pennycress	Tansy mustard			
Black medic	Dogfennel	Pennywort	Tanweed			
Black mustard	Dollarweed	Peppergrass	Thistle			
Blackseed plantain	Elderberry	Pepperweed	Trailing crownvetch			
•	False dandelion		•			
Blessed thistle		Pigweed	Tumble mustard			
Bloodflower milkweed	Falseflax	Pineywoods bedstraw	Tumble pigweed			
Blue lettuce	False sunflower	Plains coreopsis (tickseed)	Velvetleaf			
Blue vervain	Fiddleneck	Plantain	Venice mallow			
Bracted plantain	Florida pusley	Poison ivy	Virginia buttonweed			
Brassbuttons	Frenchweed	Poison oak	Virginia creeper			
Bristly oxtongue	Galinsoga	Pokeweed	Virginia pepperweed			
Broadleaf dock	Goathead	Poorjoe	Water pennywort			
Broadleaf plantain	Goldenrod	Prairie sunflower	Wavyleaf bullthistle			
Broomweed	Ground ivy	Prickly lettuce	Western clematis			
Buckhorn	Gumweed	Prickly sida	Western salsify			
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	White mustard			
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild aster			
Bull thistle	Healall	Prostrate spurge	Wild buckwheat			
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild carrot			
Burclover	Heathaster	Puncturevine	Wild four-o'clock			
Burdock	Hedge bindweed	Purslane, common	Wild garlic			
Burning nettle	Hedge mustard	Ragweed	Wild geranium			
Burweed	Hemp	Red sorrel	Wild lettuce			
Buttercup	Henbit	Redroot pigweed	Wild marigold			
Buttonweed	Hoary cress	Redstem filaree	Wild mustard			
Canada thistle	Hoary plantain	Rough cinquefoil	Wild onion			
Carolina geranium	Hoary vervain	Rough fleabane	Wild parsnip			
Carpetweed	Horsenettle	Russian pigweed	Wild radish			
Catchweed bedstraw	Jimsonweed	Russian thistle	Wild rape			
Catnip	Knawel	Scarlet pimpernel	Wild strawberry			
	Knotweed	Scotch thistle	Wild sweet potato			
Catsear Chickweed, common	Kochia		Wild vetch			
		Sheep sorrel	Woodsorrel			
Chickweed, mouseear	Lambsquarters	Shepherdspurse				
Chicory	Lespedeza	Slender plantain	Woolly croton			
Cinquefoil	Mallow	Smallflower galinsoga	Woolly morningglory			
Clover, crimson	Matchweed	Smooth dock	Woolly plantain			
Clover, hop	Mexicanweed	Smooth pigweed	Wormseed			
Clover, red	Milk vetch	Sorrel	Yarrow			
Clover, strawberry	Morningglory	Sowthistle	Yellow rocket			
Clover, sweet	Mouseear hawkweed	Spanishneedles	Yellov flc wer pepperweed			
Clover, white	Mugwort	Speedwell	Cranesbil			
Deadnettle	English Daisy	Fleabane	Fillaree			
Soliva	Wild Violet		and othe: broadleaf wee			
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