

9688-138

11-15-2002

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

November 15, 2002

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Glenda L. Mah
Chemsico
United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114-0642

Dear Ms. Mah:

Subject: Conversion from 2,4-DP to 2,4-DP-p
Chemsico Brush Killer Concentrate
EPA Registration No. 9688-138
Your Submission Dated October 15, 2002 and Facsimile Dated November 18, 2002

As a followup, the following comments are also applicable to the acceptance letter and stamped accepted labeling dated November 15, 2002:

1. Assure that the ingredient declaration totals 100%. There appears to be a typographical error. According to our calculations the percentage of inerts should be 83.83%.

2. We have no objection to the text in the Storage and Disposal section on the labeling stamped accepted on November 15, 2002.

If you have any questions concerning this letter, please contact Mr. James Stone at 703-305-7391.

Sincerely yours,

A handwritten signature, likely of Joanne I. Miller, consisting of a stylized 'J' and 'M'.

Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)



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Glenda L. Mah
Chemsico
United Industries Corp.
P.O. Box 142642
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Dear Ms. Mah:

Subject: Conversion from 2,4-DP to 2,4-DP-p
Chemsico Brush Killer Concentrate
EPA Registration No. 9688-138
Your Submission Dated October 15, 2002

The Agency is conditionally approving an amendment to the registration for the above-referenced product under the authority of section 3(c)(7)(A) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Under this amendment the Agency is approving the conversion of the active ingredient 2,4-DP from its racemic form [2-(2,4-dichlorophenoxy) propionic acid, or applicable salt or ester thereof] to its single isomer form [(+)-R-2-(2,4-dichlorophenoxy) propionic acid, or applicable salt or ester thereof]. The revised labeling and Confidential Statements of Formula (CSFs) submitted in support of the conversion are acceptable with the following provisions:

1. This acceptance is based on our understanding that no changes have been made to product other than those specified within the body of your certification statement and cover letter dated October 15, 2002. No other revisions are being reviewed or considered with this action.
2. You may sell or distribute product containing the racemic form of 2,4-DP and bearing the previously approved labeling for 18 months from the date of this letter.
3. Please note that PR Notice 2001-6 updates the Disposal Instructions on Non-Antimicrobial Residential/Household Use Pesticide Products. A copy of the Notice is available at the following internet site:

http://www.epa.gov/opppmsd1/PR_Notices/pr2001-6.pdf

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4. In the Precautionary Statements section add the following:

Physical or Chemical Hazards
Do not use or store near heat or open flame.

A copy of the revised CSF (Basic Formation dated March 27, 1998) has been placed in the Agency's file for the subject product. This CSF supersedes all previously submitted CSFs for this product.

A stamped copy of the labeling is enclosed for your records. Submit one (1) copy of your final printed labeling before you release the product for shipment.

If you have any questions concerning this letter, please contact Mr. James Stone at 703-305-7391.

Sincerely yours,



Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

CHEMSICO

Brush Killer Concentrate

[Fast acting • Starts working overnight • Overnight brush killer • Works in 24 hours • Results in 24 hrs. • Controls [kills] 66+ types of brush & weeds • Controls [kills] over 60 types of brush & weeds • Controls [kills] more than 66 [60] types of brush & weeds • Controls [kills] ash, aspen, brambles, kudzu, oak, willow, dandelion, chickweed, knotweed, plantain, henbit, spurge and many other species of brush and broadleaf weeds • Controls [kills] multiflora rose, brambles, cedars, locusts, poison oak and poison ivy, honeysuckle, thistles, kochia, kudzu and many other trees, vines and broadleaf weeds. • Also kills poison ivy, poison oak, kudzu & stumps • Makes 10 gallons of spray • Also kills stumps • Use to Kill Stumps • Guaranteed Results or Your Money Back*]

ACCEPTED
with COMMENTS
In EPA Letter Dated:
 NOV 15 2002

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

Active Ingredients

2,4-D, 2-ethylhexyl ester	4.78%
Dichlorprop-p, 2-ethylhexyl ester	1.65%
Dicamba	83.3%
Other Ingredients	100.00%
Total	

This product contains: 0.51 lbs. 2,4-D equivalent per gallon or 6.46%; 0.24 lbs. Dichlorprop-p per gallon or 3.23%; 0.13 lbs. Dicamba equivalent per gallon or 1.65%. Contains single isomer form of Dichlorprop-p.

Contains aromatic petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

WARNING: See back [brochure] for additional precautionary statements

NET CONTENTS: 1 QUART (946 mL)

Chemnico Brush Killer Concentrate is intended for control of woody plants, vines and broadleaf weeds. It controls [kills] the listed varieties of brush and control of woody plants, vines and broadleaf weeds. weeds along fence lines, along walkways, driveways, around homes or buildings and other overgrown areas around your property. Brush and weeds can be treated with either foliar applications or cut stump applications.

Optional Product Fact Box

What It Does:

Kills Over 60 Types of Brush, Weeds & Vines including Poison Ivy, Poison Oak, Kudzu & Stumps

Where To Use:

Outdoors Along Fence Lines, Walkways, Driveways, Around Buildings and Around Your Property

Questions & Comments:

Call 1-800-332-5553 or Visit our Website at www.spectracide.com

[OPTIONAL FORMAT A

CONTROLS

Ash, Aspen, Aster (white heath & white prairie), Bedstraw, Beggarweed (creeping), Bindweed, Birch, Blackberry, Black Cherry, Black Locust, Black Medic, Brambles, Broadleaf plantain, Buckbrush, Buckhorn, Buckhorn plantain, Bull thistle, Burdock, Burdock (common), Carpetweed, Cedar, Cherry, Chicory, Chickweed (common), Cinquefoil, Clover, Compassplant, Cottonwood, Curly dock, Dandelion, Dayflower, Deadnettle, Dogfennel, Dogwood, Elm, English Daisy, False Dandelion (*spoiled catsear & common catsear), Field bindweed (*morningglory & creeping jenny), Field oxeye-daisy (*creeping oxeye), Filaree (whitestem & redstem), Florida pusley, Gooseberry, Ground Ivy, Groundsel, Hawkweed, Healall, Henbit, Honey Locust, Honeysuckle, Jimsonweed, English Daisy, Knotweed, Kochia, Kudzu, Lambsquarters, Lawn burweed, Lespedeza (common), Mallow (common), Matchweed, Morningglory, Mouseear chickweed, Multiflora Rose, Mustard, Nettle, Oak, Oxalis (*yellow woodsorrel & creeping woodsorrel), Parsley-piert, Pennsylvania smartweed (*smartweed), Pennywort (*dollarweed), Peppergrass, Pepperweed, Pigweed, Pine, Pineappleweed, Plantain, Poison Ivy, Poison Oak, Prostrate knotweed (*knotweed), Puncturevine, Purslane, Ragweed, Red Sorrel (*sheep sorrel), Shepherds purse, Shortleaf Pine, Smartweed, Speedwell, Spruce, Spotted Spurge, Spurge, Sumac, Sunflower, Sycamore, Thistle, Trumpet Vine, Velvetleaf (*pie marker, Indian mallow), Veronica (*corn speedwell), Virginia Buttonweed, White clover (*Dutch clover, honeysuckle clover, white trefoil & purplewort), Wild Carrot, White clover, Wild Garlic, Wild Geranium, Wild Lettuce, Wild mustard, Wild Onion, Wild Plum, Wild Strawberry, Wild Violet, Willow, Yarrow, Yellow rocket]

*Synonyms

[OPTIONAL FORMAT B

BRUSH CONTROLLED

American Chestnut, Ash, Aspen, Barberry, Birch, Blackberry, Black Cherry, Black Locust, Brambles, Buckbrush, Cedar, Cherry, Cottonwood, Dogwood, Elm, Gooseberry, Honey Locust, Honeysuckle, Kudzu, Multi-flora Rose, Oak, Pine, Sassafras, Shortleaf Pine, Spruce, Sumac, Sycamore, Trumpet creeper, Wild Plum, Willow

WEEDS CONTROLLED

Bedstraw, Bindweed, Black Medic, Buckhorn, Burdock, Chicory, Chickweed, Clover, Dandelion, Dock, Ground Ivy, Healall, Henbit, Jimsonweed, Knotweed, Kochia, Lambsquarters, Lespedeza, Mallow, Morning glory, Mustard, Nettle, Oxalis, Peppergrass, Pigweed, Plantain, Poison Ivy, Poison Oak, Purslane, Ragweed, Sheep Sorrel, Shepherds purse, Smartweed, Speed-well, Spurge, Sunflower, Thistle, Trumpet Vine, Velvetleaf, Wild Carrot, Wild Garlic, Wild Lettuce, Wild Onion, Yarrow]

STOP. READ ENTIRE LABEL BEFORE USING.

[STOP. READ ALL INSTRUCTIONS INSIDE BEFORE USING.]

DIRECTIONS FOR USE

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



[Graphic optional]

People (other than applicator) or pets should not be allowed in treated areas until spray has dried.

USE PRECAUTIONS

(1) Apply when air is calm to avoid the possibility of drift onto nearby vegetables, ornamental plants, grass or other desirable plantings. (2) Keep away from the roots of desirable plants and trees. (3) Avoid sprays which are too fine because they can drift and damage other plants. (4) Extra care to control spray drift or run-off should be taken around carpetgrass, dichondra, St. Augustine grass or bentgrass to avoid lawn damage. Clover will be damaged by spray. (5) Treating when air temperatures exceed 85° F could cause damage to nearby grass.

USE TIPS

1. Use a lawn and garden pressure sprayer or similar sprayer to apply.
2. For best results, treat during warm weather when brush and broadleaf weeds are actively growing.
3. Do not water within 24 hours after treatment. Poor control may result if spray is applied just before rain.
4. Use around established lawns (grass that has been mowed at least three times).
5. Seed can be sown 3 to 4 weeks after treatment

6. Poor performance may result with treatments following a frost.

HOW TO MIX

Add half of the water to the sprayer. Slowly add the product. Add the remaining water, close the sprayer and shake well to mix. To prevent separation, mix thoroughly and shake often while spraying. NOTE: 1 fl. oz. = 2 tablespoons; 1 quart = 32 fl. oz. = 2 pints = 4 cups.

FOLIAGE TREATMENT

Treating the foliage of brush and weeds is effective throughout the growing season, from the spring when leaves are full until leaves drop in the fall.

Mix 3 - 5 fl. oz. (6 - 10 tablespoons) [of product] in 1 gallon of water following the directions under *How to Mix*. Use higher rates for larger plants, dense growth or well established brush. Thoroughly wet all leaves, stems and shoots until run-off begins. Allow 5 - 7 days after treating before cutting or removal of treated area. Reapply to regrowth on resistant plants if needed. This product is most effective against young actively growing brush and weeds.

CUT STUMP TREATMENT

This treatment method is most effective on stumps with diameters larger than 3 - 4 inches and works throughout the year except when snow, ice or water prevents complete spray coverage. **Mix 20 fl. oz. (2 ½ cups) [of product] with a gallon of water following the directions under *How to Mix*.** Mineral oil, kerosene or diesel oil (No. 1 or No. 2 fuel oil) may be substituted for water. Apply to freshly cut stumps. Thoroughly wet the cut surface, bark and exposed roots. Treat the entire stump, drench until run-off begins.

[FOR] STUMP REMOVAL

Once the stump has been killed, decomposition can be accelerated with a stump removal product such as Spectracide Stump Remover, a ready-to-use formula that won't harm the surrounding soil. Read and follow all directions found on the product label.

STORAGE AND DISPOSAL

Storage: Store in original container in a locked storage area inaccessible to children.

Disposal: If empty: Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Causes skin irritation.

Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. When using this product, wear long-sleeved shirt, long pants, socks, shoes and chemical resistant gloves. Wear goggles when using this product. 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. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

First Aid

If in Eyes: Hold eye open and rinse slowly and gently with water for 15 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a Poison Control Center or doctor for treatment. **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. **If Swallowed:** Immediately call a Poison Control Center or doctor. Do not induce vomiting unless told to do so by a Poison Control Center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

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

Note to physician: Contains petroleum distillates – vomiting may cause aspiration pneumonia.

Environmental Hazards

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non-target plants. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and Dichlorprop-p have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D and Dichlorprop-p pesticides at such sites to prevent contamination of ground-water supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

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

[*Guaranteed Results: 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 original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.

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

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

EPA Reg. No. 9688-138

EPA Est. No. 9688-MO-1

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