

9688-198

05/29/2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAY 29 2007

William Metzger  
United Industries Corp.  
13260 Corporate Exchange Drive  
Bridgeton, MO 63044

Dear Mr. Metzger:

Subject: Labeling Amendments - Maximum Application Rate  
Chemsico Herbicide Concentrate P  
EPA Reg. No. 9688-192  
Chemsico Herbicide Concentrate DP  
EPA Reg. No. 9688-198  
Chemsico Herbicide RTU DP  
EPA Reg. No. 9888-218  
Your submission dated February 26, 2007

The labeling, referred to above, submitted in connection with the application under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, provided that you make the following changes:

A. For all labels

2. Under "Environmental Hazards";

Add "or rinsate" after "washwaters."

2. Under "Directions for Use";

Specify that the annual maximum application rate is 0.23 lb prometon per 500 ft<sup>2</sup> or the equivalent area you're using.

3. Under "Storage and Disposal";

Add instructions for container disposal.

B. For Chemsico Herbicide Concentrate P (EPA Reg. No. 9688-192)

3. Under the Heading:

Add a weight of prometon per gallon statement.

4. Under "Directions for Use";

Add the following spray drift management statement:

"Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals."

3. Under "When to Apply";

The maximum application limit for prometon is 0.23 pound per 500 ft<sup>2</sup> per year. It converts to 0.115 lb per 100 ft<sup>2</sup>, 0.46 lb per 1,000 ft<sup>2</sup>, or 20.04 lbs per acre. Your high application rate is 72 fl. oz. per 100 ft<sup>2</sup>. Assuming the product contains 0.18 lb prometon per gallon, it converts to an application rate of 44.1 lbs of prometon/acre. (72 / 128 x 0.18 x 43560 / 100). It has exceeded the maximum application rate of 20.04 lbs per acre. You need to reduce the high application rates within the application limit.

6. Under "Personal Protective Equipment";

Add a section on personal protective equipment with following requirements:

- Long sleeved shirt and long pants.
- Shoes and socks.
- Chemical resistant gloves made of waterproof materials such as butyl rubber, nitrile rubber, or neoprene rubber (≥ 14 mils).

7. Under "Storage and Disposal";

Change "Storage" to "Pesticide storage" and "disposal" to "Pesticide Disposal."

The amended label supersedes all previously accepted labels. A stamped copy of the revised label is enclosed for your records. Please submit one copy of your final printed labeling before you release the product for shipment.

Sincerely yours,



Jim Tompkins  
Product manager (25)  
Herbicide Branch  
Registration Division (7505P)

Enclosures

CONCURRENCES

|           |         |          |  |  |  |  |  |  |
|-----------|---------|----------|--|--|--|--|--|--|
| SYMBOL >  | 7505P   | 7505P    |  |  |  |  |  |  |
| SURNAME > | Bien    | Tompkins |  |  |  |  |  |  |
| DATE >    | 5-16-07 | 5-29-07  |  |  |  |  |  |  |

# CHEMSICO

## Herbicide Concentrate DP

[Prevents Plant Growth • [Inhibits] [Prevents] Plant Growth for up to One Year • Water-based • Total Vegetation Control • Prevents Plant Growth For up to 1 Year • Covers up to 800 sq. ft. • No regrowth up to 1 year • Use on driveways, patios, around buildings and graveled pathways • Stops Plant Growth...Up to One Year! • See results in 24 hours • Begins to work in hours • Works in 24 hours • Keeps Weeds and Grass Away For Up to [a] [1] year • Keeps Areas Free of Weeds and Grass for Up To [a] [1] year • New Formula • Now Kills Faster • [New] Advanced Formula • Kills in 24 Hours • Kills Plus Prevents! • Economical Concentrate • Mix with water • Up to 1 Year Control! • Same Day Results! • Use on Patios, Walks & Paved Areas • Guaranteed Results\*]

#### Active Ingredients:

|                          |        |
|--------------------------|--------|
| Prometon.....            | 2.20%  |
| Diquat Dibromide .....   | 0.72%  |
| Other Ingredients: ..... | 97.08% |

Contains 0.18 lb. prometon and 0.06 lb. diquat dibromide per gallon.

[\* For terms of guarantee, see back panel.]

KEEP OUT OF REACH OF CHILDREN

**CAUTION** See back panel for additional precautionary statements.

NET CONTENTS 1 GALLON (3.78L)

#### OPTIONAL MARKETING LANGUAGE

##### PRODUCT FACT BOX

**What it Does:** Kills vegetation and prevents plant growth for up to 1 year.

**Where to Use:** In driveways, sidewalks, paths, patios, parking areas, play areas, along fences and curbs, around buildings and graveled pathways where plant growth has come through the surfaces.

**When to Use:** For best results, apply to bare ground when [weed] [vegetation] growth is just starting. Weeds taller than 4-6 inches should be mowed or hoed before treatment.

**Questions & Comments:** Call 1-800-332-5553 or visit our website at [www.website](http://www.website)

#### STOP. READ ENTIRE LABEL BEFORE USE

##### PRECAUTIONARY STATEMENTS

###### Hazards to Humans and Domestic Animals

**CAUTION:** Harmful if inhaled or absorbed through the skin. Avoid breathing spray mist. Avoid contact with skin, eyes, or clothing.

###### First Aid

**If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a Poison Control Center or doctor for further treatment advice.

**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.

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

###### Environmental Hazards

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

##### DIRECTIONS FOR USE

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



Keep children and pets off treated areas until these areas are dry.

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**[GENERAL INFORMATION] [HOW TO USE] [THINGS TO KNOW]**

Chemsico Herbicide Concentrate DP is a nonselective product intended for use after dilution with water and will kill almost all vegetation down to the roots and prevent plant regrowth. When applied to the soil this product can inhibit plant growth for up to one year. Residual control increases as rates are increased.

**[USE SITES]**

- Use around the home where no plant growth is desired.
- [Chemsico Herbicide Concentrate DP is intended] for bare ground vegetation control in driveways, sidewalks, brick walks, paths, patios, parking areas, play areas, along fences and curbs, around buildings, and graveled pathways where plant growth has come through these surfaces.

Do not use on lawns, flowerbeds, or vegetable gardens. Chemsico Herbicide Concentrate DP should not be applied over the root zones of desirable trees or shrubs. Do not apply in sloped areas where runoff may adversely affect desirable plants.

**For Best Results:** Although Chemsico Herbicide Concentrate DP has considerable activity through foliar contact, much of its activity is through roots; therefore, its effectiveness is dependent on rainfall to move it into the root zone. Very dry soil conditions and lack of sufficient rainfall may result in poor weed control. For best results, if the soil is dry, water lightly before treatment. Apply Chemsico Herbicide Concentrate DP directly to weeds and grass. Thoroughly wet weeds but do not soak as runoff may occur. Two days following application, lightly water the treated area. This will aid in the killing and prevention of weeds through root absorption.

**WHEN TO APPLY**

- For best results, apply to bare ground or when weed growth is just starting.
- Weeds taller than 4 inches should be hoed or cut to 1 inch in height before treatment or it may be necessary to make a second application.
- A second application may also be necessary to control deep-rooted perennial weeds. In areas of heavy rainfall, repeat application may be required every six months.
- Application on sunny days with the temperature above 60° F will result in faster control of existing weeds.

| Area To Be Treated | Amount of Product to Use | Suggested Amount of Water to Use |
|--------------------|--------------------------|----------------------------------|
| 25 sq. ft.         | 4 fl. oz.                | 3 quarts                         |
| 50 sq. ft.         | 8 fl. oz.                | 1 gallon                         |
| 75 sq. ft.         | 12 fl. oz.               | 1.5 gallons                      |
| 100 sq. ft.        | 1 pt. (16 fl. oz.)       | 2 gallons                        |

Apply using a sprinkling can or other watering or spraying device in sufficient water to get good coverage of the area (refer to suggested amount of water to use in above table.) When using a sprinkling can, triple rinse and pour rinsewater on area treated once application is complete. Mix only the quantity needed and use immediately. Do not store diluted solution.

**SPRAY DRIFT MANAGEMENT:**

Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, non-target crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals.

**PERSONAL PROTECTIVE EQUIPMENT:**

When mixing and applying this product, wear the following:

- Long-sleeved shirt and long pants
- Shoes and socks
- Chemical resistant gloves made of waterproof materials, such as butyl rubber, nitrile rubber, or neoprene rubber (thickness ≥ 14 mils)

**IMPORTANT USE PRECAUTIONS:**

- To avoid damage to desirable plants, apply when it is not windy. Windy conditions may cause inadvertent drifting to desirable plants and grass
- DO NOT apply over the root zones of desirable trees and shrubs.
- DO NOT apply to decorative rock or bark groundcovers where the soil is covered with plastic fabric or on slopes because runoff and/or leaching may result (apply only to level surfaces). In heavy clay soil locations, residual activity may exceed one year.
- DO NOT apply closer than twice the distance from the trunk of a tree to the drip line.
- Do not apply next to a fence if desirable plants are growing on the other side or if future plantings are planned.
- Vertically cut through any roots adjacent to root zone of desirable plants.
- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Only persons applying this product may be in the area during application.

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**STORAGE AND DISPOSAL**

**Pesticide Storage:** Do not contaminate water, food, or feed by storage or disposal. Store undiluted pesticide in original container. Do not store diluted pesticide solution.  
**Pesticide 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.

**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.]

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

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

EPA Reg. No.: 9688-198  
EPA Est. No.: 9688-MO-1

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ACCEPTED  
with COMMENTS  
in EPA Letter Dated

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

9688-198

MAY 29 2007

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