

9688-206

01/14/2009

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

14 JAN 2009

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

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

Dear Mr. Metzger:

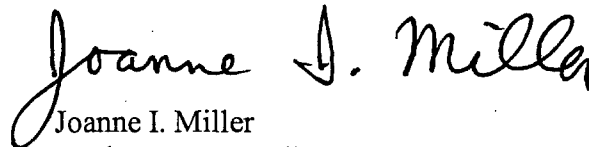
Subject: Label Amendment for RED: Fluazifop-p-butyl  
Chemsico Herbicide Concentrate DFC (Alternate II)  
EPA Registration Number 9688-206

The labeling referred to above is in compliance with the 2,4-D RED and is acceptable provided that you:

1. It is unclear whether the phone number currently on the label (1-800-332-5553) is intended to provide emergency medical treatment information as required in the acute toxicity review. If this phone number is not intended as a contact for emergency medical treatment information, then this information should be added to the label.
2. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:  
  
"CAUTION  
Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves made of any waterproof material."
3. Change sentence under Limited Warranty and Disclaimer to read "In no case, **to the extent consistent with applicable law**, shall the manufacturer be liable for incidental, consequential, or special damages resulting from the use or handling of this product."
4. Please add a warranty statement.
5. Please note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

One copy of the label stamped "Accepted with Comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Tracy White by phone at (703) 308-0042 or via email at [white.tracy@epa.gov](mailto:white.tracy@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Joanne I. Miller". The signature is written in dark ink and is positioned above the printed name and title.

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

Enclosure

Front Panel

# Chemsico

## Herbicide Concentrate

### DFC (Alternate II)

See Appendix For Consolidated List of Marketing Claims

**ACCEPTED**  
**with COMMENTS**  
**in EPA Letter Dated:**  
**14 JAN 2009**

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

9688-206

**Active Ingredients:**

Diquat dibromide .....	2.30%
Fluazifop-p-butyl .....	0.75%
Dicamba, Dimethylamine salt .....	0.51%
Other Ingredients .....	96.44%
[Total .....	100.00%]

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION:** See {[Back] [Side] [Inside] Panel}, [Booklet] For additional Precautionary Statements, OR [Peel Open for Use Directions and Further Information]

**NET CONTENTS:** 16 fl oz (1 pt / 473 mL); 32 fl oz (1 qt/946 mL)

**[OPTIONAL PRODUCT FACT BOX I]****PRODUCT FACTS**

Treats up to 900 sq ft [Pint] [Makes up to 3 gallons]  
 Treats up to 1800 sq ft [Quart] [Makes up to 6 gallons]

**KILLS WEEDS** (weed icons)  
 ALL TYPES OF WEEDS AND GRASSES

**WHERE TO USE**

- On patios, walkways [or] [driveways] [gravel] [mulch beds]
- Around [flowers], shrubs or trees, in flowerbeds
- Along fences and foundations
- In large areas [For ornamental [planting bed] [garden replacement] [For Lawn Replacement]

**AMOUNT TO USE**

For Best Results: 10 fl oz (20 Tbsp) per gallon of water  
 General Weed Control (annuals): 5 fl oz (6 Tbsp) per gallon of water

**Questions & Comments:**

(icon telephone) (icon computer)  
 Call 1-800-332-5553 or visit our website.

**[OPTIONAL PRODUCT FACT BOX II]****PRODUCT FACTS**

**WHAT IT DOES:** Kills all types of weeds and grasses [down to the root]

**WHERE TO USE: Outdoors** [icon]: On patios, walkways, driveways, flowers, shrubs and [or] trees; along fences and in large areas [for ornamental garden plot preparation] [For Lawn Replacement]

**WHEN TO USE:** For best results, apply during warm, sunny weather (above 60°F)

**Questions & Comments:**

(icon telephone) (icon computer)

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

**OPTIONAL MARKETING LANGUAGE**

[Chemsico Herbicide Concentrate DFC (Alternate II) eliminates most common weeds, grasses and unwanted vegetation.] *[Illustrations]* [This product can be used [For edging around lawns] [For ornamental [planting bed] garden plot preparation] in driveways, brick and gravel walkways, curbs, along fences and foundations, near trees and shrubs, in flower beds, mulch beds, gravel, and other similar areas of the yard to get rid of undesirable vegetation.] [Chemsico Herbicide Concentrate DFC (Alternate II) can also be used for big jobs such as flower garden preparation] [and lawn replacement [renovation]].

**[HOW IT WORKS]** [This product [is a non-selective herbicide that] will kill all vegetation contacted. It enters plants through the leaves and moves down to the roots. This will ensure that the entire plant is eliminated. Avoid direct spray or drift onto desirable plants, lawn grasses, shrubs and trees. Protect desirable plants and vegetation with a piece of plastic or cardboard. If desirable plants are accidentally sprayed, wash plants with water immediately. This product has no soil activity and thus will not affect nearby untreated plants.]

**[KILLS] [CONTROLS] MOST COMMON [TOUGH] WEEDS AND GRASSES INCLUDING:**

**[Annual weeds and grasses:** Annual ryegrass, annual bluegrass, barnyardgrass, beggarweed, black medic, blue medic, blue toadflax, brassbuttons, blue mustard, brome grass, bur clover, buttercup, cheeseweed, chickweed, clover, common groundsel, common lambsquarters, common plantain, common ragweed, crabgrass, creeping beggarweed, diffuse lovegrass, dog fennel, evening primrose, false dandelion, fall panicum, fennel, fiddleneck, field pennycress, field sandbur, filaree, Florida pusley, foxtail, garden spurge, goosegrass, green foxtail, hemp sesbania, henbit, horseweed/marestail, ironweed, knotweed, lambsquarters, little bitter cress, London rocket, maiden cane, mallow, mayweed, mouseear chickweed\*, oxalis\*, Pennsylvania smartweed, pennywort, pigweed, prickly lettuce, prostrate spurge, puncture vine, purslane, redroot, pigweed, sandspur, shepherdspurge, smartweed, smooth cat's ear, smooth pigweed, sowthistle, spotted spurge, sprangletop, spurges, tansy mustard, tansy ragwort, teaweed, Texas panicum, tumble mustard, velvetleaf, wild geranium\*, witch grass, wild mustard, yellow nutgrass, yellow oxalis (and many other annual grasses and weeds)]

**[Perennial weeds, grasses, brush:**

Alder, artichoke thistle, bahiagrass, barnyardgrass, bentgrass, Bermudagrass, bluegrass, broadleaf plantain, brownseed, paspalum, buckhorn plantain, bull thistle, Canada thistle, cattail, ceanothus, centipedegrass, cocklebur, cogongrass, common mullein, common ragweed, coral bead, creeping Charlie, curly dock, dallisgrass, dandelion, dewberry, dog fennel, false dandelion, fescue species, field bindweed, guineagrass, hairy crabgrass, horsenettle, horseradish, iceplant, Johnsongrass, Kentucky bluegrass, kikuyugrass, knapweed, knawel, lantana, maiden cane, milkweed, mouseear chickweed\*, nimblewill, nutgrass (nutsedge), oldenlandia,

orchardgrass, oxalis\*, pampasgrass, pennywort, perennial ryegrass, plantain, purple cudweed\*, purple nutsedge, quackgrass, quaking aspen, ragweed, red clover, smooth brome grass, sourdock, sowthistle, St. Augustine grass, tall fescue, tansy ragwort, Timothy, torpedograss, trumpet creeper, vaseygrass, Virginia creeper, white clover, whitetop, wild barley, wild blackberry, wild carrot, wild morning-glory, wild oats, yarrow, yellow nutgrass, yellow starthistle, zoysia.]  
\*annual or perennial

*Back Panel*

**STOP.** [Read and follow label instructions] [Read Entire Label Before use] [Lift Here. 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.*



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

**APPLICATION RESTRICTIONS**

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.

**USER SAFETY RECOMMENDATIONS**

Clothing and protective equipment 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. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove clothing and protective equipment immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

[This product is formulated for "spot" treatment of individual weeds and grasses or for treatment of large areas as instructed on this label (see specific site areas below).]

**MIXING INSTRUCTIONS****TANK SPRAYER** (plastic, aluminum or stainless steel)

- Add appropriate amount of concentrate to one gallon of water
- Spot treat or spray evenly over 300 sq ft

**DIAL TYPE HOSE-END SPRAYER**

- Set sprayer to the "fl oz/ gallon" level specified in the directions
- Use only enough product for the area to be treated.
- Close sprayer, attach to hose and apply.

**CONCENTRATE PLUS WATER [HOSE END] TYPE SPRAYER**

- Determine the amount of concentrate required
- Pour concentrate into sprayer jar to the required "fl oz" level
- Add the required amount of water to the "gals" level.
- Replace sprayer top on jar and apply

**[Two Easy Steps to Mix and Apply]**

**Step #1:** Use a clean sprayer. Carefully measure and mix the amount of Chemsico Herbicide Concentrate DFC (Alternate II) (product) and water as directed. Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

**Step #2:** Spray as directed. Thorough coverage is important. Flush sprayer with clean water after each use.]

**AMOUNT TO USE:**

**For Best Results:** 10 fl oz (20 Tbsp) per gallon of water treats 300 sq ft

**For General Weed Control:** 5 fl oz (10 Tbsp) per gallon of water treats 300 sq ft.

1 Tbsp = 3 tsp

1 fl oz = 2 Tbsp

**[EZ SPRAY REFILL DIRECTIONS**

**Refilling the Chemsico Herbicide RTU DFC EZSPRAY:** Carefully measure and mix 10 fl oz (20 Tbsp) in one gallon of water. See the EZ SPRAY label for complete directions.]

**[HOW TO APPLY]**

- Completely [wet] [cover] the foliage [leaves] of the target vegetation [plant]. Do not overspray.
- A single application controls most [listed] weeds.
- Most treated weeds usually show initial symptoms within 24 hours and complete kill in 1-2 weeks.

- Protect desirable plants with a piece of plastic or cardboard.
- If desirable plants are accidentally sprayed, wash plants with water immediately.
- Do not mow, cut or otherwise disturb treated [vegetation] [weeds] or [plants] for at least 7 days following application.
- Do not use on or around edible feed or food crops.

**[WHEN TO APPLY] [USE TIPS]**

- For best results apply during warm, sunny weather (above 60° F) when weeds are actively growing and no rain is forecast for 24 hours. Rainfall or watering 2 hours [15 minutes] after application will not wash away effectiveness.
- To avoid drift to desirable plants, apply when the air is calm.

**WHEN TO REPLANT**

- All ornamental flowers, trees and shrubs may be planted **1 day** after application.

**[WHERE TO USE] [USE SITES] [USE SITUATIONS]:**

**GENERAL WEED CONTROL:** Use along [near] fences, paths, patios, sidewalks, curbs and driveways, around ornamental trees, shrubs, flower beds and plantings, around buildings. Use for trimming and edging landscapes. **Do NOT use for spot weed treatment in lawns, since Chemsico Herbicide Concentrate DFC (Alternate II) kills all green plants, including lawn grasses.**

**SPOT TREATMENTS:** Spray directly on actively growing weeds in and around flower beds, ornamental trees, shrubs, fences, driveways and walkways.

**LANDSCAPES:** For use in preparing areas for planting of ornamentals, trees, shrubs, desert landscapes, rock gardens, flower beds or similar plantings. Treated areas can be replanted 1 day after treatment.

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

1. Determine size of area to be treated—measure length and width in feet then multiply to determine coverage area in sq ft (length x width).
2. Use this product to remove [kill] the old lawn and existing weeds and grasses.
3. For best results, apply in spring or fall, when daytime temperatures are at least 60° F.
4. If the lawn is dry [Under dry conditions], water lawn every other day for a week before applying Chemsico Herbicide Concentrate DFC (Alternate II).
5. Do not mow for 7 days before or after treatment.
6. Use 10 fl oz (20 Tbs) per gallon of water for each 300 sq ft of area to be treated.

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**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.

**WILDLIFE AREAS SITE PREPARATION:** Use Chemsico Herbicide Concentrate DFC (Alternate II) to prepare areas for planting wildlife food plots. Exotic or undesirable plants can be controlled with Chemsico Herbicide Concentrate DFC (Alternate II) to allow for planting or recovery of native plant species. Spot treatments may be directed to selectively remove unwanted plants. **Avoid spray drift to desirable plants. [Be careful to keep spray off desirable plants].**

**STORAGE AND DISPOSAL**

**Storage:** Store this product only in its original container in a secure storage area away from sources of heat or open flame. Protect product from freezing. **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**

**CAUTION:** Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

**First Aid**

**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 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, doctor, or going for treatment.

**Environmental Hazards**

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

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

[\*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? Comments** call toll-free 1-800-332-5553 or visit our website]

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

EPA Reg. No. 9688-206

EPA Est. No 9688-MO-1

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# **CHEMSICO HERBICIDE CONCENTRATE DFC (ALTERNATE II) MARKETING CLAIMS**

1. \*Guaranteed Results [\*Or Your Money Back]
2. [Better] [Best] Value
3. [Formula] Enters The Plant Within One To Two Hours [Won't Wash Off]
4. Improved Formula
5. [Spot] Treatment For Ornamental Garden] Replanting
6. Absorbed Into The Plant
7. Absorbed On Contact
8. Can Be Used Over The Root Zones Of Trees, Shrubs Or Desirable Plants  
Control That Doesn't Wash Away
10. Controls [Hardy] [Tough] [Hard To Kill] Weeds
11. Dead [Weeds] [And] [Grass] In 24 Hours
12. Dead Weeds Guaranteed\* [\*Or Your Money Back]
13. Does Not Have Soil Activity
14. Do-It-Yourself Weed Killer
15. Economical Concentrate
16. Effective Even If It Rains
17. Eliminates [Kills] All Common Weeds And Grasses
18. Eliminates Roots & Weeds, [Guaranteed\*]
19. Eliminates Weeds, [Guaranteed\*]
20. Exclusive Formula
21. Fast & [And] Complete
22. Fast Acting [Formula]
23. Fast Acting Formula!
24. Faster Results Than The Leading Brand
25. Fastest Replanting Available
26. For Use [Ideal] [Can Be Used] [Use In And Around] [In] [On] [For] [Along] Flower Beds
27. For Use [Use] [Ideal] [Can Be Used] [Use In And Around] [In] [On] [For] [Along] [Around] [Fences], [Driveways], [Walkways], [Shrubs], [Trees] [Ornamentals] [Walks] [Mulch Beds] [Gravel] [And] [Driveways] [Curbs]
28. For Walks, Drives, Fences, Patios And Similar Areas
29. Keeps Working, Even If It Rains
30. Kills All Treated Weeds
31. Kills [Even] Tough Weeds [And Grasses]
32. Kills From The Inside Out
33. Kills Over 155 Types Of Weeds [As Listed]
34. Kills Over 155 Varieties Of Broadleaf And Grassy Weeds [As Listed]
35. Kills The Entire Plant

36. Kills The Root So Weeds Won't Grow Back
37. Kills The Root!
38. Kills The Weed You See And The Root You Don't
39. Kills Weeds And Unwanted Grasses
40. Kills Weeds And Unwanted Grasses, Roots And All
41. Kills Weeds In [A] [One] Day
42. No Residual Activity In Soil
43. No Root, No Weeds, [Guaranteed]
44. No Soil Activity
45. No Soil Activity, Must Be Applied To Foliage
46. Not Even The Leading Brand [Is Faster] [Is As Fast]
47. Overnight Results
48. Quick-Kill Formula
49. Rainfast In 2 Hours For Control That Doesn't Wash Away [Won't Wash Away]
50. Rainfast In Hours – Starts To Enter The Plant On Contact
51. Rainproof In 2 Hours
52. Rainproof In 2 Hours For Control That Won't Wash Away
53. Replant Flowers, Trees & Shrubs [In Half The Time Of Other Brands] [The Same Weekend]
54. Can Be Used Around Trees & Shrubs
55. Satisfaction Guaranteed Or Your Money Back [With Proof Of Purchase]
56. See Results In 24 Hrs !
57. Starts To Work In 24 Hours
58. Starts Working In Hours
59. Systemic Weed And Grass Killer For [Spot] Treatment Of Unwanted Weeds And Grasses
60. Systemic Formula
61. Triple Action [Formula]
62. Won't Wash Away
63. Works First Time, Every Time,
64. Works In 24 Hours
65. Works The First Time [Guaranteed\*] \* Or Your Money Back
66. Works 3 Ways : (1)Results in 24 hrs, (2) Kills over 155 varieties of Broadleaf & Grassy Weeds as listed, (3) Kills the Root
67. Starts Working Immediately!
68. Use on Paved & Landscaped Areas
69. Mix with Water
70. Visible Results as Fast as 3 Hours
71. Rainfast in 15 Minutes

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✓  
Done 8/8

### **Secondary Review of 9688-206**

Delete paragraph 6. This product does not contain 2,4-D the only active on our team subject to the injunction.