

9688-218

12-15-2004

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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:

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Registration
Amendment
Other

OPP Identifier Number

Section I

1. Company/Product Number 9688-218	2. Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Herbicide RTU DUP	PM# 25	
5. Name and Address of Applicant (include ZIP Code) Chemsico, Division of United Industries Corporation PO Box 142642 St. Louis, Missouri 63114-0642 <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 labeling to: EPA Reg. No. _____ Product Name _____

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "ME TOO" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - explain below

NOTIFICATION
DEC 15 2004

Explanation: Use additional page(s) if necessary. (For section I and Section II)

Notification per PR Notice 98-10 to add the following marketing claims: "Up to 1 Year Control," and "Use on Patios, Walks & Paved Areas."

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"/> 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 Jennifer D. Morton		Title Regulatory Affairs Specialist	
		Telephone No. (include Area Code) 1-800-242-1166 Ext 2737	
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 Specialist	
Typed Name Jennifer D. Morton		5. Date December 1, 2004	

Front Panel

CHEMSICO

Herbicide RTU 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 50 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 • Prevents [weeds][grasses] for up [12 months] [1year] • [Kills] and [Prevents Growth for up to [a][1] [year][12 months] • Season long protection • For driveways, patios, sidewalks • One application provides [season long][year round] protection • Kills and prevents unwanted grass & weeds for [one year][12 months] • Kills the root! • Penetrates both the plant and root • Kills the entire plant including its roots • Same day results • Overnight results • Results in 24 hours • Works Fast! • Kills grass and weeds now and prevents them all season long • Just one application controls [unwanted] grass and weeds all season long • Starts working in hours • Up to 1 Year Control • Use on Patios, Walks & Paved Areas]

Active Ingredients:

Prometon.....	0.139%
Diquat Dibromide.....	0.045%
Other Ingredients.....	99.816%

Contains 0.011 lb prometon and 0.004 lb diquat dibromide per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION See back panel for additional precautionary statements.

NET CONTENTS 1 gal (3.78L), 1 qt (946 mL), 1 pt (473 mL)

OPTIONAL MARKETING LANGUAGE

PRODUCT FACT BOX

What it Does: Kills vegetation and prevents plant growth for up to 1 year.
How it Works: Chemsico Herbicide RTU DP is an easy to use product that kills and prevents the regrowth of unwanted grass and weeds. One application kills the plant down to the root and prevents regrowth for up to 1 year [12 months]. Chemsico Herbicide RTU DP keeps your driveways, patios, sidewalks looking beautiful with one easy application.
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.com

Back Panel

STOP. READ ENTIRE LABEL BEFORE USE

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.

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

Chemsico Herbicide RTU DP is a nonselective product which 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 RTU 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 RTU 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 RTU 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 RTU 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.

[EzSpray Directions]

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

HOW TO USE THE EzSpray

1. Aim toward target weeds/plants, and away from people and pets.
2. Press the trigger to spray.
3. 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 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.

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.

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.

REFILL DIRECTIONS FOR EzSpray

Refill only with Chemsico Herbicide Concentrate DP. Remove cap. Carefully measure and mix 8 fl oz (16 Tbsp) in one gallon of water. Replace and tightly close cap. Wipe off any spilled product.

[HOW TO APPLY]

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.

(Hand Sprayer Applicator)

1. SHAKE WELL (graphic).
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. Avoid sprays which are too fine because they can drift and damage other plants.
4. SPRAY UNWANTED GRASS & WEEDS UNTIL COMPLETELY COVERED. Wilting and browning will begin within hours.

(Trigger Sprayer Applicator)

1. SHAKE WELL (graphic).
2. Turn the nozzle to coarse spray pattern. Avoid sprays which are too fine because they can drift and damage other plants.
3. SPRAY UNWANTED GRASS & WEEDS UNTIL COMPLETELY COVERED. Wilting and browning will begin within hours.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals**

CAUTION. Harmful if inhaled or absorbed through the skin. 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.

STORAGE AND DISPOSAL**[For EzSpray]**

Pesticide 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. Protect product from freezing. **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.

[Hand Sprayer Applicator]

Pesticide Storage: Turn the nozzle to "OFF" position and store with sprayer above the level of liquid in container to prevent leakage. Store in a cool, dry area away from heat or open flame. **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.

[Trigger Sprayer]

Pesticide Storage: Store in a cool, dry area away from heat or open flame.

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.

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

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

EPA Reg. No.: 9688 - 218

EPA Est. No.: 9688-MO-1

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United Industries Corp.

December 1, 2004

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room 266A Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Attention: Mr. Jim Tompkins
Product Manager 25

Subject: Notification per PR Notice 98-10
Chemsico Herbicide RTU DP
EPA Reg. No. 9688-218

Dear Mr. Tompkins:

Please find enclosed notification per PR Notice 98-10 to add the following marketing claims: "Up to 1 Year Control," and "Use on Patios, Walks & Paved Areas." These claims are variations of other approved marketing claims listed on the EPA stamped approved 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. Five copies of the proposed label
4. One copy of the EPA stamped approved label

Please call me at 1-800-242-1166, Ext. 2737 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Jennifer D. Morton
Regulatory Specialist

NOTIFICATION
DEC 15 2004