



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

October 20, 2006

Jennifer D. Morton  
Chemsico  
Division of United Industries Corporation  
P. O. Box 142642  
St. Louis, MO 63114-0642

SUBJECT: Applications for Pesticide Notification  
Chemsico Ant Control I EPA Reg. No. 9688-214  
✓Chemsico Herbicide TSG RTU EPA Reg. No. 9688-244  
Applications Dated September 28, 2006

Dear Ms. Morton:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a preliminary screen 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 labels submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

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:

Registration  
 Amendment  
 Other

OPP Identifier Number

Section I

1. Company/Product Number 9688-244	2. Product Manager J. Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Herbicide TSG RTU	PM# 23	
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

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

Notification per PR Notice 98-10 to add the optional marketing claims, "Visible Results as Fast as 3 Hours" and "Rainfast in Minutes". We are also taking this opportunity to add the optional alternate timeframe, "Rainfall or watering [15 minutes] after application will not wash away effectiveness," in the Use Tips section, when referring to effectiveness after rainfall. United Industries has conducted the necessary research to support these claims and use tip, and the data is on-file in the UI Archives. We are also modifying the optional claim "New [gel] formula" to make "[formula]" optional and to add "[around flowers]" to the Where to Use section.

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	<b>NOTIFICATION</b> <b>OCT 20 2006</b>
* Certification must be submitted.		If "YES," Unit package wgt	No. per container	<input type="checkbox"/> Plastic	
		If "YES," Package wgt	No. per container	<input type="checkbox"/> Glass	(Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other	
6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	

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 (Stamp)
2. Signature 	3. Title Regulatory Affairs Specialist	
4. Typed Name Jennifer D. Morton	5. Date September 28, 2006	

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# United Industries Corp.

## NOTIFICATION PER PR NOTICE 98-10

September 28, 2006

Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
United States Environmental Protection Agency  
Room 266A Crystal Mall 2  
1801 South Bell Street  
Arlington, VA 22202

**NOTIFICATION**

**OCT 20 2006**

Attention: Ms. Joanne Miller  
Product Manager 23

Subject: **Notification per PR Notice 98-10**  
**Chemsico Herbicide TSG RTU**  
**EPA Reg. No. 9688-244**

Dear Ms. Miller:

Please find enclosed Notification per PR Notice 98-10 to add the following optional marketing claims:

- **“Visible Results as Fast as 3 Hours”**
- **“Rainfast in Minutes”**

We are also taking this opportunity to add the following optional alternate timeframe, “Rainfall or watering [15 minutes] after application will not wash away effectiveness,” in the Use Tips section, when referring to effectiveness after rainfall. We are also modifying the optional claim “New [gel] formula” to make “[formula]” optional and to add “[around flowers]” to the Where to Use section.

We have conducted the necessary research to support these claims and use tip, and have the data on-file in the United Industries archives.

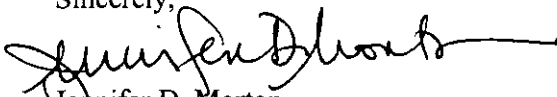
*This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any 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

# Chemsico Herbicide TSG RTU

[SEE APPENDIX FOR CONSOLIDATED LIST OF MARKETING CLAIMS]

### NOTIFICATION

OCT 20 2006

**Active Ingredients:**

Diquat Dibromide .....	0.18%
Fluazifop-p-butyl .....	0.06%
Dicamba, dimethylamine salt.....	0.04%
Other ingredients .....	99.72%
[Total .....	100.00%]

### KEEP OUT OF REACH OF CHILDREN

CAUTION See (side)(back) (inside) (panel) (booklet) for additional precautionary statements

Net Contents: 1 Gallon (128 fl oz /3.78L)

### OPTIONAL PRODUCT FACT BOX

**Product Facts**

Container treats [more than][over] 200 weeds [24 fl oz.]  
 Container treats [more than][over] 500 weeds [1/2 gal, 2L][Container treats 150 sq ft]  
 Container treats [more than][over] 1000 weeds [1 gal, 4 L][Container treats 300 sq ft]

**KILLS WEEDS**

[illustrate grassy, broadleaf and woody weeds]  
 ALL TYPES OF WEEDS [AND][&] GRASSES

**WHERE TO USE:**

- On patios, walkways or driveways
- In flower beds [around flowers]
- Around shrubs [and][&] trees
- Along fences [and][&] foundations
- Other areas in your yard
- Edging around lawns

Questions & comments:(phone icon) (computer icon)  
 Call 800-332-5533 or www.(address)

### OPTIONAL MARKETING LANGUAGE

[Chemsico Herbicide TSG RTU eliminates all types of common weeds and grasses [as listed]. (illustrations) This product can be used [for] [edging around lawns] [ornamental garden plot preparation] in driveways, walkways, curbs, along fences and foundations, near trees and shrubs, in flower beds, mulch beds and other similar areas of the yard to get rid of undesirable vegetation.]

[This product [is a non-selective herbicide that] will kill any 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.]

[This container covers approximately 300 sq. ft. Coverage may be reduced if large brush species are treated.]

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**[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, bromegrass, 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, sparges, 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 bromegrass, sourdock, sowthistle, St. Augustine grass, tall fescue, tansy ragwort, Timothy, torpedograss, trumpetcreeper, 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

**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 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.

**[How to use] [Application Instructions]**

Chemsico Herbicide TSG RTU is pre-mixed and ready to use and is formulated for "spot" treatment of weeds and grasses. [It is ideal for tough to reach weeds found in flowerbeds.] Use it on driveways and walkways, or around fences, trees, flower beds, shrubs and other areas in your yard. [It can also be used for lawn renovation.]

**[How To Apply]**

- Completely cover the foliage [leaves] of the target vegetation [plant]. Do not overspray.
- Sprayed plants begin yellowing and wilting in about 24 hrs, with complete kill, including the roots, in 1 to 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.

**Not recommended for spot weed treatment in established lawns since lawn grasses will also be killed.**

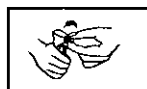
### [OPTION A: Hand Sprayer Application]

How to prime and care for your sprayer:

1. CONNECT TRIGGER SPRAYER. Unscrew and discard the [white] cap on the bottle. Insert the hose into the bottle and tighten the cap securely.
2. 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.
3. Spray unwanted grass & weeds until completely [covered] [wet].

### [OPTION B: Trigger Sprayer applicator]

1. Turn nozzle to coarse spray pattern. Avoid sprays which are too fine because they can drift and damage other plants.
2. Spray unwanted grass & weeds until completely [covered] [wet].



### [WHEN TO REPLANT]

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

### STORAGE AND DISPOSAL

#### [OPTION A: Hand Sprayer Applicator]

**Storage:** Turn the nozzle to "OFF" position and store with sprayer above the level of liquid in container to prevent leakage. **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.

#### [OPTION B: Trigger Sprayer]

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

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

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

[Questions or Comments? call 1-800-332-5553]

EPA Reg. No. 9688-244

EPA Est. No. 9688-MO-1

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**CHEMSICO HERBICIDE TSG RTU 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. Absorbed into the plant
6. Absorbed on Contact
7. Can be Used Over the Root Zones of Trees, Shrubs or Desirable Plants
8. Control that doesn't wash away
9. Controls [Hardy] [Tough] [Hard To Kill] Weeds and Grasses
10. Dead [weeds] [and] [grass] in 24 hours [and they'll never come back]
11. Dead Weeds Guaranteed\* [\*Or Your Money Back]
12. Does not have soil activity
13. Do-it-yourself weed killer
14. Effective even if it rains
15. Eliminates [kills] all common weeds and grasses
16. Eliminates Roots & Weeds, [Guaranteed\*]
17. Eliminates Weeds, [Guaranteed\*]
18. Exclusive Formula
19. Fast & [and] complete
20. Fast Acting [Formula]
21. For [Spot] Treatment of Unwanted Weeds and Grasses
22. For use [Ideal] [Can be Used] [Use in and around] [in] [on] [for] [along] flowerbeds
23. 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]
24. For walks, drives, fences, patios and similar areas
25. Keeps Working, Even If it Rains
26. Kills All Treated Weeds
27. Kills Even Tough Weeds & Grasses
28. Kills from the Inside Out
29. Kills over 155 types of weeds [as listed]
30. Kills over 155 varieties of broadleaf and grassy weeds [as listed]
31. Kills the Entire Plant
32. Kills the Root!
33. Kills the Root So Weeds Won't Grow Back
34. Kills the Weed you see and the Root you Don't
35. Kills Weeds and Unwanted Grasses, [Roots and All]
36. Kills Weeds in [a] [one] day
37. No Measuring
38. No Mixing [Required] [Necessary]
39. No residual activity in soil
40. No Root, No Weeds, [Guaranteed]
41. No Soil Activity
42. Overnight results
43. Quick-Kill Formula
44. Rainfast in 2 hours for control that doesn't wash away [won't wash away]
45. Rainfast in Hours – Starts to enter the Plant on Contact
46. Rainproof in 2 Hours [for Control That Won't Wash Away]
47. Ready-To-Use
48. Replant flowers, trees & shrubs [in half the time of other brands] [the same weekend]
49. Can be used around trees & shrubs
50. Satisfaction guaranteed [or your money back] [with proof of purchase]
51. See Results in 24 hrs!
52. Starts to work in 24 hours
53. Starts Working in Hours
54. Systemic formula
55. Systemic Weed and Grass Killer
56. Triple Action Formula
57. Water-based
58. Won't Wash Away
59. Works First Time, [Every time]
60. Works 3 Ways : (1)Results in 24 hrs, (2) Kills over 155 varieties of Broadleaf & Grassy Weeds as listed, (3) Kills the Root
61. Starts Working Immediately !
62. Use on Paved & Landscaped Areas
63. Works the first time [guaranteed\*] or your money back
64. Visible Results as Fast as 3 Hours
65. Rainfast in Minutes

**Gel Formulation Optional Claims**

1. New [gel] [formula]
2. Less Mess
3. No Mess
4. No Runoff
5. No Drip
6. Ultra gel
7. Advanced [killing] gel
8. [Gel] Stays where you spray [it][every time]
9. Stays where you want it to stay
10. Clinging gel [technology][formula]
11. Breakthrough [Chemsico] gel [technology][formula]
12. Amazing gel [technology][formula]
13. Advanced gel [technology][formula]
14. Killing cling
15. Gel formula