

9688-283

94-30-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Registration Number:

9688-283

Date of Issuance:

APR 30 2010

NOTICE OF PESTICIDE:

[x] Registration
[] Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Chemsico Herbicide Concentrate 4B

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3 (c) (7) (A) provided that you:

- 1. Submit and/or cite all data required for the registration/ reregistration review of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Change the EPA Registration Number to read: 9688-283.
3. Make the following label changes:
a. Under the "First Aid Statements":
1. Move the "If on Skin or Clothing" statement to the first position.

Signature of Approving Official:

[Handwritten signature of Kathryn V. Montague]

Kathryn V. Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)

Date:

APR 30 2010

4. On page 2, remove the words “eliminates” and “eliminated”.
5. On page 3, remove “General”.
6. Under “Optional Marketing Claims”:
 - a. Remove the following market claims:
 - [Better] {Best} Value
 - Improved Formula
 - Economical Concentrate
 - Exclusive Formula
 - Faster Results than the Leading Branch
 - Fastest Replanting Available
 - Not even the Leading Brand [Is Faster] [Is as Fast]
 - b. Remove the words “eliminates” and “all” so that the claims read: “[Kills] common weeds and grasses; Roots & Weeds [Guaranteed*]; Weeds, [Guaranteed*].
 - c. Remove the word “all” so that the claim reads: Kills treated weeds
 - d. In the two statements that begin with “Kills over 155 types”, you must list all 155 in the “weeds killed” section of the label or remove the number.
 - e. Remove the word “entire” so that the claim reads: “Kills the plant”.
7. NOTE: While no additional data is being requested at this time, marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.
8. NOTE: Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.
9. Generate one year storage stability (830.6317) and corrosion characteristics (830.6317) studies within one year of the date of this registration notice.
10. The registration number for Dicamba, dimethylamine salt, in Column 12 of the Confidential Statement of Formula, should be corrected to read 33658-29 in lieu of 84836-11 (transferred).

EPA Registration. No. 53883-268

11. Submit one copy of the revised label for the record.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Enclosure

Front Panel

Chemsico Herbicide Concentrate 4B

[See Appendix For Consolidated List of Marketing Claims]

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

APR 30 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

9688-283

Active Ingredients:	
Diquat dibromide	2.30%
Fluazifop-p-butyl.....	1.15%
Dicamba, Dimethylamine salt.....	0.77%
Oxyfluorfen.....	0.64%
Other Ingredients	95.14%
[Total	100.00%

KEEP OUT OF REACH OF CHILDREN

WARNING: 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 1500 sq ft [Pint] [Makes up to 5 gallons]
Treats up to 3000 sq ft [Quart] [Makes up to 10 gallons]

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

WHERE TO USE

- [On patios, walkways or driveways]
- [In flower [beds] [gardens]
- [Around established shrubs & trees]
- [Along fences [and foundations]
- [Other areas in your yard (except in lawns)]
- [Edging around lawns]
- [In landscaping]
- [Around ornamentals]

AMOUNT TO USE

Newly Emerged Weeds: 3 fl oz (6 Tbsp) per gallon of water
General Weed Control : 5 fl oz (10 Tbsp) per gallon of water
For Best Results: 7 fl oz (14 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].
Prevents [weeds][weed and grass][re-growth] for up to 1 month by creating
a [an invisible barrier [that prevents new weeds from germinating]

WHERE TO USE: Outdoors [icon]: On patios, walkways, driveways,
around flowers, shrubs and [or] trees; along fences, foundations, and in
large areas

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.

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OPTIONAL MARKETING LANGUAGE

[Chemsico Herbicide Concentrate 4B eliminates all types of [common][existing] weeds and grasses [as listed] and prevents new weeds from growing all season long. (*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 and [it] will prevent [re-growth] [new weeds and vegetation from emerging] for up to 1 month. It enters plants through the leaves and moves down to the roots. This will ensure that the entire plant is eliminated. [Chemsico Herbicide Concentrate 4B][It][This product] also provides a [protective][invisible] barrier that prevents [weeds and grasses][new weeds] from [emerging][germinating][growing] for up to one [1] [month]. 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.]

[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, 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, hosenettle, 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

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, pet, either directly or through drift. Keep people and pets out of 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.]

MIXING INSTRUCTIONS**[Mixing Instructions Option #1]****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

[Mixing Instructions Option #2]**[Two Easy Steps to Mix and Apply]**

Step #1: Use a clean sprayer. Carefully measure and mix the amount of Chemsico Herbicide Concentrate 4A (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 both Mixing Instruction Options]:

To kill newly emerged weeds: 3 fl oz (6 Tbsp) per gallon water treats 300 sq ft

For general weed control [to kill annual weeds and grasses]:

5 fl oz (10 Tbsp) per gallon water treats 300 sq ft

For Best Results [to kill perennial weeds and grasses][and prevent [re-growth][new weeds from emerging] for up to 1 month: 7 fl oz (14 Tbsp) per gallon water treats 300 sq ft

1 Tbsp = 3 tsp

1 fl oz = 2 Tbsp

[EZ SPRAY REFILL DIRECTIONS]

Refilling the Chemsico Herbicide RTU 4B EZSPRAY: Carefully measure and mix 7 fl oz (14 Tbsp) in one gallon of water [in the EZ Spray container]. See the EZ SPRAY label for complete directions.]

[How To Apply]

- Completely [wet] [cover] the foliage [leaves] of the target vegetation [plant].
- Sprayed plants begin yellowing and wilting in as little as 3 hrs, with complete kill, including the roots, in 1 to 2 weeks.
- Thoroughly cover treated [bare][soil] areas to prevent new weeds and grasses from [growing][emerging]
- Protect desirable plants with a piece of plastic or cardboard.
- If desirable plants are accidentally sprayed, wash plants with water immediately.

[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 15 minutes after application will not wash away effectiveness.
- To avoid drift to desirable plants, apply when the air is calm.
- Do not mow, cut or otherwise disturb treated [vegetation] [weeds] or [plants] for at least 7 days following application.
- Do not make more than 2 applications per year to any given area
- Do not use on or around edible feed or food crops.
- Do not use in areas that are to be planted or seeded within 3 months
- Do not use around newly planted trees, shrubs or flowers

[Where to Use] [Use Sites] [Use Situations]:

GENERAL WEED CONTROL: Use along [near] fences, paths, patios, sidewalks, curbs and driveways, around established 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 4B kills all green plants, including lawn grasses.**

[Tips for Replanting] [Replanting Instructions]

When replanting trees, shrubs or flowers in an area treated with [Chemsico Herbicide Concentrate 4B][this product] within the last [30 days][1 month]:

- [Using gardening gloves] dig the planting hole
- Set aside the soil removed from the hole
- Place the plant in the hole according to the [instructions][guide] on the plant
- Fill the hole with planting soil or other untreated soil
- Spread the soil removed from the hole in an area where no [vegetation][plants][is][are] desired

STORAGE AND DISPOSAL

Pesticide Storage: Store this product in its original container in a secure storage area. **Pesticide Disposal: If empty:** Nonrefillable Container. Do not reuse or refill this container. Place in trash or offer for recycling, if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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

WARNING: Causes skin irritation. Causes moderate eye irritation. Do not get on skin or on clothing. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

First Aid

If in Eyes	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.	

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

Environmental Hazards

This pesticide is toxic to aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

NOTICE: To the extent consistent with applicable law, 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 by Chemsico
Division of United Industries Corp.
P. O. Box 142642
St. Louis, MO 63114-0642

EPA Reg. No. 9688-

EPA Est. No 9688-MO-1

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APPENDIX

CHEMSICO HERBICIDE CONCENTRATE 4B OPTIONAL MARKETING CLAIMS

1. *Guaranteed Results [*Or Your Money Back]
2. [Better] [Best] Value
3. [Formula] Enters The Plant Within 15 minutes [Won't Wash Off]
4. Improved Formula
5. Absorbed Into The Plant
6. Absorbed On Contact
7. Control That Doesn't Wash Away
8. Controls [Hardy] [Tough] [Hard To Kill] Weeds
9. Dead [Weeds] [And] [Grass] In 24 Hours
10. Dead Weeds Guaranteed* [*Or Your Money Back]
11. Do-It-Yourself Weed Killer
12. Economical Concentrate
13. Effective Even If It Rains
14. Eliminates [Kills] All Common Weeds And Grasses
15. Eliminates Roots & Weeds, [Guaranteed*]
16. Eliminates Weeds, [Guaranteed*]
17. Exclusive Formula
18. Fast & [And] Complete
19. Fast Acting [Formula]
20. Fast Acting Formula!

21. Faster Results Than The Leading Brand
22. Fastest Replanting Available
23. For Use [Ideal] [Can Be Used] [Use In And Around] [In] [On] [For] [Along] Flower Beds
24. 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]
25. For Walks, Drives, Fences, Patios And Similar Areas
26. Keeps Working, Even If It Rains
27. Kills All Treated Weeds
28. Kills [Even] Tough Weeds [And Grasses]
29. Kills From The Inside Out
30. Kills Over 155 Types Of Weeds [As Listed]
31. Kills Over 155 Varieties Of Broadleaf And Grassy Weeds [As Listed]
32. Kills The Entire Plant
33. Kills The Root So Weeds Won't Grow Back
34. Kills The Root!
35. Kills The Weed You See And The Root You Don't
36. Kills Weeds And Unwanted Grasses
37. Kills Weeds And Unwanted Grasses, Roots And All
38. Kills Weeds In [A] [One] Day
39. No Root, No Weeds, [Guaranteed]
40. Not Even The Leading Brand [Is Faster] [Is As Fast]
41. Overnight Results
42. Quick-Kill Formula
43. Rainfast In 15 Minutes For Control That Doesn't Wash Away [Won't Wash Away]
44. Rainfast In 15 Minutes – Starts To Enter The Plant On Contact
45. Rainproof In 15 Minutes
46. Rainproof In 15 Minutes For Control That Won't Wash Away
47. Can Be Used Around Established Trees & Shrubs
48. Satisfaction Guaranteed Or Your Money Back [With Proof Of Purchase]
49. See Results [in as Little][as fast] as 3 Hrs !
50. Starts To Work [in as little][as fast] as 3 Hours
51. Starts Working [in as little][as fast] as 3 Hours
52. Systemic Weed And Grass Killer For [Spot] Treatment Of Unwanted Weeds And Grasses
53. Systemic Formula
54. Won't Wash Away
55. Works First Time, Every Time,
56. Works In 24 Hours
57. Works The First Time [Guaranteed*] * Or Your Money Back

66. Works 4 Ways : (1)Results [as fast as][in as little as] 3 hrs, (2) Kills over 155 varieties of Broadleaf & Grassy Weeds as listed, (3) Kills the Root, (4) Prevents re-growth for up to 1 month [30 days]

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

72. [Prevents][Controls][Kills] weeds for up to 1 month [30 days]

73. [One application] kills and prevents [weeds][weeds and grasses][from coming back][for 1 month][30 days]

74. Kills weeds and forms a protective barrier to prevent [new weeds][growth]

75. Makes up to 10 gallons

76. [32 oz concentrate] makes up to 10 gallons

77. [16 oz concentrate] makes up to 5 gallons

78. [64 oz concentrate] makes up to 20 gallons

79. [40 oz concentrate] makes up to 13 gallons

80. Concentrated Formula

81. [Now] Includes measuring cup

82. [New][Convenient][Easy to store][Easy to use][Free] measuring cup

83. Only one application needed [for season long control]

84. [Weed] Killer plus preventer

85. Dual action formula

86. Kills existing weeds down to the roots and prevents any new weeds and grasses from growing for up to 1 month [30 days]

87. New [Formula] !

88. Long Lasting [Formula]

89. Quick Kill [& long Lasting][Formula]

90. Kills and Prevents [New] Weed[s] [Growth]

91. Fast Results [Guaranteed*]

92. Keeps your weed out [for up to [1 month][30 days]

93. No new weed growth for up to [1 month][30days]

94. Lasting [residual] weed [control][kill]

95. Long Lasting [Control][kill]

96. Guaranteed* weed kill [for up to 1 month][for up to 30 days]

97. Kills weeds dead for up to [30 days][1 month]

98. [Only] Use once for up to 30 days [1 month] weed [control][kill]

99. [Only] Use once for long lasting weed [kill][control]

100. Use only once for up to [30 days][1 month] weed elimination

101. Use once for up to [30 days][1 month] weed [control][kill]

102. Up to [30 days][1 month] without weeds [and unwanted grass]

103. Up to 1 month [30 days] without new weed growth

104. Extensive weed control for up to [30 days][1 month]

105. Once & Done !

106. Only one application needed [for long lasting control][1 month control]

107. Dual Action [kills and prevents weeds]

108. Kills the weeds you see, prevents the ones you don't for up to 1 month [30 days]

109. Eliminate and prevent weeds for up to 30 days [1 month]

110. Creates Barrier [preventing new weed growth] for up to 1 month [30 days]

111. Weeds don't return for up to 1 month [30 days]

112. Creates and invisible barrier for up to 1 month [30 days]