



Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10088-107	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Contact Herbicide #2 Concentrate Grass and Weed Killer		PM# 25
5. Name and Address of Applicant (Include ZIP Code) Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224 <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 labels in response to Agency letter dated _____	NOTIFICATION JAN 13 2004
<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.)

This Notification is being submitted in Response to PR Notice 95-1. This was brought to Athea's attention due to a sub-registrant of ours having their pesticide application from the State of New York denied because their final distributor label did not contain the statement identified in PR Notice 95-1.

I certify that this notification is consistent with PR 95-1 and EPA regulations at 40 CFR 152.46 and that no other changes have been made to the labeling of this product. I further understand that if this notification is not consistent with the terms of PR Notice 95-1 and 40 CFR 152.46, then 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Not for retail sale		5. Location of Label Directions <input checked="" type="checkbox"/> On the label	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other <u>Silkscreen</u>	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Troy Munson	Title Regulatory Compliance Specialist	Telephone No. (Include Area Code) (414) 354-6417
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 Compliance Specialist	
4. Typed Name Troy Munson	5. Date December 9, 2003	

NOTIFICATION

NOV 18 2004

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Keep people and pets out of treated areas until sprays have dried.

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. Have the product container or label with you when calling a poison control center or doctor or going for treatment.

For Emergency Medical Information, call the National Pesticide Information Center at 1-800-858-7378.

ENVIRONMENTAL HAZARDS
 Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PRODUCT INFORMATION

Treats up to 3,000 Square Feet [Quart]
Treats up to 6,000 Square Feet [1/2 Gallon]
Treats up to 12,000 Square Feet [1 Gallon]

KILLS ALL TYPES OF WEEDS AND GRASSES
 [pictures of representative weeds]

WHERE TO USE:

- Around patios, walkways, driveways and fences.
- In vegetable or flower gardens and around trees and shrubs and other landscaped areas.
- In large areas:
 - For lawn renovation or replacement.
 - To prepare garden plots for planting.

AMOUNT TO USE:
For Best Results: 6 fl.oz. (12 Tbs) per gallon of water.
For areas with small or seedling weeds: 3 fl.oz. (6 Tbs) per gallon of water per 300 square feet.

For Questions or Comments, contact us at www.xxx.xxx

CONTACT HERBICIDE #2 CONCENTRATE GRASS AND WEED KILLER

Concentrated Weed Killer
For Control of all Types of Broadleaf Weeds and Grasses
For Outdoor Use Only
Easy To Use
Kills Weeds, Roots and All
Rainproof in 2 Hours
Apply and Irrigate Later the Same Day

Treats up to 3,000 Square Feet [Quart]
Treats up to 6,000 Square Feet [1/2 Gallon]
Treats up to 12,000 Square Feet [1 Gallon]

Active Ingredient(s)
 glyphosate†: N-(phosphonomethyl) glycine,
 isopropylamine salt18.0%
 Inert Ingredients82.0%
 Total Ingredients100.0%
 † Contains 1.6 pounds per gallon glyphosate, isopropylamine salt
 (1.2 pounds per gallon glyphosate acid).

KEEP OUT OF REACH OF CHILDREN
CAUTION

Refer to back label for Precautionary Statements and Directions for Use, including Storage and Disposal instructions.

EPA REG. NO. 10088-107
EPA EST. NO. 10088-WI-1

Net Contents:
 1 5 6 20 35 55 GALLONS

Manufactured By:
Athea Laboratories Inc.
P.O. Box 240014
Milwaukee, WI 53224

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

This is an end-use product. The manufacturer does not intend and has not registered it for reformulation.

General Information

This product kills most broadleaf and grass weeds. This product may be used for non-selective weed control around patios, walkways, driveways and fences, in vegetable or flower gardens and around trees and shrubs and other landscaped areas, in large areas for lawn removal prior to replacing turfgrasses, and for weed control in garden plots prior to planting. Applications to plant foliage are rainfast in approximately two hours and afterward will not be affected by rainfall or irrigation.

How This Product Works

The active ingredient in this product is active against a substance found only in plants. It enters the plant through foliage and is translocated throughout the plant, killing both roots and top growth. This product is not active in soil and cannot move through the soil to damage desirable plants. Sprays not absorbed by plants are broken down into natural materials.

What To Expect

Weeds may begin to wilt within a few hours, but complete kill may require 1 to 2 weeks. Small, rapidly growing weeds may be killed with a single application while older, mature weeds may require re-application. If re-application is necessary, wait until new growth appears.

Important Use Precautions

Do not spray during windy conditions or allow the spray to contact desirable plants such as flowers, ground covers or lawn areas, as they will be severely damaged or killed. In situations where weeds and desirable plants are in close proximity, use a piece of cardboard or plastic to shield desirable plants from the spray. If a desirable plant is sprayed by mistake, immediately rinse the plant with water. Before sprays have dried, avoid inadvertent transfer of the spray solution from treated plants to desirable plants or tracking spray from treated areas onto lawns or other desirable vegetation.

Do not apply through any type of irrigation system.

Keep people and pets out of treated areas until sprays have dried.

NOTICE: Read the entire label. Use only according to label directions. Before using this product, read "Warranty Disclaimer", "Inherent Risks of Use", and "Limitations of Remedies". If terms are unacceptable, return at once unopened.

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MIXING INSTRUCTIONS

Tank Sprayer† (Plastic, aluminum or stainless steel):

- Use 6 fl. oz. (12 Tbs) per gallon of water.
- Spot treat or spray evenly over 300 sq. ft.

Ortho® Dial 'n Spray®:

- Set dial to 5 fl.oz.
- Use 6 fl. oz. (12 Tbs) per 300 sq. ft. (Do not add water).
- Spray evenly over measured area.

1 Tablespoon(Tbs) = 3 teaspoons (tsp)

1 fl. oz. = 2 Tbs = 6 tsp

† This product can react with certain metal surfaces and should not be applied with galvanized or unlined steel sprayers.

SPRAYER CLEANUP

Rinse sprayer and all sprayer parts three times with water. Apply rinse waters to bare soil or graveled area away from desirable vegetation. After careful cleaning, sprayer may be used for other products.

APPLICATION

For Best Results

- Apply when weather is warm (above 60°F) and sunny to stimulate systemic movement from foliage to roots.
- To avoid spray drift to desirable vegetation, adjust spray nozzle to produce large droplets and spray when wind is calm.
- Spray foliage until thoroughly wet, but not past the point of runoff.
- Apply when weeds are small and actively growing, before seeds develop.

Treatment of Vines

To control vines growing on fences, mature trees, or poles, cut the vines back to a height of 3 to 4 feet and spray thoroughly. Avoid spray contact with desirable plants or lawn.

For control of vines climbing on trees or shrubs with green bark, remove vines by cutting off at the base of the plant and spray after the vines have begun to regrow. Shield trees or shrubs with a sheet of cardboard or plastic to prevent contact with spray.

Turf Replacement

To kill an existing lawn prior to replacement skip one mowing before spraying and apply at the higher rate to 6 fl. oz. (12 Tbs.) per gallon of water. Control will be better if the grass is actively growing, so water 2 to 3 days before and after application if the soil becomes dry.

Reapply to any green patches that remain after 7 days.

Wait an additional 7 days after the last application before raking, tillage prior to reseeding or sodding.

Harvesting

If used to control weeds around fruit or nut trees, caneberries, or grapevines, allow 21 days before harvesting.

Replanting

Flowers, shrubs, and trees may be planted 1 day after application.

These fruits, vegetables, and herbs may be planted

3 days after application: Beans, beet greens, broccoli, brussels sprouts, cabbage, carrot, cauliflower, celery, chard(Swiss), chicory, collards, corn, cucumber, eggplant, endive, garlic, gourds, horseradish, Jerusalem artichoke, kale, kohlrabi, leek, lentils, lettuce, melons, mustard greens, okra, onion, rape greens, parsley, parsnips, peas, pepper, potato, pumpkin, radish, rhubarb, rutabaga, spinach, squash, sweet potato, tomatillo, tomato(from seed), turnip, watercress and yams.

Lawn grass and the following caneberries may be

planted 7 days after application: Blackberry, blueberry, boysenberry, currant, dewberry, elderberry, gooseberry, huckleberry, loganberry, olallieberry, and raspberry (black and red).

Tomatoes from transplant and unlisted fruits,

vegetables and herbs may be planted 30 days after application.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid.

Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description of the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO EXPRESS NOR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Lack of performance, or other unintended consequences may occur due to such factors as use of the product contrary to label instructions (including adverse conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as extreme weather conditions), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

STORAGE AND DISPOSAL

STORAGE: Store in a cool dry place out of the reach of children and domestic animals. Store in original container only. Do not allow this product to freeze.

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.

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