

33955-454

05/31/2006

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval Expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 33955-454	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Acme® Vegetation Killer	PM# Product Manager--Team 25	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <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 MAY 31 2006
<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 Pesticide Registration Notice (PRN) 98-10:

- We ask to add three (3) advertising claims: "Season-long vegetation control.", "For driveways, parking areas, fence rows, and around buildings where no vegetation is desired,
- We ask to add a One Gallon container size, and the phrase: "One Gallon covers up to 1,064 sq. ft." [this is consistent with the Directions for Use previously-approved.]

These claims may be presented on the retail containers, advertisements, brochures, and other marketing/sales promotional materials. 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 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 the 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 Section 12 and 14 of FIFRA

Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input 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	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container One Quart, One Gallon		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name James L. Kunstman, Ph.D.		Title Director of Regulatory Services		Telephone No. (Include Area Code) 816-460-6292	
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 Director of Regulatory Services			
4. Typed Name James L. Kunstman, Ph.D.		5. Date May 12, 2006			

2/6

NOTIFICATION

MAY 31 2006

ACME[®] VEGETATION KILLER

for driveways, patios, fence lines and other waste places

ONE QUART COVERS 266 SQUARE FEET.

ACTIVE INGREDIENTS:

Prometon: 2,4-bis(isopropyl-amino)-6-methoxy-s-triazine.....	3.6%
2,4-dichlorophenoxyacetic acid.....	1.0%

INERT INGREDIENTS:.....	<u>95.4%</u>
TOTAL	100.0%

Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

WARNING

See back panel for additional Precautionary Statements and First Aid.


NET CONTENTS: 32 FL. OZ. (1 QUART), ONE GALLON

918/ AP051206

EPA REG. NO. 33955-454

EPA EST. NO. 2217-KS-1

MANUFACTURED BY:

 **GPI/Gordon**
Corporation
An Employee-Owned Company
1217 West 12th Street
Kansas City, Missouri 64101

Telephone: 1-800-821-7925



READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Human and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear. When using this product, wear long-sleeved shirt, long pants, socks, shoes, chemical resistant gloves and protective eyewear. Harmful if swallowed or inhaled. Avoid breathing spray mist.

After using this product, rinse gloves before removing, remove clothing and launder separately before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove saturated clothing as soon as possible and shower.

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 swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • 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 or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.	
NOTE TO PHYSICIAN: Contains petroleum distillate—vomiting may cause aspiration pneumonia.	

ENVIRONMENTAL HAZARDS:

This product is toxic to fish. Drift or runoff may adversely affect nontarget plants. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Apply this product only as specified on this label.

PHYSICAL OR CHEMICAL HAZARDS: Combustible. Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment area until spray has dried or dust has settled.

STORAGE & DISPOSAL

PESTICIDE STORAGE: Store in original container in a locked storage area inaccessible to children and pets. Do not store near food or feedstuffs. To prevent cross-contamination, do not store near fertilizers, insecticides, fungicides, or near seeds. Do not contaminate feed or foodstuffs.

PESTICIDE DISPOSAL: Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility

CONTAINER DISPOSAL:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partially filled: Call your local solid waste agency or toll free number (1-800-CLEANUP) for disposal instructions. Never place unused product down any indoor or outdoor drain.

USE PRECAUTIONS:

Care must be taken that none of this material falls on flower beds or edges of lawns. Do not spray roots of desirable trees, shrubs or grape vines. Never use a weed killer sprayer or equipment to apply insecticides or fungicides. Do not use same spray equipment to apply insecticides or fungicides. Do not use same spray equipment for other purposes. Avoid spray drift to vegetables, flowers, ornamentals or other desirable plants. Do not use fine mist sprays. Coarse sprays are less likely to drift from target area. Do not apply this product in a way that will contact other persons, either directly or by drift.

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, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals. Apply only when wind speed is not more than 10 mph. For sprays, apply largest size droplets possible.

NOT FOR USE ON LAWNS KILLS GRASS

READ USE PRECAUTIONS FIRST!

1. Mix $\frac{3}{4}$ to 1 pint per gallon of water in sprayer or sprinkler applicator. Apply one gallon of spray mixture per 100 square feet.
2. If sprayer is used, work at lowest possible pressure and use large nozzle orifices to give large droplets. On scattered weeds wet all foliage to the soil. Full wetting is essential for good control. New shoots from deep rooted perennials such as Canada thistle and milkweed may require retreatments.
3. Make application when weeds are young and actively growing. Action is slow if soil is dry or plants wilted.
4. Apply along fence lines, gravel drives, patio blocks, and around buildings where no growth or complete control is desired. Kills grass and broadleaf weeds. Do not use on lawns. Some species such as oxalis may not be completely killed. Annual weeds may sprout from seed 3 to 4 months following treatment. Tall weeds should be cut first as the dead foliage is a fire hazard.
5. Activity is apparent on plants in a few days but root absorption may take 2 or 3 weeks. The spray mixture is white and any skips are noticeable so that complete coverage is easy to obtain.

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

6/6

APPENDIX

I. Advertising claims that may be presented on container labeling:

- For outdoor use
- For driveways, fencelines and other areas where no weed or grass are desired
- For driveways, parking areas, fence rows, and around buildings where no vegetation is desired.
- Season-long vegetation control
- One Gallon covers up to 1,064 sq. ft.