

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

NOV 1 5 2012

Mr. Matthew Granahan Nufarm Limited 4020 Aerial Center Parkway Suite 103 Morrisville, NC 27560

Subject: Notification per PR Notice 98-10

TVC- Super Concentrate EPA Reg. No. 35935-94

Application dated October 22, 2012

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated October 22, 2012 for the product referred to above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested does not clearly fall within the scope of PRN 98-10. A summary of our findings include:

1. The proposed claims "One gallon will treat a 12 inch band of fence row 17424 feet long" and "2.5 gallons will treat a 12 inch band of fence row 43560 feet long" are not acceptable as band treatment is not a defined application type listed on the label currently. This would require label amendment review, and possibly PRIA coding.

Please be advised that PRNs are provided as guidance; they are not considered regulation by the Agency. Therefore, the RD reserves the right to make the above determination and concludes that this action is denied. No further processing of this action will occur unless a resubmission is made. The RD has determined that this action is denied and our records have been updated accordingly.

If you have any questions, please call Hope Johnson at 703-305-5410.

Sincerely,

Hope Johnson PM Team 25

Herbicide Branch

Registration Division (7505P)

United States

	Registration
	Amendment
Χ	Other

OPP Identifier Number

\$EPA	Environmental Washin	Protection A	gency	X	Amendm Other	ent	
		Application fo	r Pestic	ide - Section	<u> </u>	<u>-</u>	
1. Company/Product Numbe 35935-94)r			Product Manager		3. Proposed (Classification Restricted
4. Company/Product (Name) TVC - Super Concentrate			PM # 25	-	· · · · · · · · · · · · · · · · · · ·		<u> </u>
5. Name and Address of App Nufarm Limited 4020 Aerial Center Par Morrisville, NC 27560		16)	(b)(i), to: EPA	pedited Reveiw. my product is sim Reg. No uct Name	nilar or identic	al in composition	on and labeling
		S	ection -				
Amendment - Explain Resubmission in resp Notification - Explain	oonse to Agency letter	dated		Finel printed labe Agency letter dat "Me Too" Applic Other - Explain be	ted _ eation.	to .	
Explanation: Use addition Label Notification consisten 98-10 and EPA regulations product. I understand that notification is not consisten to enforcement action and	nt and 98-10, see cover at 40 CFR 152.46, and it is a violation of 18 U t with the terms of PR I	r letter for detailed of d no other changes .S.C. Sec. 1001 to Notice 98-10 and 4	explanation. s have been willfully mak 0 CFR 152.4	. This notification is made to the labeling te false statements	ng or the confid to EPA. I furth	dential statement ner understand th	t of formula of this hat if this
		S	ection -	111			
1. Material This Product Wil	i Be Packaged In:						
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3. Location of Net Contents X Label X C	i i	4. Size(s) Retail Co 1 Qt., 1 Pt. 1, 2½, 5, 30,			ocation of Label	Directions	
6, Manner in Which Label is	Affixed to Product	X Lithograph Paper glued Stenciled		Other Self	f-Adhesive Inte	grated Label/Boo	oklet
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1. Contact Point	items directly below fo	or identification of in	ndividual to t	be contected, if nec	essary, to proc	ess this epplicati	ion.j
Name Matthew Granahan	1	Titte Reg	gulatory	Manager		elephone No. (In (6୍ସ3)୍ୟ5୍5-204	icijada: Area Code) 18 °
	ments I have made on ny knowlingliy false or f law.					plete: C Rece	Application bived ccc Stamped)
2. Signature	Nokla I. Crada :	з. т ы . Re		y Manager			
4. Typed Name Matthew Granahan matthew.granahan@us.r	nufarm.com	5. Dat)/22/2	012			

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4020 Aerial Center Parkway Suite 101 Morrisville, NC 27560

Telephone: (919) 379.2510 Facsimile: (919) 467.5923 www.nufarm.com

October 22, 2012

Bo Davis (PM-25)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject:

TVC – Super Concentrate EPA Reg. No. 35935-94

Label Notification per PR N 98-10

Dear Mr. Davis:

Nufarm Limited would like to submit a Notification on TVC _ Super Concentrate (EPA Reg. No. 35935-94). On this submission we have added the following optional product claims:

- -Total Vegetation Control
- -Kill[s] [&] [and] Prevents Grasses; Broadleaf Weeds, Brush [&] [and] Vines for up to [1] [one] year
- -Do not apply in root zone of desirable trees, plants & shrubs
- -One gallon will treat a 12 inch band of fence row 17,424 feet long
- -2.5 gallons will treat a 12 inch band of fence row 43,560 feet long
- -XXX [Gallons] [Quarts] [Pints] [Covers] [Treats] XXXXX [square feet] [sq. ft.] [ft.²]

We believe this submission falls under the scope of PR Notice 98-10. Since it is thought this is a Non-PRIA guided action, no payment has been rendered at this time.

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Label Certification Form
- Proposed Product Label Highlighted and Clean
 (1 copy)
- CD with Clean Version of Proposed Label

If you should have any questions regarding this matter, please feel free to contact at matthew.granahan@us.nufarm.com or at (630) 455-2048.

Sincerely

Matthew Granahan Regulatory Manager Nufarm Americas Inc.

TVC - Super Concentrate

ACTIVE INGREDIENTS: Glyphosate, isopropylamine salt* Imazapyr, isopropylamine salt** OTHER INGREDIENTS: 55.54% TOTAL: 100.00% ACID EQUIVALENT: * Glyphosate 3.158 lbs/gal ** Imazapyr

DANGER — PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detaile. (If you do not understand the label, find someone to explain it to you in detail.)

SEE [BOOKLET] [BACK] [SIDE] [PANEL] FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 35935-94 EPA EST. NO. 228-IL-1

NET CONTENTS:

035935-00094.20121022.EPA Notification

MANUFACTURED FOR NUFARM LIMITED P.O. BOX 13439 RTP, NC 27709



5/11

PRECAUTIONARY STATEMENT HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER – PELIGRO

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes or on clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are natural rubber \geq 14 mils. If you want more options, follow the instructions for category A on an EPA chemical-resistance selection chart.

Mixers, loaders, applicators, and other handlers must wear:

- . Long-sleeve shirt and long pants.
- · Shoes plus socks,
- · Chemical resistant gloves for all mixers and loaders, plus applicators using handheld equipment,
- · Protective eyewear (goggles, face shield, or safety glasses).

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should:

- · Wash hands with plenty of soap and water before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- · Remove PPE immediately after handling this product.
- · Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing

	FIRST AID	
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15 to 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	 Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything to an unconscious person. 	
	HOT LINE NUMBER Italiner or label with you when calling a poison control center or doctor, or going for treatment. Italian to the state of the sta	

ENVIRONMENTAL HAZARDS

This product is toxic to plants. Drift and run-off may be hazardous to plants in water adjacent to treated areas. 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 insate. See Directions for Use for additional precautions and requirements.

DIRECTIONS FOR USE

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

Read the entire label before using this product. Use strictly in accordance with label precautionary statements and directions.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not enter or allow others to enter treated areas until sprays have dried.

Do not use on feed or food crops.

Keep people and pets out of the area during application.

Applicators are required to use a nozzle height below 4 feet above the ground or plant canopy and coarse or coarser droplet size (ASABE S572) or, if specifically using a spinning atomizer nozzle, applicators are required to use a volume crean diameter (VMD) of 385 micros or greater. Applications with wind speeds greater than 10 mph are prohibited. Applications into temperature inversions are prohibited.

WHERE TO USE

Use on non-crops areas: [Industrial sites], [Petroleum tank farms], [Lumberyards], [Manufacturing Sites], [Storage Areas], [Aircorto], [Roadsides], [Curbs], [Sidewalks], [Driveways], [Parking areas], [Brick walks], [Gravel paths], [Patios], [Vacant lots], [Paved areas], (including crack and crevice)], [Warehouse areas], [Urban areas], [Recreational areas], [Play areas], [Tennis courts], [Along fences of paddocks, corrals, feedlots, and livestock holding areas], [Hedgerows], [Dry Ditchbanks], [Around domestic dwellings], [Around farm buildings and barns], [Agricultural uncultivated areas], [Shelter beds], [Farm yards], [Farm premises], [Outdoor buildings, structures and shelters such as beef barns, hog barns, dairy barns, stables, dog kennels and poultry bouses], [and] [For establishment and maintenance of wildlife openings]

Apply [to locations] only where no vegetation growth is desired for up to [1] [one] year.

WHEN TO USE

Apply [to bare ground] [or] [when weeds are present]. If weeds are taller than [6] [six] [inches] ["], mow or cut down weeds and remove debris before treatment, and allow for 2 weeks of new growth. If woody vines or brush is mowed or cut, wait until full leaf formation before treatment.

To prevent growth of weeds under asphalt driveways, play areas, tennis courts and parking areas, apply this product before laying surfacing materials.

Treat area uniformly to maximize results.

Re-treatment every 6 to 8 months may be necessary in areas of heavy rainfall.

RESTRICTIONS

- Apply on a sunny day with temperatures above 60°F.
- Do not apply to or allow product to drift onto desirable plants.
- Only apply to areas where no vegetation is desired for [1] [one] year.
- · Avoiding product runoff to nearby desirable plants.
- Do not apply near bodies of water including, fish pools, ponds, lakes or streams.
- Do not apply over the roots systems or desirable plants. For trees and shrubs do not apply closer than twice the distance from the trunk to the drip line as roots may be within this area.
- · Do not apply to slopes in landscape as movement on soil surfaces may damage desirable plants down slope.
- Do not apply next to a fence if desirable vegetation is growing on the other side, or if future planting is intended.
- Do not use before planting lawns, fruits, vegetables, flowers, or other plants because this product remains active in soil for up to one year.
- In soils with heavy clay, weed control may exceed [1] [one] year.
- · Do not use on desirable [lawns] [turf].
- Do not apply when wind speeds are greater than 10 [mph] [miles per hours].
- Do not apply to powdery, dry or light sandy soils when the soil may be blown by wind. If necessary soil surface should be settled by rain or irrigation.

HOW TO APPLY

Total Vegetation Control (Bareground)

Use hand operated spray equipment such as backpack sprayers, pump-up sprayers or sprinkling cans, or ATV/Tractor mounted sprayers. Mix 7.4 fl. oz. (0.46 pints) of product with water to produce 1 to 10 gallons of spray solution. Optimum performance will be achieved from applications to actively growing weeds in early summer.

Uniformly spray the mix over areas where total vegetation control and bareground is desired. 7.4 fl. oz. of product within 1 to 10 gallons of spray solution should be applied to 1,000 square feet.

Maximum application rate of this product is 2.5 gallons per acre per year (7.4 fl. oz. per 1,000 sq. ft. per year).

Spot Control of Brush, Vines, and Weeds

Use hand operated spray equipment such as backpack sprayers, pump-up sprayers or sprinkling cans, or ATV/Tractor mounted sprayers. Mix 6 oz. of product per 1 gallon of spray solution. Thoroughly and uniformly spray foliage of woody plants to wet. For optimum performance:

- · Apply to actively growing brush, vines and weeds.
- Woody brush and vines are controlled better in late summer and fall after fruit formation.
- If woody vines and brush are mowed or cut, wait until full leaf formation before treatment.
- . Do not cut or mow brush, vines or perennial weeds for 2 months following treatment.

Maximum application rate of this product is 2.5 gallons per acre per year (7.4 fl. oz. per 1,000 sq. ft. per year).

Weeds	Controlled	lists
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GRASS/NUTSEDGE WEED SPECIES CONTROLLÉD

Bluegrass, Kentucky	Fescue, tall	Orchardgrass	Timothy	(((
		Cyperus esculentus		((=
Cynodon dactylon	Festuca spp.	Cyperus rotundus	Lolium perenne	, , , , , , , , , , , , , , , , , , ,
Bermudagrass	Fescues	Nutsedge; purple, yellow	Ryegrass, perennial	
	•		((4(4	τ.
Agrostis spp.	Paspalum dilatatum	Pennisetum purpureum	Arundo donax	(€ € €
Bentgrass	Dallisgrass	Napier grass	Reed, giant	((((
Paspalum notatum	Imperata cylindrical	Muhlenbergia frondonsa	Agropyron repens	è cç
Bahiagrass	Cogongrass	Muhly, wirestem	Quackgrass (C	ξυ υ (() ε
•			00000	C
GRASS/NUTSEDGE WEI	ED SPECIES CONTROLLED	4		

Poa spp.

Brome Bromus spp.

Bromegrass, smooth Bromus inermis

Canarygrass, reed Phalaris arundinacea

Cattail
Typha spp.

Festuca arundinacea

Guineagrass Panicum maximum

Johnsongrass Sorghum halepense

Kikuyugrass Pennisetum clandestinum

Knotgrass

Paspalum distichum Phra

Dactylis glomerata

Pampas grass Cortaderia spp.

Panicum.

Panicum spp
Para grass

Phragmites*
Phragmites spp.

Phleum pratense

Torpedograss*
Panicum repens

Vaseygrass Paspalum urvillei

Velvetgrass
Holcus spp.

Wheatgrass, western Agropyron smithii

*Partial Control]

BROADLEAF WEED SPECIES CONTROLLED

Alfalfa

Medicago sativa

Alligatorweed*
Alternanthera philoxeroides

Anise (fennel) Foeniculum vulgare

Artichoke, Jerusalem Helianthus tuberosus

Bassia, fivehook Bassia hyssopifolia

Bindweed, field Convolvulus arvensis

Blueweed, Texas Helianthus ciliaris

Bracken fern Pteridium aquilinum

Bursage, woollyleaf Franseria tomentosa

Clover, red Trifolium pretense

Clover, white Trifolium repens

Dandelion Taraxacum officinale

Dock, curly Rumex crispus

Dogbane, hemp Apocynum cannabinum Fiddleneck Amsinckia spp.

Fleabane Erigeron spp.

Fleabane, hairy Conyza bonariensis

Horsenettle Solanum carolinense

Horseradish Armoracia rusticana

Ice plant *Mesembryanthemum crystallinum*

Knapweed Centaurea repens

Kochia Kochia scoparia

Lantana Lantana camara

Lespedèza Lespedeza spp.

Lettuce, prickly Lactuca serriola

Milkweed Asclepias spp.

Mullein, common Verbascum thapsus

Nightshade, silverleaf Solanum elaeagnifolium Poison hemlock Conium maculatum

Ragweed, common Ambrosia artemisiifolia

Ragweed, giant Ambrosia trifida

Smartweed, Pennsylvania Polygonum pensylvanicum

Smartweed, swamp Polygonum coccineum

Sowthistle, annual Sonchus oleraceus

Spurge, leafy* Euphorbia esula

Starthistle, yellow Centaurea solstitalis

Sunflower Helianthus annuus

Thistle, artichoke Cynara cardunculus

Thistle, Canada Cirsium arvense

Thistle, Russian Salsola kali

Velvetleaf Abutilon theophrasti

*Partial Control]

TREE, BRUSH AND VINE SPECIES CONTROLLED

Alder Alnus sc

Alnus spp.

Ash Fraxinum spp.

Aspen, quakingPopulus tremuloides

Balsam apple* Momordica charantia

Bearmat (Bearclover) Chamaebatia foliolosa

BeechFagus grandifolia

Birch Betula spp.

Blackberry Rubus spp.

Blackgum Nyssa spp.

Bracken Peridium spp:

Broom: French

Cytisus monspessulanus

Scotch Cytisus scoparius

Buckwheat, California* Eriogonum fasciculatum

Cascara* Rhamnus purshiana

Catsclaw* Acacia greggi

Ceanothus* Ceanothus spp.

Chamise Adenostoma fasciculatum

Cherry:

Bitter Prunus emarginata

Black Prunus serotina

Prunus serolina

Pin Prunus pensylvanica Coyote brush

Baccharis consanguinea

Creeper, Virginia*
Parthenocissus quinquefolia

Rubus trivialis

Dogwood*

Cornus spp.

Dewberry

Elderberry Sambucus spp.

Elm* Ulmus spp.

Eucalyptus Eucalyptus spp.

Gorse Ulex europaeus

Hasardia* Haplopappus squamosus

Hawthorn Crataegus spp.

Hazel Corylus spp.

Hickory* Carya spp.

Holly, Florida/ Brazilian Peppertree* Schinus terebinthifolius

Honeysuckle Lonicera spp.

Hornbean, American* Carpinus caroliniana

Kudzu Pueraria lobata

Locust, black*

Robinia pseudoacacia

Madrone Arutus menziesii

Manzanita Arctostaphylos spp.

Irutus menziesii

Maple: Red**

Acer rubrum

Sugar Acer saccharum

Vine Acer circinatum

Monkey Flower* Mimulus guttatus

Oak: Black* Quercus velutina

Northern Pin Quercus palustris

Post Quercus stellata

Red Quercus rubra

Southern Red · Quercus falcate

White* Quercus alba

Persimmon* Diospyros spp

Pinus spp.

Pine

Poison Ivy Rhus radicans

Poison Oak Rhus toxicodendron

Poplar, yellow* Liriodendron tulipifera

Raspberry Rubus spp.

Redbud, eastern Cercis canadensis

Redvine* Brunnichia ovate

Rose, multiflora Rosa multiflora Russian olive** Elaeagnus angustifolia

Sage: black, white Salvia spp.

Sagebrush, California Artemisia californica

Salmonberry Rubus spectabilis

Salt cedar Tamarixs spp.

Sassafras Sassafras aibidum

SourwoodOxydendrum arboreum

Sweet potato, wild*
Ipomoea pandurata

Sumac: Poison* Rhus vernix

Smooth* Rhus glabra

Winged* Rhus copallina

Sweetgum *Liquidambar styraciflua*

Swordfern* Polystichum munitum

Tallowtree, Chinese Sapium sebiferum

Tan Oak Lithocarpus densiflorus

Thimbleberry Rubus parviflorus

Tobacco, tree* Nicotiana glauca

Trumpetcreeper*Campsis radicans

Waxmyrtle, southern* Myrica celifera

Willow Salix spp.

^{*}Partial control

^{**}This product is not registered in California for use on Russian olive.]

STORAGE AND DISPOSAL

Do not contaminate water, foodstuffs, feed or seed by storage or disposal.

PESTICIDE STORAGE: Store product in original container in a safe place and protect from freezing.

PESTICIDE DISPOSAL: Pesticide wastes may be acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for quidance.

CONTAINER DISPOSAL:

Nonrefillable containers smaller than 5 gallons:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

Nonrefillable containers larger than 5 gallons:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling or reconditioning is not available, puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable containers larger than 5 gallons:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE-LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY. OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MÖNEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW BUYERS OR USERS, EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do continue the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV102212)

Optional Product Claims:

Outdoor Use Only

Water based

Fast acting

[Kills weeds] [&] [and] their germinating seeds

[Kills weeds] [&] [and] [prevents [weeds] [vegetation] [plants] [and] [plant growth] up to [1] [one] year]

[A] [2] [Two] way killer

Prevents new (weeds) [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

No [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

Works [2] [Two] Ways

Kills weeds and grasses, roots [&] [and] all

One application [kills] [controls] [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

[To] Keep treated ground clear of [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

[Covers] [Treats] (X) [square feet] [sq. ft.] [ft.2]

Not for use [on] [near] [around] desirable [grasses] [vegetation] [plants]

Prevents [weeds] [vegetation] [plants] [and] [plant growth] from [emerging] [growing] for up to [1] [one] year

Rainfast within [1] [one] [hr.] [hour] [60] [min.] [minutes]

[Controls] [Prevents] [[perennial] [annual [broadleaf weeds]] [vines] [and] [grasses] [for up to [1] [one] year]

[Controls] [Prevents] [grasses][broadleaf weeds][brush][&][vine] [for up to [1] [one] year]

Pre-emergent and post-emergent [weeds] [vegetation] [plants] [and] [plant growth] control

Season long control

Total Vegetation Control

Kill[s] [&] [and] Prevents Grasses, Broadleaf Weeds, Brush [&] [and] Vines for up to [1] [one] year

Do not apply in root zone of desirable trees, plants & shrubs

One gallon will treat a 12 inch band of fence row 17,424 feet long

2.5 gallons will treat a 12 inch band of fence row 43,560 feet long

XXX [Gallons] [Quarts] [Pints] [Covers] [Treats] XXXXX [square feet] [sq. ft.] [ft.2]

Optional Warranty and Liability Statement:

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

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LABEL HISTORY

File Name	Revision Mark	Comments
035935-000XX.20110531.EPA.NUP-10060	(RV053111)	New Label
035935-000OU.20111201.EPA.NUP-10060	(RV120111)	EPA Corrections per e-mail 12/01/2011
035935-00094.20111212.MASTER	(RV121211)	EPA SAL
035935-00094.20121022.EPA Notification	(RV102212)	EPA Notification – Optional Marketing Statements