

40849-69

08/25/2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Kellie Dixon, Chemist
Enforcer Products
A Division of Acuity Specialty Products Group
1310 Seaboard Industrial Blvd.
Atlanta, GA 30318

AUG 25 2009

Subject: Label Notifications for Pesticide Registration Notice 2007-4

Dear Ms. Dixon,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 3, 2009 and your label corrections submitted June 30, 2009 for the following products:

Enforcer[®] Next Day[®] Grass & Weed Killer Concentrate	EPA Registration Number 40849-59
Scorcher[®] Total Vegetation Killer	EPA Registration Number 40849-69

The Registration Division (RD) has conducted its review of these requests for their applicability under PRN 2007-4 and finds that the label changes requested falls within the scope of PRN 2007-4. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

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

3/5

NOTIFICATION

AUG 25 2009

40849-69: Page 1 of 3
08/19/09 ; 9:27 AM

SCORCHER® TOTAL VEGETATION KILLER

**Kills Grass & Weeds
Prevents Plant Growth For Up to One Year**

Covers _____ Sq. Ft.

**Kills The Root
Original Water Based Formula**

Concentrate

ACTIVE INGREDIENT:

Prometon	2.0%
OTHER INGREDIENTS*	98.0%
Total	100.0%

*Contains petroleum distillate

**Keep Out of Reach of Children
CAUTION
See back panel for additional precautionary statements.**

_____ [Pint, Quart, Etc.] Concentrate

Net Weight: _____ (_____ Fl. Oz.)

{Back Panel}

DIRECTIONS FOR USE

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

Scorcher Total Vegetation Killer concentrate kills almost all vegetation down to the roots and prevents plant regrowth for up to one year. For use on gravel driveways, sidewalks, patios, along fence lines and curbs.

For best results, if the soil is dry, lightly water before treatment. Apply Scorcher directly to weeds and grass. Thoroughly wet weeds but do not soak as runoff may occur. Two days following application, again lightly water the treated area. This will aid, through root absorption, the killing and prevention of weeds.

WHEN TO APPLY

For barren soil and to prevent plant growth, apply Scorcher anytime. For best results, apply to bare ground or when growth is beginning in spring. If weeds are taller than 4 inches, cut weeds to 1 inch height. In areas of heavy rainfall, repeat applications may be required every six months.

HOW TO APPLY

Apply **ONLY** with a sprinkling can. Do not use a hose-end sprayer. If applying this product in remote locations, where possible drifting is **NOT** a concern, then a plastic tank sprayer may be used.

DILUTION TABLE

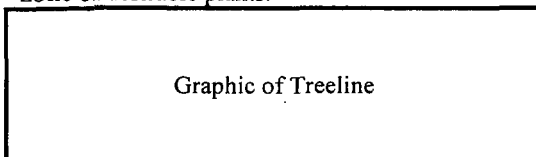
AMOUNT OF SCORCHER CONCENTRATE	WATER TO ADD	COVERAGE
1 Quart	1 Gallon Plus 1 Pint	125 Sq. Ft.
40 oz. (Bonus Size)	1 Gallon Plus 52 oz.	156 Sq. Ft.
1/2 Gallon	2 1/4 Gallons	250 Sq. Ft.
1 Gallon	4 1/2 Gallons	500 Sq. Ft.
2 Gallons	9 Gallons	1000 Sq. Ft.

For best results, apply Scorchher to contact and absorb into surface weeds. To prevent growth of weeds under asphalt driveways, parking areas, tennis courts and play areas, apply Scorchher to excavated areas and saturate soil BEFORE surface areas are finished.

IMPORTANT: Apply when it is not windy To avoid damage to desirable plants. Windy conditions may cause inadvertent drifting to desirable plants. DO NOT use on lawns, flower beds or vegetable gardens. DO NOT apply over the root zones of trees and shrubs. See label diagram for root zone and drip line clarification. DO NOT apply to decorative rock or bark groundcovers where the soil is covered with plastic fabric; runoff or leaching may result. DO NOT apply in sloped areas where runoff may adversely affect desirable plants. In heavy clay soil locations, residual activity may exceed one year. DO NOT apply where plantings are planted.

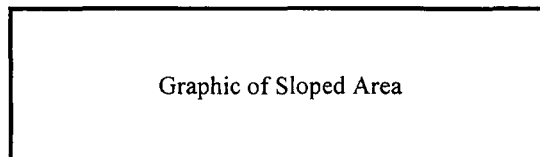
Do not apply closer than twice the distance from the trunk to the drip line. Do not apply next to a fence if desirable plants are growing on the other side or if future plantings are planned. Vertically cut through any roots adjacent to root zone of desirable plants.

Do not apply on slopes as herbicide may move downhill with runoff water.



Graphic of Treeline

Note: Do not apply in areas shaded in red as roots of desirable plants may be present.



Graphic of Sloped Area

Note: Do not apply to areas shaded in red as runoff or leeching (movement through soil) can damage nearby plantings down the slope.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after use .

First Aid

If Swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not give any liquid to the person. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
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.

Note To Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact 1-800-xxx-xxxx for emergency medical treatment information.]

{Note: The First Aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

Environmental Hazards

This product is toxic to fish. Do not contaminate water used for irrigation or domestic purposes. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

Storage and Disposal

Do not contaminate water, food or feed by storage or disposal.

Storage: Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Protect from freezing. **Disposal:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Never place unused product down any indoor or outdoor drain.

(Note to reviewer. If container sizes is equal to or less than 5 gallons, the following statement will be used.)

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 ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank and store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

(Note to reviewer. If container sizes is greater than 5 gallons, the following statement will be used.)

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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 and store rinsate for later use or disposal. Repeat this procedure two more times.

Products must bear a batch code. This is a lot number or other code used by the registrant or producer to identify the batch of the pesticide product distributed and sold.

Scorcher® is a registered trademark of Enforcer Products.

Copy _____
Product Code _____

EPA Reg. No. 40849-69

EPA Est. _____

[Postscript is first letter of code number on bottom of container.]

Manufactured [Distributed] By
ENFORCER PRODUCTS
A division of Acuity Specialty Products Group, Inc.
P.O. Box 1060
Cartersville, GA 30120-1060

Questions? Call (xxx) xxx-xxxx, Monday-Friday, 9am-5pm EST
[www.url.com]

NOTIFICATION
AUG 25 2009