

67702-27

5/3/2010

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

May 3, 2010

W. Neudorff GmbH KG  
c/o Walter G. Talarek  
1008 Riva Ridge Drive  
Great Falls, VA 22066-1620

RE: Product Name: NEU1173H RTU  
EPA Reg. No.: 67702-27  
Application for Label Notification dated April 12, 2010 to make minor changes including adding optional directions for use table, warranty statement, and marketing claims.

Dear Mr. Talarek:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under PR Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action(s) requested falls within the scope of PR Notice 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

If you have any questions concerning this action, please feel free to contact Mr. Colin Walsh at (703) 308-0298 or via email at [walsh.colin@epa.gov](mailto:walsh.colin@epa.gov).

Sincerely,

*Linda Hollis*

Linda Hollis, Chief  
Biochemical Pesticides Branch  
Biopesticides and Pollution Prevention  
Division (7511P)



United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number

6770227

2. EPA Product Manager

Linda Hollis

3. Proposed Classification

☒ None ☐ Restricted

4. Company/Product (Name)

NEU1173H RTU

PM#

91

5. Name and Address of Applicant (Include ZIP Code)

W. Neudorff GmbH KG  
c/o Walter G. Talarek PC 1008 Riva Ridge Drive  
Great Falls, VA 22066-1620

☐ 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

☐ Amendment - Explain below.

☐ Resubmission in response to Agency letter dated \_\_\_\_\_

☒ Notification - Explain below.

☐ Final printed labels in response to  
Agency letter dated \_\_\_\_\_

☐ "Me Too" Application.

☐ Other - Explain below.

Notification Accepted

Date: MAY 03 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Reviewer: C. Walsh

Notification of minor revisions to product's label under PR Notice 98-10: See the enclosed letter to Ms. Linda Hollis, PM 91, for a full explanation of the revisions being made to the product's label and the certification required by PR Notice 98-10.

## Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging

☐ Yes  
☐ No

Unit Packaging

☐ Yes  
☐ No

Water Soluble Packaging

☐ Yes  
☐ No

2. Type of Container

☐ Metal  
☐ Plastic  
☐ Glass  
☐ Paper  
☐ Other (Specify) \_\_\_\_\_

\* Certification must  
be submitted

If "Yes"  
Unit Packaging wgt.No. per  
containerIf "Yes"  
Package wgtNo. per  
container

3. Location of Net Contents Information

☐ Label ☐ Container

4. Size(s) Retail Container

5. Location of Label Directions

☐ On Label  
☐ On Labeling accompanying product

6. Manner in Which Label is Affixed to Product

☐ Lithograph  
☐ Paper glued  
☐ Stenciled

☐ Other \_\_\_\_\_

## Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name

Walter G. Talarek

Title

Authorized Agent

Telephone No. (Include Area Code)

703-759-4837

## 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.

2. Signature

3. Title

Authorized Agent

4. Typed Name

Walter G. Talarek

5. Date

April 12, 2010

6. Date Application  
Received  
(Stamped)

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LAW OFFICES OF  
WALTER G. TALAREK, P.C.

1008 RIVA RIDGE DRIVE  
GREAT FALLS, VA 22066-1620

PHONE: 703-759-4837  
FAX: 703-759-5548  
E-MAIL: WTALAREK@VERIZON.NET

April 12, 2010

DELIVERED BY COURIER

Linda Hollis, Chief  
Biochemicals Branch  
Biopesticides and Pollution Prevention Division  
c/o 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

Re: NEU1173H RTU  
EPA Reg. No. 67702-27  
Notification

Dear Ms. Hollis:

Please find enclosed W. Neudorff GmbH KG's (Neudorff's) application for a notification for the registration for NEU1173H RTU, EPA Reg. No. 67702-27. In essence, this notification would revise the product's label as follows:

1. Revise the First Aid section to allow supplemental distributors to insert their own, toll-free, hotline numbers;
2. Revise the Hazards to Humans and Domestic Animals section to insert the word "using" before the word "tobacco";
3. In the Directions for Use, add an optional table presenting the existing directions for use in tabular form;
4. In the Directions for Use, add an optional sprayer instruction section
5. Add eight (8) optional marketing claims;
6. Revise one (1) existing marketing claim; and
7. Add two optional warranty statements.

Two (2) copies of the revised label are enclosed. One (1) of the copies has the revisions being made by this notification highlighted in yellow.

$$\frac{4}{12}$$

Sincerely yours,

Walter G. Talarek  
Authorized Agent

*(The following are examples of how the letters C, c, E, e, F, f, G, g, H, h, I, i, J, j, K, k, L, l, M, m, N, n, O, o, P, p, Q, q, R, r, S, s, T, t, U, u, V, v, W, w, X, x, Y, y, Z, z can be written in different styles.)*

5/12

## NEU1173H RTU

Notification Accepted

Active Ingredient:

Iron HEDTA (FeHEDTA) ..... 1.5%

Other Ingredients: ..... 98.5%

Total: ..... 100.00%

Date: MAY 03 2010

Reviewer: C. Walsh

EPA REG. NO. 67702-27

EPA EST. 67702-DEU-1

KEEP OUT OF REACH OF CHILDREN

## CAUTION

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"><li>-Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>-Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>-Call a poison control center or doctor for treatment advice.</li></ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [Optionally, supplemental distributor's may use the following wording and own toll-free hotline number: For medical emergency information, you may call toll free 1-XXX-XXX-XXXX]	

NET CONTENTS: 12, 16, 22, 24, 32 and 64 fluid ounces, 1 gallon and 1.33 gallons

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes slight eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

#### DIRECTIONS FOR USE

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

[Subregistrants may choose one of the following formats:

#### Use Sites:

Use to selectively control/suppress broadleaf weeds growing in lawns.

#### Pests:

Controls or suppresses the following weeds such as but not limited to: Dandelion, English daisy, False dandelion, White clover, Black medic, Bull thistle, Canada

NEU1173H RTU

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thistle, Common chickweed, Creeping buttercup, Persian Speedwell, Slender speedwell, Broadleaf plantain, Narrow-leaved plantain, Dovefoot geranium, Healall, Shepherd's-purse, Silverweed cinquefoil, Wild chamomile, Moss, Liverworts, Algae, Lichens.

### Application Directions

Shake well before using.

Do not dilute. Thoroughly spray weeds. Use a coarse nozzle setting to reduce drift. Repeat treatment in 3 to 4 weeks for best results.

### What will I see?

Works quickly; dying weeds will be seen within hours of application. Treated weeds, moss or algae will turn brown or black. Occasionally a darkening of the grass leaf blades can occur after treatment, however the grass will recover within a few days to weeks. May stain thatch (dead grass under lawn); this does not affect the health of the grass.

### Use Precautions:

Do not apply to drought stressed grass; ensure lawn is well watered prior to application. Do not apply when the daytime temperature will exceed 85°F. Do not apply to bentgrass. If unsure of grass sensitivity, test spray a small area of your lawn. Do not apply to newly seeded areas prior to grass seed germination. Avoid spraying desirable plants. Any desirable plants or structures accidentally contacted should be rinsed with water. To avoid staining, wait until treated area dries before re-entry. Do not apply if rainfall is expected within 3 hours of application. Do not irrigate within 3 hours of application. Do not apply to the same area more than 4 times a year, not including spot treatments.

OR

Before You Use	Shake well before each use. Do not dilute.
How to Use	Thoroughly spray weeds. Use a coarse nozzle setting to reduce drift. Repeat treatments in 3 to 4 weeks for best results.
What Will I See?	Works quickly; dying weeds will be seen within hours of application. Treated weeds, moss or algae will turn brown or black. Occasionally a darkening of the grass leaf blades can occur after treatment however the grass will recover within a few days to

	weeks. May stain thatch (dead grass under lawn); this does not affect the health of the grass.
Weeds Controlled	Algae, Black medic, broadleaf plantain, bull thistle, Canada thistle, Common chickweed, Creeping buttercup, Dandelion, Dovefoot geranium, English daisy, False dandelion, Healall, Lichens, Liverworts, Moss, Persian speedwell, Shepherd's purse, Silverweed cinquefoil, Slender speedwell, Wild chamomile, White clover.
Use Precautions	<ul style="list-style-type: none"> <li>-Do not apply to drought stressed grass. Ensure that lawn is well watered prior to application.</li> <li>-Do not apply when daytime temperatures will exceed 85°F</li> <li>-Do not apply to bentgrass or dichondra</li> <li>-If unsure of grass sensitivity, test spray a small area of your lawn.</li> <li>Do not apply to newly seeded areas prior to grass seed germination.</li> <li>-Avoid spraying desirable plants. Any desirable plants or structures accidentally contacted should be rinsed with water.</li> <li>-To avoid staining, wait until treated area dries before re-entry</li> <li>-Do not apply if rainfall is expected within 3 hours of application.</li> <li>-Do not irrigate within 3 hours of application.</li> <li>-Do not apply to the same area more than 4 times a year</li> </ul>

**STORAGE AND DISPOSAL**

**STORAGE:** Store this product in its original container and keep in a secure storage area out of reach of children and domestic animals. Store unused material, tightly closed, in original container only, away from open flame.

**DISPOSAL:**

**If empty:** Nonrefillable. 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.

**STORAGE AND DISPOSAL [For use with Quick Connect Sprayer]**

**STORAGE:** Completely discharge product in sprayer prior to storage. Flip down [colour] spout to close. **NO NEED TO DISCONNECT TRIGGER SPRAYER.**

Close nozzle on trigger sprayer. Snap sprayer back into place. Store this product in its original container and keep in a secure storage area out of reach of children and domestic animals. Store unused material, tightly closed, in original container only, away from open flame.

**DISPOSAL:**

**If empty:** Nonrefillable. 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.

**STORAGE AND DISPOSAL [For use with Pull 'N Spray Applicator]**

**STORAGE:** Completely discharge product in sprayer prior to storage. Flip down [colour] spout on cap. **DO NOT DISCONNECT SPRAYER HOSE FROM CAP.**

Place sprayer back inside carrier on bottle with the nozzle facing down. Store this product in its original container and keep in a secure storage area out of reach of children and domestic animals. Store unused material, tightly closed, in original container only, away from open flame.

**DISPOSAL:**

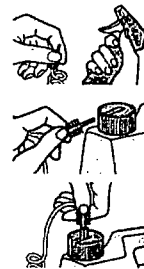
**If empty:** Nonrefillable. Do not reuse or refill this container. Place in trash or offer for recycling if available.

**If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

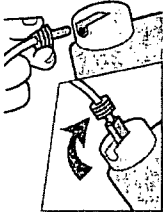
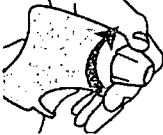
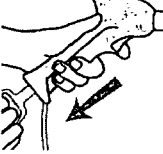
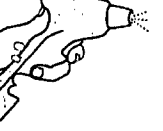
BATCH CODE:

**[Optional: For Use with Quick Connect Sprayer]****Quick Connect® Sprayer**




- Remove sprayer. Pull cord **ALL THE WAY OUT.**
- Insert (colour) plug into spout (on cap) until it clicks.
- Flip up spout. Open nozzle at end of sprayer.

**[Optional: For Use with Pull 'N Spray Applicator]****Pull 'N Spray® Applicator**



<ul style="list-style-type: none"> <li>Remove sprayer from side carrier and unwrap hose completely.</li> <li>Insert (colour) plug at end of hose into [colour] spout on cap <b>until it clicks</b>.</li> <li>Flip up spout. Spout must remain up while spraying.</li> </ul>	
<ul style="list-style-type: none"> <li>Twist nozzle at end of sprayer to desired spray pattern</li> </ul>	
<ul style="list-style-type: none"> <li>Point sprayer away from body.</li> <li>Grasp sprayer by the handle.</li> <li>Slowly pull ring at bottom of sprayer handle until it stops and hold for two (2) seconds to ready the sprayer.</li> </ul>	
<ul style="list-style-type: none"> <li>Press and hold button on sprayer to begin spraying.</li> <li>Pull ring at sprayer bottom again as needed to continue spraying.</li> </ul>	

[Optional sprayer instructions:

 <p><b>Attach Sprayer</b></p> <ul style="list-style-type: none"> <li>Remove sprayer from bottle and extend hose.</li> <li>Open flip-cap on bottle.</li> <li>Insert hose and plug into flip-cap opening until it snaps into place.</li> </ul>	 <p><b>Spray</b></p> <ul style="list-style-type: none"> <li>Adjust nozzle to stream or spray position.</li> <li>Point sprayer downward and squeeze trigger repeatedly until liquid is released.</li> </ul>	 <p><b>After Use</b></p> <ul style="list-style-type: none"> <li>Turn sprayer nozzle to X (off) position. Do not unplug hose.</li> <li>Return sprayer to bottle. Sprayer will snap into place.</li> </ul>
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]

[The following claims and product information, may or may not be presented on the product's label and labeling:

-www.neudorff.com



-Read the label first!

-Quick Facts:

-Weed Killer for Lawns

-Selective Weed Killer

-Selective Broadleaf Weed Killer

-Selective Weed Control

# NEU1173H RTU

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- Selective Broadleaf Weed Control
- Selective Control of Weeds in Lawns
- Selective Control of Broadleaf Weeds in Lawns
- Controls Broadleaf Weeds in Lawns
- NEU1173H RTU is a herbicide used to selectively control/suppress broadleaf weeds growing in lawns.
- Kills weeds not lawns
- Kills weeds not grasses
- Lawn Weed Killer
- Lawn Weed Control
- Water-based
- This bottle will treat XXX ft<sup>2</sup>
- This container will treat XXX ft<sup>2</sup>
- Works in cool weather
- Rainfast in 3 hours
- Works fast
- See results the same day
- See results in hours
- Fast and effective
- No unpleasant odor
- Does not contain (2,4-D) (MCPA) (Dicamba) (Mecoprop)
- Derived from iron (Fe)
- Iron (Fe) occurs in nature
- Derived from iron, which occurs in nature
- For non-selective (moss) weed and grass control, use [H01 or NEU1171H – *insert product name*]
- Eliminates unwanted moss, algae and lichens quickly
- Kills algae, moss and lichens
- Kills moss and algae
- Moss killer
- Moss, algae and lichen killer
- Kills moss fast
- Kills moss, algae, and lichens quickly and effectively
- Lawn areas can be re-sown within one day of treatment with NEU1173H
- (Controls) (kills) (dandelions) (buttercup) (English daisy) (daisy) (clover)
- Kills many common weeds like dandelion, clover, moss, narrow-leaved plantain, chickweed, and thistle
- Controls:
  - dandelion, common chickweed, clover and other listed broadleaf weeds
  - moss, algae and lichens
- Where to Use:
  - On lawns
  - do not apply to bentgrass or dichondra
- Can be used to spot treat problem areas
- Can be used to spot treat problem areas in lawns
- Can be used on new lawns (1 week) after grass emergence
- Even works in cool weather
- Also works in cool weather

NEU1173H RTU

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- Patent pending
- Patent #6,972,273
- Kills weeds, down to the root
- Kills dandelions, down to the root
- Ready-To-Use
- This product is ready to use
- Do not mix with water
- (Helpful Hints:) Best results are obtained when applied in the Spring or Fall when environmental conditions are cool and there is ample moisture
- (Helpful Hints:) The best times to treat weeds are in the Spring when they are small and growing and in the Fall to eliminate many of next year's weeds
- People and pets can enter treated area when spray dries
- Designed for Garden Pro (Independent) Retailers
- Questions, comments (or medical information) X-XXX-XXX-XXXX (or visit [insert subregistrants website])
- For questions or comments, call toll-free [1-XXX-XXX-XXXX]
- © 20XX Licensed (insert company name). World rights reserved.
- Manufactured. Distributed by: (insert company name)
- Made in/Produced in: \_\_\_\_\_ (from US and imported products/parts)
- See back (booklet) label for additional first aid
- This container is made with a minimum X% recycled material
- Guaranteed results
- Superscript is first letter of lot number

[ when The Scotts Company uses the brand name Ecosense when selling or distributing this product, it must place a qualifying symbol after the brand name and, in close proximity to the brand name, place the statement 'economically sensible alternative pest control']

]

[Supplemental distributors will use one of these two statements, either:]

-Sold under a license of "W. Neudorff GmbH KG, Germany"

OR

-Manufactured under a license of "W. Neudorff GmbH KG, Germany"

[Optional warranty statements. Registrant has choice of using any or none.

#### **-NOTICE TO BUYER**

Seller warrants that this product conforms to the chemical description on this label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. To the extent consistent with applicable law, this warranty does not extend to use of this product contrary to label directions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Seller. To the extent consistent with applicable law, the Seller shall not be liable for any such use. To the extent consistent with applicable law, the Seller makes no other warranties, either expressed or implied.

Or

**WARRANTY:**

Seller warrants that this product conforms to the chemical description on this label and is reasonably fit for purposes stated on this label only when used in accordance with directions under normal use conditions. To the extent consistent with applicable law, the seller shall not be liable for damages caused by buyer's use of product contrary to label directions, or under abnormal use conditions, or under conditions not reasonably foreseeable to seller. Seller makes no other warranties, either expressed or implied.

OR

-Buyer assumes all responsibility for safety and use not in accordance with directions.

Or

-Unconditionally Guaranteed by (company name). **OUR COMMITMENT TO YOUR SATISFACTION:** If you are not happy with the way this product works in your garden, please let us know. We will be happy to replace the product, refund your money, or substitute another (brand name) product. Simply send your name, address and proof of purchase to (Company name & address).]

OR

[The] (insert company name) Guarantee- If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

OR

**Money Back Guarantee:** If you are not satisfied with this product, we will gladly refund your original purchase price.

]