

69526-12

02-08-2011

JACKET 1/10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB - 8 2011

Ms. Juli Mann
Steptoe and Johnson, LLP
Agent for Petro Canada
1330 Connecticut Ave., NW
Washington, DC 20036-1795

Subject: Notification
EPA Reg. no. 69526-12
PC RTU Herbicide

Dear Ms. Mann:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/8/10 for **EPA Registration 69526-12**. The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact me at 703-305-1243.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn V. Montague".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

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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 69526-12 | 2. EPA Product Manager Kathryn Montague | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) PC RTU Herbicide | PM # 23 | |
| 5. Name and Address of Applicant (Include ZIP Code) Petro Canada Lubricants, Inc., a Suncor Energy Business 2310 Lakeshore Road W. Mississauga, Ontario L5J 1K2 Canada <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 _____ |
| <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 of Labeling Change per PR Notice 98-10. All changes are highlighted on the enclosed label (pages 1 and 2).

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 the 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 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 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 type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | | <input type="checkbox"/> Metal | <input type="checkbox"/> Plastic |
| *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 type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container | | 5. Location of label directions <input type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product | |
| 6. Manner in Which Label is Affixed to Product | | | <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | <input type="checkbox"/> Other: _____ | |

Section IV

| | | |
|---|---|--|
| 1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Juli Mann | Title Step toe & Johnson, LLP Authorized agent | Telephone No. (Include Area Code) 202-429-3095 |
| 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 Step toe & Johnson, LLP Authorized Agent | |
| 4. Typed Name Juli Mann | 5. Date December 8, 2010 | |

WRITER'S DIRECT DIAL
202.429.3095

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
steptoe.com

December 8, 2010

Via Hand Delivery

Document Processing Desk (**NOTIF**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Attention: Kathryn Montague (PM 23)
Subject: Notification per PR 98-10
Product: PC RTU Herbicide (EPA Reg. No. 69526-12)

Dear Ms. Montague:

On behalf of our client, Petro Canada, enclosed please find a notification for PC RTU Herbicide (EPA Reg. No. 69526-12). The following changes have been made to the label:

- Page 1 – An optional referrel statement to additional precautionary statements added
- Page 1 – Update Made in Canada statement per PMRA requirements
- Page 1 – Update company name and address as approved by the Agency on June 23, 2010
- Page 2 – Add footnote with brief factual description of Microtechnology as requested in Agency letter of Feb. 17, 2010

Enclosed with this application, please find EPA Form 8750-1 and one copy of the label with changes highlighted. This notification is consistent with PR 98-10. Please contact me if there are any questions. Thank you for your attention to this matter.

Sincerely,



Juli Mann
Paralegal Specialist
jmann@steptoe.com

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BATCH CODE WILL APPEAR ON IMMEDIATE CONTAINER

FRONT PANEL

PC RTU Herbicide

NOTIFICATION
FEB 08 2011

ACTIVE INGREDIENTS:

| | |
|-----------------------------------|---------|
| 2,4-D, dimethylamine salt * | 0.0340% |
| Mecoprop-p, dimethylamine salt ** | 0.0220% |
| Dicamba, dimethylamine salt *** | 0.0042% |

| | |
|---------------------------|------------------|
| OTHER INGREDIENTS: | 99.9398% |
| Total | 100.0000% |

| | |
|-------------------------------|---------|
| * 2,4-D Acid Equivalent | 0.028% |
| ** Mecoprop-p Acid Equivalent | 0.018% |
| *** Dicamba Acid Equivalent | 0.0035% |

KEEP OUT OF REACH OF CHILDREN

See back/side panel for additional precautionary statements

Made in Canada (may contain imported parts) for:

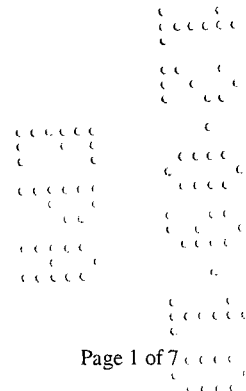
Petro-Canada Lubricants Inc., a Suncor Energy Business
2310 Lakeshore Road West
Mississauga, Ontario L5J 1K2
Canada

EPA REG. NO. 69526-12

EPA EST. NO. 79693-CAN-001

NET CONTENTS: 6 fl. oz. (177mL); 24 fl. oz. (1pt, 8 fl.oz) / 710ml; 64 fl. oz. (1/2 gallon) (1.89 L); 1 gal. (3.78 L); 1.33 gal. (5.03 L); 1.58 gal. (5.98 L); 1.75 gal. (6.62 L)

US Patent pending



Note: ***Bold, italicized text is information for the reviewer and not part of the label***
[Bracketed text is optional.] Text separated by "P" denotes and/or options.
Edit date 12/8/2010

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Following notations will be found on same panel as the referenced claims:

*Microtechnology signifies emulsion particles less than 1 microns.

** When compared to other pesticides using these active ingredients.

† **Important:** Do not apply to Bentgrass and Floratam. [Spanish Translation:] / No se aplique al Bentgrass y a Floratam. See full list of controlled weeds and use directions on peel-away label.

OPTIONAL MARKETING STATEMENTS/ILLUSTRATIONS

The following may appear on front panel, front of booklet attached to back of container, back panel, or side panel:

For use only on home lawns [OR] For use on home lawns and other grassy areas around the home.

Microtechnology* improves penetration of reduced active ingredient formulation**

[With] Microtechnology*

Reduced Active Ingredient Formulation*

Won't harm lawns when used as directed. †

Use as a spot treatment to control broadleaf weeds on a variety of lawns†, in yards, vacant lots and other grassy areas around the home.

When used as directed, kills broadleaf lawn weeds without harming most lawn grasses†.

KILLS BROADLEAF WEEDS INCLUDING: Dandelions, Plantains, Clover, Chickweed, Bedstraw, Black Medic, English Daisy, Curled Dock, Heal-all, Ground Ivy (Creeping Charlie), Knotweed, Ragweed, Shepherd's Purse, plus (over 60) (many) other lawn weeds listed (on) (side) (back) (panel).(inside) (inside booklet)

KILLS: Dandelions, Plantains, Clover, Chickweed, Bedstraw, Black Medic, English Daisy, Curled Dock, Heal-all, Ground Ivy (Creeping Charlie), Knotweed, Ragweed, Shepherd's Purse, plus over 60 other lawn weeds.

When used as directed, controls a wide range of broadleaf weeds in most home lawns†.

Ready-To-Use. No mixing.

Kills over 60 broadleaf weeds without harming lawns†. See (inside booklet) (booklet) (back panel) (back) (side panel) (side) for details.

Kills down to the root

Kills listed broadleaf weeds in lawns – right down to the root.

Outdoor use only

Ready to use! No mixing required! †

Low-Odor formulation

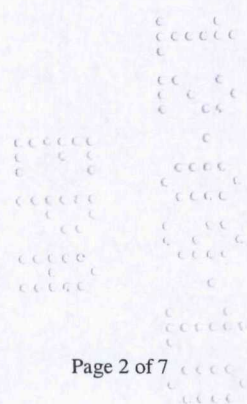
Low-Odor formula

Convenient Ready-to-Use Formula

Step 1: Shake Well Step 2: Apply Step 3: Let Dry

Kills Weeds Dead

Kills listed broadleaf weeds



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- Container spot treats up to 50 weeds [for 6 fl. oz.]
- Container spot treats more than 200 weeds [for 24 fl. oz.]
- Container spot treats more than 500 weeds [for 1/2 gal.]
- Container spot treats more than 1000 weeds [for 1 gal.]
- Container spot treats more than 1333 weeds [for 1.33 gal.]
- Container spot treats more than 1580 weeds [for 1.58 gal.]

www.todaysclearchoice.com

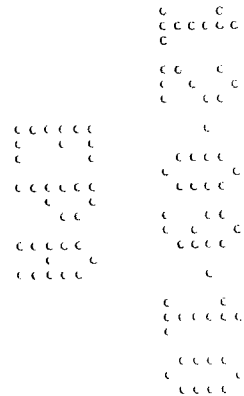
PEEL HERE>

The following are illustration that may appear on final printed label:

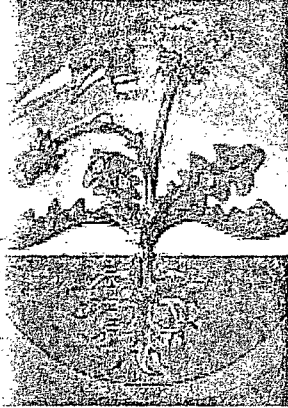
House and home lawn



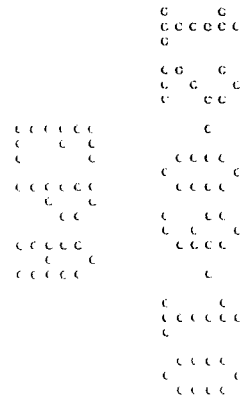
Dandelion with root highlighted



Dandelion with root highlighted showing spray and portion of spray bottle



Microtechnology graphic



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To Appear on Back or Side Panel or Inside Booklet or Base Panel

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read and follow all label directions.

PRECAUTIONS AND RESTRICTIONS

- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- Do not allow people or pets to enter the treated area until sprays have dried.
- Do not apply near lakes, streams, rivers or ponds.
- Avoid drift of spray mist onto vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants. Do not apply in windy conditions.
- Do not apply as a fine mist because of potential injury to desirable plants.

WHEN TO USE

- Apply when weeds are young and actively growing.
- Do not water within 24 hours after spraying.
- Spray when daytime temperatures are above 45° F and below 90° F.
- Do not apply when the lawn is under severe stress from drought, insect attack or high temperatures.
- Do not use more product than specified on the label.
- Newly seeded lawns may be treated after the third mowing.
- If the lawn is dry, water 24 hours before using this product.

WHERE TO USE

This product is used as a spot treatment to control broad leaf weeds on a variety of lawns*, in yards, vacant lots and other grassy areas.

Note: *Bold, italicized text is information for the reviewer and not part of the label*
[Bracketed text is optional.] Text separated by "P" denotes and/or options.
Edit date 12/8/2010

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***IMPORTANT:** Do not use this product on Bentgrass and Floratam, a variety of St. Augustine grass. Certain hybrid bermudagrasses vary in tolerance to this product. Temporary discoloration may occur on St. Augustine and Centipede.

LIST OF WEEDS: This product controls the following weeds:

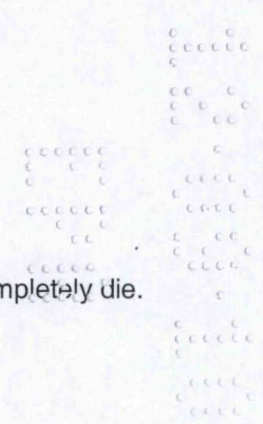
| |
|--------------------------------|
| Bedstraw |
| Bindweed (field) |
| Birdsfoot trefoil |
| Black medic |
| Blackseed plantain |
| Blueweed |
| Brambles |
| Broad-leaved plantain |
| Buckhorn plantain |
| Bull thistle |
| Burdock |
| Buttercup |
| Canada thistle |
| Carolina geranium |
| Chickweed |
| Chicory |
| Clover |
| Cocklebur |
| Common chickweed |
| Cudweed |
| Daisy fleabane |
| Dandelion |
| Devil's paint brush (hawkweed) |
| Dock (curled) |
| English daisy |
| Evening primrose |
| Fall dandelion (fall hawkbit) |
| False dandelion |
| Fleabane |
| Florida pusley |
| Frenchweed poison oak |

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|---|
| Grass leaved stitchwort |
| Ground ivy (creeping Charlie) |
| Hawkweed |
| Heal-all |
| Henbit |
| Honeysuckle |
| Jimsonweed |
| Knotweed |
| Kochia |
| Kudzu |
| Lambsquarters |
| Little starwort |
| Mallow |
| Morningglory |
| Mouse-ear chickweed |
| Mustards |
| Narrow-leaved plantain |
| Oxalis (yellow woodsorrel) |
| Ox-eye daisy |
| Pennywort |
| Peppergrass |
| Pigweed |
| Pineapple weed |
| Plantains (narrow, buckhorn, broadleaf) |
| Poison ivy |
| Poorjoe |
| Povertyweed |
| Prostrate pigweed |
| Purslane |
| Ragweed |

| |
|-----------------------------|
| Russian thistle |
| Sandwort (thyme-leaved) |
| Sheep sorrel |
| Shepherd's purse |
| Smartweed (green) |
| Soliva |
| Sow thistle |
| Speedwell (purslane leaved) |
| Spotted spurge |
| Spreadwell (annual) |
| Spurge |
| Stitchwort |
| Stonecrop (mossy) |
| Sumac |
| Veronica (thyme-leaved) |
| Vervain |
| Vetch |
| Violet |
| Wild aster |
| Wild blackberry |
| Wild carrot |
| Wild garlic |
| Wild geranium |
| Wild lettuce |
| Wild onion |
| Wild radish |
| Wild raspberry |
| Yarrow |
| Yellow hawkweed |

HOW TO USE

- This product is ready-to-use. Do not mix or dilute.
- Shake well before use.
- Open spray nozzle.
- Adjust nozzle to provide desired spray pattern.
- Hold spray about 12 inches from weed.
- Aim at center of weed and spray to lightly cover. Do not overspray.
- Rotate nozzle to closed position.
- Weeds begin to die after 12 hours. It may take up to 4 weeks for a weed to completely die.
- If necessary, repeat application after 8 weeks.



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STORAGE AND DISPOSAL

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

Pesticide Storage: Keep out of reach of children and animals. Keep from freezing. Keep pesticide in original container. Do not put into food or drink containers. Store in a cool, dry place, in a locked storage area.

Pesticide and Container Disposal:

If empty: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. If recycling unavailable, place container in trash.

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

CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

It is impossible to eliminate all risks inherently associated with the use of this product. Injury to desirable plants, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Petro-Canada, the manufacturer, or seller. All such risks shall be assumed by the buyer. To the extent consistent with applicable law, neither Petro-Canada, the manufacturer nor seller shall be liable for consequential, special or indirect damages resulting from the use or handling of this product. Except as provided by applicable law or except as warranted by this label, Petro-Canada, the manufacturer or seller makes no warranties, guarantees, or representations of any kind, 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. Except as provided by applicable law, buyer's or user's exclusive remedy, and Petro-Canada's, the manufacturer's or seller's total liability, shall be for damages not exceeding the cost of the product.

