

72155-5

10-24-2007

1/9



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

OCT 24 2007

Ms. Robyn Kneen
Product Registrations
Bayer Cropscience
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Marketing Claims)
EPA Reg. No.72155-5
Application Dated September 28, 2007

Dear Ms. Kneen:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/28/2007 for the above product. 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 fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

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



Please read instructions on reverse before completing form.

EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 72155-5	2. EPA Product Manager JoAnne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lawn Herbicide 3D Concentrate	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 T W Alexander Drive Research Triangle Park NC 27709 <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.)
See Attached

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"/> _____	
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 Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Robyn Kneen	Title Registration Manager	Telephone No. (Include Area Code) 919-549-2412
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 Registrations Manager	
4. Typed Name Robyn Kneen	5. Date 09/28/2007	

Section II - Explanation

With this application Bayer Advanced is submitting a **Notification** of 2 changes to the label for **Lawn Herbicide 3D Concentrate**, EPA Reg No. 72155-5.

1, Some additional marketing claims have been added.

"Plus Kills [Nutgrass] [Nutsedge]"
"Kills [Nutgrass] [Nutsedge] Too!"

These are simply a re-wording of other already existing claims.

2, Some of the current marketing claims have been modified.

An asterisk plus the words "(or your money back)" has been added to the claim of "100% Satisfaction Guaranteed". This asterisk relates to the "money back guarantee" listed on the back page of the label, to which the asterisk has also been added.

A symbol (dagger) has been added after the word "lawns" whenever a claim refers to "not harming lawns". This dagger refers to the list of turf types (in the "quick facts" box on page 2) that the product should not be used on, to which the dagger has also been added.

These two changes are requested for our legal liability protection.

Enclosed are 2 copies of the updated product label, one with the changes highlighted.

This notification is consistent with the provisions of PR Notice 98-10 and with 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 Notices 98-10 or 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.

4/9

(FRONT PANEL)

Bayer Advanced All-In-One Lawn Weed and Crabgrass Killer Concentrate

- Kills listed weeds
- Kills hard-to-control [tough] weeds
- Won't harm lawns†
- Kills the weeds, not the lawn†
- All-in-one lawn weed killer
- Kills to the root
- Kills over 200 types of weeds
- Kills 200 + Weeds
- Systemic
- 1 Quart treats up to 10,667 square feet
- Convenient MEASURE-UP CUP™
- Kills both broadleaf and grassy weeds
- Kills dandelion, crabgrass, clover, plus 200 other weeds
- Kills broadleaf and grassy weeds in one step
- Kills dandelion, clover & nutgrass
- Won't Harm Your Lawn†
- Kills lawn weeds plus crabgrass in one step
- Rainproof in hours
- 2 Types of Weeds One Solution
- 100% Satisfaction Guaranteed* (or your money back).
- Kills even tough weeds – Root & all
- Rainproof in 1 hour
- Kills [Nutgrass][Nutsedge] Too!
- Plus Kills [Nutgrass][Nutsedge]

ACTIVE INGREDIENTS:

Monosodium acid methanearsonate	9.81 %
2,4-D, dimethylamine salt	3.18 %
Mecoprop-p, dimethylamine salt	1.60 %
Dicamba, dimethylamine salt	0.79 %

OTHER INGREDIENTS: 84.62 %

Total: 100 %

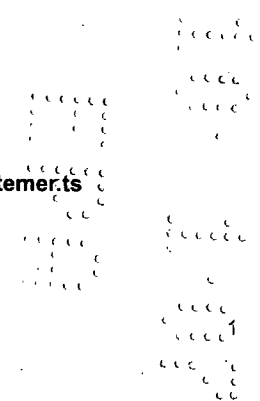
This product contains:

Total Arsenic (as elemental) all in water soluble form 4.54 %
 2.64% 2,4-D acid equivalent
 1.32% Mecoprop-p acid equivalent
 0.66% Dicamba acid equivalent
 Isomer Specific by AOAC Method

Net Contents: 16 fl. oz. (473 mL) or 24 fl. oz. (709 mL) or 32 fl. oz. (946 mL) or 1 Gal. (3.78 L)

**KEEP OUT OF REACH OF CHILDREN
CAUTION**


See Back Panel Booklet for Additional Ingredients and Precautionary Statements



(BACK PANEL)

This product kills both broadleaf and grassy weeds in one step. This convenient formula kills Dandelion, Chickweeds, Clovers, Crabgrass and Nutgrass/Nutsedge without harming your lawn. Controlling weeds in your lawn has never been easier.

READ THE LABEL FIRST!

QUICK FACTS	
<ul style="list-style-type: none"> • Kills Broadleaf AND Grassy Weeds in One Step • Won't Harm Your Lawn† • Treats Up To 10,667 Sq. Ft. (1 Qt.) 	
KILLS	Broadleaf Weeds: Dandelion, Chickweed, and Clovers Grassy Weeds: Crabgrass, Nutgrass/Nutsedge AND over 200 other listed broadleaf and grassy weeds
WHERE TO USE	On Lawns † (Do not use on St. Augustinegrass (including Floratam), Bahiagrass, Bentgrass, Carpetgrass, Centipede or Dichondra.)
WHEN TO USE	When weeds are actively growing
HOW MUCH TO USE	<u>Northern Lawns:</u> <ul style="list-style-type: none"> • Fescue 1-1/2 fl. oz. per 500 sq. ft. • Buffalograss, Kentucky Bluegrass, Perennial Ryegrass 2-1/2 fl. oz. per 500 sq. ft. <u>Southern Lawns:</u> <ul style="list-style-type: none"> • Bermuda, Zoysia 3-1/2 fl. oz. per 500 sq. ft.
 For questions or comments, call toll-free 1-877 BayerAL or visit us on-line at www.BayerAdvanced.com	

FOR OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENTS:

Monosodium acid methaearsonate.....	9.81 %
2,4-D, dimethylamine salt	3.18 %
Mecoprop-p, dimethylamine salt	1.60 %
Dicamba, dimethylamine salt	0.79 %

OTHER INGREDIENTS*:	84.62 %
TOTAL	100.00 %

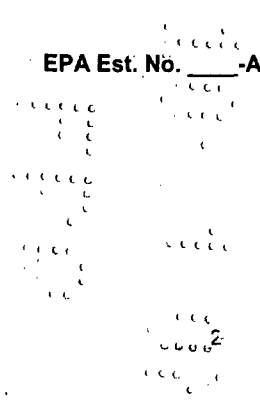
* Other ingredients include: Water, suspending aids (to keep the active ingredients dispersed in water), surfactants (to keep the active ingredients dispersed in water), preservative and antifoam.

This product contains:

Total Arsenic (as elemental) all in water soluble form 4.54 %
 2.64% 2,4-D acid equivalent
 1.32% Mecoprop-p acid equivalent
 0.66% Dicamba acid equivalent
 Isomer Specific by AOAC Method

EPA Reg. No. 72155 - 5

EPA Est. No. ____-AA-__



DIRECTIONS FOR USE

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

For best results, read and follow all label directions.

BEFORE YOU USE

Read and follow directions when using.

- Do not apply near lakes, streams, rivers or ponds.
- Do not use more product than specified on the label.
- This product utilizes the MEASURE-UP CUP™, a bottle cap that acts as a measuring cup. Use only with this product. Do not use for other purposes.
- Do not apply when the lawn is under severe stress from drought, insect attack or high temperatures.
- Spray when most of the day is expected to remain cooler than;
 - 85° F. – Northern Lawns
 - 90° F. – Southern Lawns
- Avoid drift of spray mist onto vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants. Do not apply in windy conditions.
- Newly seeded lawns may be treated after the fourth mowing.
- The maximum number of broadcast applications per treatment site is two per year.
- Do not apply with hose-end sprayer.

HOW TO USE

Shake Well Before Use

- Determine amount of product to use based on grass type and size of area to be treated.
- Prepare product for use according to How To Apply.
- Apply to lawn.

HOW MUCH TO APPLY

Northern Lawns:

- **Fescue**
1-1/2 fl. oz. (3 Tbs.) per gallon of water
- **Buffalograss, Kentucky Bluegrass, Perennial Ryegrass**
2-1/2 fl. oz. (5 Tbs.) per gallon of water

Southern Lawns:

- **Bermuda, Zoysia**
3-1/2 fl. oz. (7 Tbs.) per gallon of water

For lawns with mixed grass types, use the lowest rate.

Each gallon of solution treats 500 sq. ft.

TIP: Measure length and width of area to be treated in feet. Multiply these 2 numbers together. This is the area to be treated in square feet (sq. ft.)

HOW TO APPLY

PUMP-STYLE TANK SPRAYERS

1. Add the appropriate amounts of water and concentrate to the sprayer tank.
2. Close sprayer, shake well and pressurize.
3. Adjust nozzle to a coarse spray pattern.
4. Large areas – Apply evenly over area.
Individual weeds – Hold tip of wand 12 inches from weed, aim at center of weed and spray.
5. Occasionally re-pressurize the sprayer if needed to maintain a good spray pattern.

FOR BEST RESULTS

- Apply when weeds are young and actively growing.
- If the lawn is dry, water 24 hours before using this product.
- Rain or watering 6 to 8 hours after application will not wash away effectiveness.
- Apply 1 to 3 days after mowing
- Certain hard-to-kill weeds may need to be spot-treated in 14 days.
- Bare spots may be seeded 3 to 4 weeks after application.
- Do not apply to new lawns until the grass has reached a height of at least 2 inches.

HOW THIS PRODUCT WORKS

This product is a *selective* herbicide – it *selectively* kills weeds in the lawn but won't harm the lawn itself. It is a blend of proven weed killers designed to get broadleaf weeds such as dandelion, clover and chickweed and grassy weeds such as crabgrass and nutgrass/nutsedge.



Do not allow people (other than applicator) or pets on treatment area during application and until grass has dried.

CONTROLS [KILLS]	Annual yellow sweetclover	Common mullein	hawkweed	Speedwell
	Aster	Crabgrass	Mugwort	Spiny amaranth
	Austrian fieldcress	Creeping charlie	Musk thistle	Spiny cocklebur
	Barnyardgrass	Creeping jenny	Mustard	Spiny sowthistle
	Bedstraw	Cudweed	Narrowleaf plantain	Spotted catsear
	Beggarticks	Curly dock	Narrowleaf vetch	Spotted spurge
	Betony, Florida	Daisy, English	Nettle	Spurweed
	Bindweed, field	Daisy, fleabane	Nutgrass/nutsedge	Stinging nettle
	Bird vetch	Daisy, oxeye	Orange hawkweed	Strawberry, India mock
	Bitter wintercress	Dallisgrass	Oriental cocklebur	Tall nettle
	Bittercress, hairy	Dandelion	Oxalis	Tall vervain
	Bitterweed	Dichondra	Parsley-piert	Tansy mustard
	Black-eyed Susan	Dogbane	Parsnip	Tansy ragwort
	Black medic	Dogfennel	Pearlwort	Tanweed
	Black mustard	Dollarweed	Pennycress	Thistle
	Blackseed plantain	Elderberry	Pennywort	Trailing crownvetch
	Blessed thistle	False dandelion	Peppergrass	Tumble mustard
	Bloodflower milkweed	False flax	Pepperweed	Tumble pigweed
	Blue lettuce	False sunflower	Pigweed	Velvetleaf
	Blue vervain	Fiddleneck	Pineywoods bedstraw	Venice mallow
	Bracted plantain	Florida pusley	Plains coreopsis (tickseed)	Virginia buttonweed
	Brassbuttons	Foxtail	Plantain	Virginia creeper
	Bristly oxtongue	Frenchweed	Poison ivy	Virginia pepperweed
	Broadleaf dock	Galinsoga	Poison oak	Water pennywort
	Broadleaf plantain	Goathead	Pokeweed	Wavyleaf bullthistle
	Broomweed	Goldenrod	Poorjoe	Western clematis
	Buckhorn	Goosegrass	Prairie sunflower	Western salsify
	Buckhorn plantain	Ground ivy	Prickly lettuce	White mustard
	Bulbous buttercup	Gumweed	Prickly sida	Wild aster
	Bull thistle	Hairy fleabane	Prostrate knotweed	Wild buckwheat
	Bullnettle	Hawkweed	Prostrate pigweed	Wild carrot
	Burclover	Healall	Prostrate spurge	Wild four-o'clock
	Burdock	Heartleaf drymary	Prostrate vervain	Wild garlic
	Burning nettle	Heath aster	Puncturevine	Wild geranium
	Burweed	Hedge bindweed	Purslane, common	Wild lettuce
	Buttercup	Hedge mustard	Ragweed	Wild marigold
	Buttonweed	Hemp	Red sorrel	Wild mustard
	Canada thistle	Henbit	Redroot pigweed	Wild onion
	Carolina geranium	Hoary cress	Redstem filaree	Wild parsnip
	Carpetweed	Hoary plantain	Rough cinquefoil	Wild radish
	Catchweed bedstraw	Hoary vervain	Rough fleabane	Wild rape
	Catnip	Horsenettle	Russian pigweed	Wild strawberry
	Catsear	Jimsonweed	Russian thistle	Wild sweet potato
	Chickweed, common	Johnsongrass	Sandbur	Wild vetch
	Chickweed, mouseear	Knawel	Scarlet pimpernel	Woodsorrel
Chicory	Knotweed	Scotch thistle	Woolly croton	
Cinquefoil	Kochia	Sheep sorrel	Woolly morning Glory	
Clover, crimson	Lambsquarters	Shepherdspurse	Woolly plantain	
Clover, hop	Lespedeza	Slender plantain	Wormseed	
Clover, red	Mallow	Smallflower galinsoga	Yarrow	
Clover, strawberry	Matchweed	Smooth dock	Yellow rocket	
Clover, sweet	Mexicanweed	Smooth pigweed	Yellowflower pepperweed	
Clover, white	Milk vetch	Sorrel	and other broadleaf weeds	
Cockle	Morning Glory	Sowthistle		
Cocklebur	Mouseear	Spanishneedles		

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

- Causes moderate eye irritation.
- Harmful if swallowed.
- Avoid contact with skin, eyes or clothing.
- When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves.

After using this product:

- Rinse gloves before removing.
- Remove clothing and launder separately before reuse.
- Wash hands thoroughly with soap and water.
- If product gets on clothing, remove clothing as soon as possible and shower.

FIRST AID

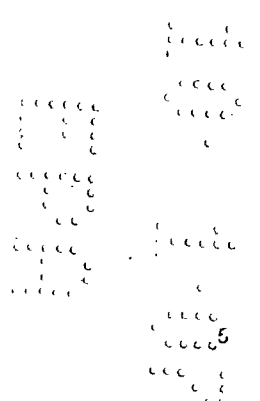
IN CASE OF ACCIDENTAL...	IMMEDIATELY...
Contact with Eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
Swallowing	<ul style="list-style-type: none"> • 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 do so by a poison control center or doctor. • Do not give anything to an unconscious person.
Inhalation	<ul style="list-style-type: none"> • If breathing is affected, move person to fresh air. • If not breathing, call an ambulance and give artificial respiration. • Contact doctor or poison control center for further treatment advice.


NOTE: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call toll-free 877-229-3763 for medical emergency information.
 Active Ingredients: 9.81% Monosodium acid methanearsonate [CAS # 2163-80-6], 3.18% 2,4-D, dimethylamine salt [CAS # 2008-39-1], 1.60% Mecoprop-p, dimethylamine salt [CAS # 66423-09-4], and 0.79% Dicamba, dimethylamine salt [CAS # 2300-66-5].

ENVIRONMENTAL HAZARDS

- This product is toxic to aquatic invertebrates. Do not apply directly to water.
- Drift or runoff may harm aquatic invertebrates and nontarget plants.
- Do not contaminate water when cleaning equipment or disposing of equipment washwaters. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCPP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D and MCPP pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.



Important – Directions for Storage and Disposal	
Storage Conditions	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect From Freezing.
Disposal 	If empty: <ul style="list-style-type: none">• Do not reuse container.• Place empty container in trash or offer for recycling if available. If partly filled: <ul style="list-style-type: none">• Call your local solid waste agency or toll free 1-877-229-3724 for disposal instructions.• Never place unused product down any indoor or outdoor drain.

NOTICE: Research and testing have determined that the "Directions For Use" are appropriate for the proper use of this product under expected conditions. The Buyer assumes responsibility for lack of performance or safety if not used according to the directions.

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



www.bayeradvanced.com

A Business Unit of Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709

Lawn Herbicide 3D Concentrate (MASTER) Approved 10/11/00, Notification, 11/17/00, Notification 06/18/01, Notification 06/20/06, Notification 09/27/07

