

72155-22

5/8/2009

1 of 8



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Gregory C. Mattern
Regulatory Product Manager
Bayer Advanced
P.O. Box 12014
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

MAY 8 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2008-1, 2007-4, and 98-10
1. Minor label changes

Dear Mr. Mattern:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2008-1, 2007-4, and 98-10 dated February 16, 2009 for:

EPA Registration 72155-2
EPA Registration 72155-22
EPA Registration 72155-4
EPA Registration 72155-19

Lawn Herbicide JD RTU
Triclopyr 0.8% RTU Herbicide
Lawn Herbicide JD Concentrate
Triclopyr 8.8% Concentrate Herbicide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2008-1, 2007-4, and 98-10 and finds that the label changes requested falls within the scope of PR Notice 2007-4 and 2008-1. The label has been date-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 contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,



Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

3098

	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 72155-22	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Triclopyr 0.8% RTU Herbicide	PM# 23	<div style="border: 2px solid black; padding: 5px; transform: rotate(-15deg); display: inline-block;"> NOTIFICATION MAY 08 2009 </div>
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced P.O. Box 12014, 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.

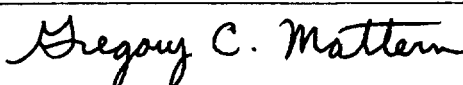
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of minor label change per PR Notices 2007-4 (container disposal) and 2008-1 (env-hazard statement). This notification is consistent with the guidance in PR Notices 98-10, 2007-4, and 2008-1 and the requirements of EPA's regulations at 40CFR part 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40CFR part 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA. Contact info.: gregory.mattern@bayercropscience.com (919-549-2630)

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gal.	5. Location of Label Directions <input type="checkbox"/> Booklet
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Gregory C. Mattern	Title Regulatory Product Manager	Telephone No: (Include Area Code) (919) 549-2630
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 Regulatory Product Manager	
4. Typed Name Gregory C. Mattern	5. Date February 16, 2009	

Compliance statement for 2008-1 notifications
Gregory Mattern
to:
Nicole Williams
03/11/2009 09:05 AM
Show Details

Dear Nicole,

I apologize for omitting the required compliance language on the recently submitted notifications for PR Notice 2008-1 (submitted on 2/16/09). Please find below the required statement, as requested, to support the notifications made for the following products (EPA Reg. Numbers): 72155-2, 72155-4, 72155-15, 72155-19, and 72155-22.

Notification of label change relative to PR Notice 2008-1. This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80 and 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. We understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. We further understand that if this notification is not consistent with the guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 and 40 CFR 152.46, this product may be in violation of FIFRA and we may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Thank you,



Gregory C. Mattern

Gregory Mattern, Bayer Environmental Science (a Business Group of Bayer CropScience), Regulatory Product Manager, RTP, NC, USA, (919) 549-2630 or gregory.mattern@bayercropscience.com

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(FRONT PANEL)

Triclopyr 0.8% RTU Herbicide

Use around homes, cabins, buildings, fences, walkways, trails and wooded areas.

- Controls Woody Plants, Vines, Brush, Brambles, and Broadleaf Weeds
- Contains Hammer* Herbicide
- Covers up to 272 Square Feet
- Kills Down to the Root
- Kills the Weed Above and the Root Below
- Kills the Toughest Weeds, Vines and Woody Plants - Roots and All
- Special Penetrating Formula Kills Even the Toughest Plants
- Works Systemically Killing Weeds Right Down to the Root
- Begins Working in 1 - 3 Days
- Rainfast in hours
- Kills Tough Brush-Roots And All
- Kills Poison Ivy, Poison Oak, Blackberry Kudzu And Others
- Kills Roots
- 100% Satisfaction Guaranteed.

ACTIVE INGREDIENT:

Triclopyr, triethylamine salt 0.8 %**

OTHER INGREDIENTS: 99.2 %

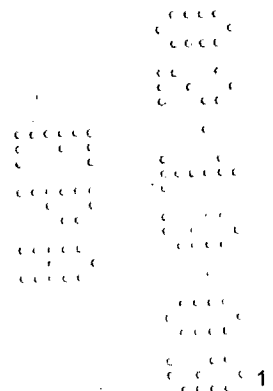
** 0.58% Triclopyr acid equivalent

Net Contents: 24 fl. oz. (709 mL)

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Back Panel Booklet for Additional Precautionary Statements

*Trademark of Dow AgroSciences




6048

(BACK PANEL)

Triclopyr 0.8% RTU Herbicide kills the tough brushy & viney weeds, roots and all. This convenient, ready-to-use formula controls Poison Ivy, Poison Oak, Blackberries and Kudzu - over 75 hard-to-kill plants in all. Eliminating unsightly brush, vines, brambles, and weeds from your home's landscape has never been easier!

READ THE LABEL FIRST!

QUICK FACTS (Marketing Claims Positioned Here)	
KILLS	<ul style="list-style-type: none"> • Brush, Vines, brambles and Other Woody Plants • Broadleaf Weeds
WHERE TO USE	Use around homes, cabins, buildings, fences, walkways, trails and wooded areas.
WHEN TO USE	When weeds are leafed out.
	For questions or comments, call toll-free 1-877 BayerAG or visit us on-line at www.BayerAdvanced.com

FOR OUTDOOR RESIDENTIAL USE ONLY

EPA Reg. No. 72155-22

EPA Est. No. XXXX-AA-XX


ATTACH SPRAYER: Remove sprayer from bottle and extend hose. Open flip-cap on bottle. Insert hose and plug into flip-cap opening until it snaps into place.


SPRAY: Adjust nozzle to stream or spray position. Point sprayer downward and squeeze trigger repeatedly until liquid is released.

AFTER USE: Turn sprayer nozzle to X (off) position. Do not unplug hose. Return sprayer to bottle. Sprayer will snap into place.

DIRECTIONS FOR USE	
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.	
BEFORE YOU USE Read and follow these directions when using.	<ul style="list-style-type: none"> • TRICLOPYR 0.8% RTU HERBICIDE will kill or injure all woody plants contacted. Certain warm season grasses may experience temporary yellowing when sprayed to excess. <ul style="list-style-type: none"> - If a desirable plant (other than grass) is accidentally sprayed, immediately rinse with plenty of water. - Apply when wind is calm. - Keep people and pets off treated areas until spray has dried. • Do not apply to or around fruits or vegetables used for food.
HOW TO APPLY Shake well before use	<ul style="list-style-type: none"> • Adjust sprayer nozzle to give a coarse spray. • Hold sprayer about 12" from weed. • Spray the weeds you want to kill until thoroughly wet but not dripping. <p>TIPS:</p> <ul style="list-style-type: none"> • Use a sheet of cardboard or plastic to protect desirable plants from accidental contact with the product. • To Kill Vines, For vines growing on desirable plants, cut the vine and spray the stump. • To Kill Poison Ivy or Poison Oak - Contact with Poison Ivy or Poison Oak anytime of the year can cause an allergic reaction. Handle dead plants with rubber gloves. Dispose of plants and gloves in tightly sealed garbage bags.
REFILL	To this empty container (24 fl. oz.), add 2 fl. oz. (4 TBSP) of Triclopyr 8.8% Concentrate Herbicide, then fill with water very slowly to avoid foaming.
FOR BEST RESULTS	<ul style="list-style-type: none"> • Apply when weeds are fully leafed out and actively growing. • Rain or water 4 hours after application will not wash away effectiveness. • Certain hard-to-kill weeds may require a repeat application if regrowth occurs.
HOW TRICLOPYR 0.8% RTU HERBICIDE WORKS	This selective systemic herbicide enters plants through their leaves, green or cut woody shoots, and roots then moves throughout the plant and interferes with processes found only in plants. Visual symptoms, such as wilting and yellowing, appear in 1 to 6 weeks.

KILLS	Alder	Choke Cherry	Madrone	Spurge
	Arkansas Rose	Clover	Maples	Sumac
	Arrowwood	Cottonwood	Mesquite	Sweetbay Magnolia
	Ash	Crataegus	Mimosa	Sweetgum
	Aspen	Curly Dock	Mulberry	Sycamore
	Beech	Dandelion	Oaks	Tanoak
	Bindweed	Douglas Fir	Oxalis	Tansy Ragwort
	Birch	Dogwood	Persimmon	Thimbleberry
	Blackberry	Elderberry	Pine	Trumpet Creeper
	Blackgum	Elm	Plantain	Tulip Poplar
	Box Elder	Field Bindweed	Poison Ivy	Vetch
	Brazilian Pepper	Field Horsetail Rush	Poison Oak	Virginia Creeper
	Burdock	Hawthorn	Poplar	Western Hemlock
	California Rose	Hazel	Ragweed	Wild Grape
	Canada Thistle	Henbit	Raspberry	Wild Lettuce
	Cascara	Honeysuckle	Salmonberry	Wild Rose
	Ceanothus	Hornbeam	Sassafras	Wild Violet
	Cherry	Kudzu	Scotch Broom	Willow
Chicory	Lambsquarter	Smartweed	Winged Elm	
Chinquapin	Locust			

	Do not allow people or pets onto treated areas until spray has dried.
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IMPORTANT: Directions for Storage and Disposal	
Pesticide Storage:	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.
Pesticide and Container Disposal: 	<p>If Empty:</p> <ul style="list-style-type: none"> • Non-refillable container. Do not refill or reuse container. • Place empty container in trash or offer for recycling if available. <p>If partly filled:</p> <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.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
<p>CAUTION</p> <ul style="list-style-type: none"> • Causes moderate eye irritation. • Harmful if swallowed, inhaled or absorbed through skin. • Avoid contact with eyes, skin or clothing. • Avoid breathing spray mist. • Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. • Remove contaminated clothing and wash before reuse. • Wear a long sleeved shirt, long pants, shoes and socks when applying this product.

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FIRST AID +	
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.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 – 20 minutes. • Call a poison control center or doctor for treatment advice.
If Swallowed	<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 by mouth to an unconscious person.
<p>NOTE: When calling a 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 Ingredient: 0.8% Triclopyr, triethylamine salt (CAS # 57213-69-1).</p>	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> • To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

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



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

Triclopyr 0.8% RTU Herbicide (MASTER) Approved 03/31/05, Notification Submitted 08/11/05, 11/13/05, Notification 02/16/09

