



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

February 5, 2024

Kim Davis
Agent of EZ-Ject, Inc.
c/o RegWest Company LLC
9017 18th St
Greeley, CO 80634-4759

Subject: Notification per PRN 98-10 – Add additional/alternate packaging concept, incorporate 03/3/2023 label, and add "Bald cypress, Russian olive, Tree of heaven and Virginia creeper" to list of species controlled.
Product Name: EZ-JECT Diamondback Herbicide Shells
EPA Registration Number: 83220-1
Application Date: October 12, 2023
Case Number: 488791

Dear Kim Davis:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped "NOTIFICATION" and placed in our records.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Page 2 of 2
EPA Reg. No. 83220-1
Case No. 488791

If you have any questions, please contact Jenna Wiegand at 202-566-0437 or at Wiegand.Jenna@epa.gov.

Sincerely,

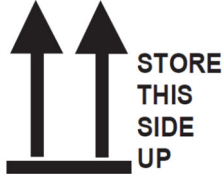


Emily Schmid, Product Manager 25
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

EZ-JECT® Diamondback® Herbicide Shells

{Cardboard Box}

GLYPHOSATE GROUP 9 HERBICIDE



Water-Soluble Herbicide in Shells for Trunk and Stem Injection
Controls Undesirable Woody Brush, Trees and Vines – Roots and All

Active Ingredient:

Glyphosate, N-(phosphonomethyl) glycine,
in the form of its isopropylamine salt (CAS No. 38641-94-0)..... 83.5%

Other Ingredients 16.5%

Total 100.0%

NOTIFICATION

83220-1

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

2/5/2024

**Keep Out of Reach of Children
CAUTION**

See below for First Aid and additional Precautionary Statements.

Net Contents: 25 [50] [100] [250] [600] [1200] Shells

Shell Net Weight: 0.01 oz (0.28 g)

Total Net Weight: 0.25 oz (7 g) [0.5 oz (14 g)] [1 oz (28 g)] [2.5 oz (71 g)] [6 oz (170 g)] [12 oz (340 g)]

EPA Reg. No. 83220-1

EPA Est. 69117-NE-1



10172 L Street • Omaha, NE 68127
Toll Free: 1-888-395-6732

First Aid

If Swallowed: 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.

If in Eyes: 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long-sleeved shirt and long pants, socks and shoes.

Environmental Hazards

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment wash waters.

DIRECTIONS FOR USE

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

User Safety Recommendations

Users should: Thoroughly wash hands after handling before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside, then wash thoroughly and put on clean clothing.

Product Information

This product is for woody brush, tree and vine control in all non-cropland sites including forestry, roadsides, rights-of-way, industrial, residential, fencerows, railroads and aquatic sites. Woody vegetation may be controlled by injection of E-Z-Ject selective injection herbicide shells.

This product moves throughout the tree, brush or vine from the point of injection to all roots and shoots. Symptoms appear gradually (normally within 4 to 8 weeks) beginning with wilting, yellowing and browning of the foliage. This is followed by deterioration of all roots and shoots.

For aquatic sites, this product may be injected into stems of trees and brush standing in water or wetlands. Do not apply directly to water or inject into stems below the water level.

Resistance Management Recommendations

For resistance management, EZ-Ject Diamondback Herbicide Shells is a Group 9 herbicide. Any weed population may contain or develop plants naturally resistant to EZ-Ject Diamondback Herbicide Shells and other Group 9 herbicides. The resistant biotypes may dominate the weed population if these herbicides are used repeatedly in the same area. Appropriate resistance-management strategies should be followed.

To delay herbicide resistance, take one or more of the following steps:

- Rotate the use of EZ-Ject Diamondback Herbicide Shells or other Group 9 herbicides within a growing season sequence or among growing seasons with different herbicide groups that control the same weeds the area.
- Adopt an integrated weed-management program for herbicide use that includes scouting and uses historical information related to herbicide use and crop rotation, and that considers tillage (or other mechanical control methods), cultural (e.g., higher crop seeding rates; precision fertilizer application method and timing to favor the crop and not the weeds), biological (weed-competitive crops or varieties) and other management practices.
- Scout after herbicide application to monitor weed populations for early signs of resistance development. Indicators of possible herbicide resistance include: (1) failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds; (2) a spreading patch of non-controlled plants of a particular weed species; (3) surviving plants mixed with controlled individuals of the same species. If resistance is suspected, prevent weed seed production in the affected area by an alternative herbicide from a different group or by a mechanical method such as hoeing or tillage. Prevent movement of resistant weed seeds to other areas by cleaning harvesting and tillage equipment when moving between areas, and planting clean seed.
- If a weed pest population continues to progress after treatment with this product, discontinue use of this product and switch to another management strategy or herbicide with a different mode of action, if available.
- Contact your local extension specialist or certified crop advisors for additional pesticide resistance-management and/or integrated weed-management recommendations for specific crops and weed biotypes.
- For further information or to report suspected resistance, contact EZ-Ject, Inc. representatives at 888-395-6732.

Application Instructions

Inject the shells using only E-Z Ject shell injection equipment. The shells must penetrate through the outer bark into living phloem tissue to provide effective results.

For trees with less than 2.5 inch DBH (diameter at breast height), inject one shell per stem. Inject one shell every 4 inches, evenly around the trunk of the tree, below all major branches. Trees, brush and vines may be injected at any time of the year except when wood is frozen.

Weedy Brush, Trees and Vines Controlled

This product will control the following species:

- Alder
- Ash
- Aspen, quaking
- **Bald cypress**
- Big-leaf maple
- Birch
- Black cherry
- Buckthorn
- Cascara
- Ceanothus
- Chamise
- Cherry
- Cottonwood
- Dogwood
- Douglas fir
- Elderberry
- Elm
- Eucalyptus
- Hackberry
- Hawthorn
- Hazel
- Hemlock
- Hickory
- Locust, honey
- Lodgepole pine
- Madron
- Manzanita
- Maple
- Mountain maple
- Oak
- Persimmon
- Pin cherry
- Poison ivy
- Poison oak
- Ponderosa pine
- Poplar
- Poplar, yellow
- Redbud
- **Russian olive**
- Sagebrush
- Sassafras
- Sourwood
- Sumac
- Sweet gum
- Tan oak
- **Tree of heaven**
- **Virginia creeper**
- Vine maple
- Waxmyrtle
- Western red cedar
- Willow

Storage and Disposal

Do not contaminate water, foodstuffs, feed or seed by storage or disposal.

Pesticide Storage: Keep container closed to prevent spills and contamination. At the end of each use period, remove unused shells from EZ-Ject shell injection system. Replace unused shells in original container and re-seal. Store with the open end of the shell pointing up. **Pesticide Disposal:** Wastes resulting from the use of this product that cannot be used or chemically reprocessed must be disposed of in a landfill approved for pesticide disposal or in accordance with applicable Federal, state and local procedures. **Container Handling:** Non-refillable container; do not reuse or refill this container. Triple rinse (or equivalent) container then offer for recycling, if available; otherwise, discard in trash.

{Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.}

For additional product information call 1-888-395-6732

Limit of Warranty and Liability

EZ-Ject, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth in the complete Directions for Use when used in accordance with those Directions under the conditions described therein. NO OTHER EXPRESS WARRANTY OR IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY IS MADE. This warranty is also subject to the conditions and limitations stated herein. Buyer and all users shall promptly notify this Company of any claims whether based in contract, negligence, strict liability, tort or otherwise.

To the extent consistent with applicable law, the exclusive remedy of the user or buyer, and the limit of the liability of this Company or any other seller for any and all losses, injuries or damages resulting from the use or handling of this product (including claims based in contract, negligence, strict liability, other tort or otherwise) shall be the purchase price paid by the user or buyer for the quantity of this product involved, or at the election of the Company or any other seller, the replacement of such quantity, or if not acquired by purchase, replacement of such quantity. To the extent consistent with applicable law, in no event shall this Company or any other seller be liable for any incidental, consequential or special damages.

Upon opening and using this product, buyer and all users are deemed to have accepted the terms of this LIMIT OF WARRANTY AND LIABILITY which may not be varied by any verbal or written agreement. If terms are not acceptable, return at once unopened.

Product protected by U.S. Patent No. 4,405,531. No license granted under any non-U.S. patent(s).

E-Z-Ject® and Diamondback® are registered trademarks of EZ-Ject, Inc.

{Plastic Tube}



EZ-JECT® Diamondback® Herbicide Shells

Active Ingredient:

Glyphosate, N-(phosphonomethyl) glycine,
in the form of its isopropylamine salt (CAS No. 38641-94-0)..... 83.5%

Other Ingredients 16.5%

Total 100.0%

Keep Out of Reach of Children

CAUTION

**See box label for complete Directions for Use,
First Aid and additional Precautionary Statements.**

Net Contents: 25 Shells

Shell Net Weight: 0.01 oz (0.28 g)

Total Net Weight: 0.25 oz (7g)

EPA Reg. No. 83220-1

EPA Est. 69117-NE-1

Sold by



10172 L Street • Omaha, NE 68127

Toll Free: 1-888-395-6732

[] Denotes alternate/optional verbiage

{ } Denotes verbiage not printed on market labeling

{Alternate Packaging}

{Cardboard Box – Booklet Front Panel}

EZ-JECT® Diamondback® Herbicide Shells

GLYPHOSATE GROUP 9 HERBICIDE

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CAUTION

See **the booklet** for First Aid and additional Precautionary Statements.

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EPA Reg. No. 83220-1 EPA Est. 69117-NE-1

Sold by

E-Z-JECT, Inc.

10172 L Street • Omaha, NE 68127

Toll Free: 1-888-395-6732

{Cardboard Box – Side Panels}



STORE THIS SIDE UP



{Booklet}

First Aid

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- | | | |
|------------------|------------------|------------------|
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| • Ash | • Hackberry | • Poplar |
| • Aspen, quaking | • Hawthorn | • Poplar, yellow |
| • Bald cypress | • Hazel | • Redbud |
| • Big-leaf maple | • Hemlock | • Russian olive |
| • Birch | • Hickory | • Sagebrush |
| • Black cherry | • Locust, honey | • Sassafras |
| • Buckthorn | • Lodgepole pine | • Sourwood |
| • Cascara | • Madron | • Sumac |
| • Ceanothus | • Manzanita | • Sweet gum |
| • Chamise | • Maple | • Tan oak |
| • Cherry | • Mountain maple | • Tree of heaven |

- Cottonwood
- Dogwood
- Douglas fir
- Elderberry
- Elm
- Oak
- Persimmon
- Pin cherry
- Poison ivy
- Poison oak
- Virginia creeper
- Vine maple
- Waxmyrtle
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To the extent consistent with applicable law, the exclusive remedy of the user or buyer, and the limit of the liability of this Company or any other seller for any and all losses, injuries or damages resulting from the use or handling of this product (including claims based in contract, negligence, strict liability, other tort or otherwise) shall be the purchase price paid by the user or buyer for the quantity of this product involved, or at the election of the Company or any other seller, the replacement of such quantity, or if not acquired by purchase, replacement of such quantity. To the extent consistent with applicable law, in no event shall this Company or any other seller be liable for any incidental, consequential or special damages.

Upon opening and using this product, buyer and all users are deemed to have accepted the terms of this LIMIT OF WARRANTY AND LIABILITY which may not be varied by any verbal or written agreement. If terms are not acceptable, return at once unopened.

Product protected by U.S. Patent No. 4,405,531. No license granted under any non-U.S. patent(s).

E-Z-Ject® and Diamondback® are registered trademarks of EZ-Ject, Inc.

{Plastic Tray inside cardboard box}

**Net Contents: 5 Shells
EPA Reg. No. 83220-1
EPA Est. 69117-NE-1**

{Illustration of alternate packaging}



Box Dimensions: 4.5" x 2.5" x 0.75"

Plastic Tray Dimensions: 4.5" x 2.5", with printable area on the strips of 0.436" x 0.750"

[] Denotes alternate/optional verbiage

{ } Denotes verbiage not printed on market labeling