

87663-5

10/18/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Biopesticides and Pollution Prevention Division  
(7511P)  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

EPA Reg. Number:  
87663-5

Date of Issuance:  
OCT 18 2011

Term of Issuance: Unconditional

NOTICE OF PESTICIDE:

Registration  Re-registration  
(under FIFRA, as amended)

Name of Pesticide Product:  
Emery Agro 7040 Ready-to-Use (RTU)

Name and Address of Registrant (include ZIP Code):

Emery Oleochemicals LLC  
4900 Este Ave.  
Cincinnati, Ohio 45232

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention Division prior to use of the label in commerce. In any correspondence on this product, always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This registration does not eliminate the need for continual reassessment of the pesticide. If the EPA determines at any time, that additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under section 3(c)(2)(B) of FIFRA.

The product is registered in accordance with FIFRA section 3(c)(5) and is subject to the following terms and conditions:

1. Submit and/or cite all data required for registration of your product under FIFRA section 3(c)(5) and section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the following label change before you release the product for shipment: Revise the EPA Registration Number to read, "EPA Reg. No. 87663-5."
3. Submit two (2) copies of the revised final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for a further description of the final printed label.

A stamped copy of the label is enclosed for your record.

Signature of Approving Official:

W. Michael McDavit

W. Michael McDavit, Associate Director  
Biopesticides and Pollution Prevention Division

Date:

10/18/2011



# Emery Agro 7040 Ready-to-Use (RTU)

## Non-selective Herbicide

FOR CONTACT SPRAY CONTROL OR BURNDOWN OF WEEDS AND GRASSES FOR ORNAMENTALS, TURF, LANDSCAPES, INTERIORSCAPES, GREENHOUSES, NON-CROP AREAS ON RESIDENTIAL SITES

**FOR HOMEOWNER USE**  
**NOT FOR FOOD USE**

# ACCEPTED

**FOR ORGANIC GARDENING**

**OCT 18 2011**

Under the Federal Insecticide, Fungicide,  
and Rodenticide Act, as amended, for  
the pesticide registered under  
EPA Reg. No. **87663-5**

Active ingredient:

- Ammonium Nonanoate . . . . . 5.0 wt.%
- Other ingredients . . . . . 95.0 wt.%
- Total . . . . . 100.00 wt.%

EMERY AGRO 7040 READY-TO-USE (RTU) contains 0.42 lbs. of ammonium nonanoate per U.S. gallon

**KEEP OUT OF REACH OF CHILDREN**

## CAUTION

"Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)"

<b>FIRST AID</b>	
<b>If in eyes</b>	<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>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical advice.	

This product is protected by U. S. Patent No. 6,323,156

EPA Reg. No. 87663-5

EPA Establishment No. 6574-KY-001

Lot No. xxxxxxxxx

Net Contents: 1 pint, 1 quart, 1 gal & 2.5 gal

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution. Harmful if inhaled. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse.

### ENVIRONMENTAL HAZARDS

**For terrestrial uses:** This pesticide is toxic to fish and aquatic invertebrates. Use care when applying in areas adjacent to any body of water. 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 disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. This product is toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product if bees are visiting the treatment area.

## DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the State/Tribal agency responsible for pesticide regulation.

### METHODS OF USE AND GENERAL APPLICATION INSTRUCTIONS

#### General Instructions:

**EMERY AGRO 7040 READY-TO-USE (RTU)** is a contact non-selective herbicide for spray application only to undesirable plant growth. Do not allow spray to contact any green plant parts of desirable plants. **EMERY AGRO 7040 READY-TO-USE (RTU)** provides control and burndown suppression of annual and perennial broadleaf and grass weeds. Spore producing plants such as mosses and liverworts are also controlled. The amount of burndown and the duration of weed suppression may be reduced when weed growth conditions are unfavorable or when plants are mature.

**EMERY AGRO 7040 READY-TO-USE (RTU)** is a non-volatile and water soluble herbicide for foliar application to weeds. Complete and uniform coverage of weeds by the spray solution is required for the best weed control. Plant foliage will change from a green color to brown/black necrotic tissue within one to two hours after spray application. **EMERY AGRO 7040 READY-TO-USE (RTU)** effect on plant tissue may be more rapid in warm weather than in cold conditions. However, weed control is normally unaffected by temperature.

**EMERY AGRO 7040 READY-TO-USE (RTU)** herbicide is a soap product which penetrates the cell walls of plants to disrupt the cellular organization of physiological functions which are compartmentalized by membranes within the cell walls. Plant growth ceases when cellular contents are mixed and brown necrotic plant tissue is formed.

**EMERY AGRO 7040 READY-TO-USE (RTU)** does not migrate through the soil and is not translocated in plants. **To ensure satisfactory control, plant leaves must be thoroughly and uniformly covered with the spray solution.** **EMERY AGRO 7040 READY-TO-USE (RTU)** does not provide any residual weed control in soil to affect germinating weed seeds.

**Application Instructions:**

**EMERY AGRO 7040 READY-TO-USE (RTU)** is completely soluble in water. No shaking or agitation is required.

During application, some foaming may occur; however, weed control is not reduced if the foam is deposited on the plant surface and is not blown away as drift.

**Apply EMERY AGRO 7040 READY-TO-USE (RTU) when weed surfaces are dry.**

**Application Precautions:**

- Do not apply to weeds when wet from dew, rain or irrigation.
- Do not irrigate within 2 hours after application
- Do not apply if rainfall is expected within 2 hours.

Difficult to control weeds may require several applications for complete control.

**Hand-Held Spray Application**

The amount of weed vegetation will determine the spray volume required for complete coverage of undesired plants (weeds). Weed vegetation conditions that affect spray coverage are number of weeds present, leaf shape, weed size and weed species.

Thorough saturation of the foliage and stems is required for control. Apply sprays until run-off from weed leaves occurs. Use low spray pressure to reduce foaming and avoid contact with desirable plants.

**Directed Spray Application**

Use a shielded sprayer to prevent spray contact on desirable plants. Avoid spray contact of green plant stems or green bark of young trees and shrubs.

Some visible foam may appear on the leaves as the plants are sprayed. Overspray or drift onto desirable plants is usually not a serious problem because leaves and stems require a thoroughly wet spray coverage for significant injury. Repeat applications as often as necessary to obtain desired control.

**Use Methods**

Determine the weed control situation and select the use method required as follows:

**A. Vegetative Burndown:** Broadcast spray for weed control for no-till planting or seedbed preparation to control weeds prior to seeding or transplanting. Spot sprays may be used in crops, ornamentals, pastures and turf.

**B. Directed and shielded sprays:** Spray nozzle type or configuration for directed spray or a shield placed around the nozzle to prevent spray contact on the foliage or green stems or bark. Directed/shielded spray applications to area between plastic mulch strips and staked crops for weed control.

# PESTS

## I. Weeds controlled or suppressed by EMERY AGRO 7040 READY-TO-USE (RTU):

### COMMON NAMES

### TAXONOMIC NAMES

#### Broadleaf Weeds:

Algae	Gloeocapsa magma
Bittercress, hairy	Cardamine hirsuta
Chickweed, common	Stellaria media
Chickweed, mouse-ear	Cerastium vulgatum
Cocklebur, common	Xanthium strumarium
Corn spurry	Spergula arvensis
Cudweed, purple	Gnaphalium purpureum
Groundsel	Senecio spp.
Lambsquarters, common	Chenopodium album
Liverwort	Machantia spp.
Marestail or Horseweed rosettes	Conyza canadensis
Morningglory, annual	Ipomoea spp.
Moss	Bryophyta
Mustards	Brassica spp.
Oxalis or Woodsorrel	Oxalis stricta
Pansy, wild	Viola tricolor
Plantain	Plantago spp.
Pigweed, smooth and redroot	Amaranthus spp.
Mallow, roundleaved	Malva spp.
Moneywort	Lysimachia nummularia
Shepherdspurse	Capsella bursa-pastoris
Sorrel, sheep	Rumex acetosella
Spurge, spotted	Euphorbia maculata
Field pennycress	Thlaspi arvense
Velvetleaf	Abutilon theophrasti

#### Grass and Other Weeds:

Bentgrass, colonial	Agrostis tenuis
Bluegrass, annual	Poa annua
Crabgrass, large	Digitaria sanguinalis
Fescue, creeping red	Festuca rubra
Fescue, hard	Festuca ovina
Nimblewill	Muhlenbergia scheberi
Onion, wild	Allium canadense
Ryegrass, perennial	Lolium perenne
Star-of-Bethlehem	Ornithogalum nutans

## II. Weeds Moderately Difficult to Control

Bermudagrass (Wireweed)	Cynodon dactylon
Dandelion	Taraxacum officinale
Nutsedge, yellow	Cyperus esculentus
Ragweed, common	Ambrosia artemisiifolia

**STORAGE AND DISPOSAL**

**DO NOT** contaminate water, food or feed by storage or disposal.

**Pesticide Storage:** Store container in cool place until used. Store at temperatures above 32° F.

**Pesticide Disposal:** Wastes resulting from use of this product must be disposed of on-site or at an approved waste disposal facility.

**Homeowner Container Disposal:**

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

If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

**Warranty Disclaimer Notice:**

To the extent consistent with applicable law, Emery Oleochemicals LLC makes no warranty or guarantee of any kind, expressed or implied concerning the effects of use of this product, other than those specified on this label and subject to the inherent risks set forth below. Buyers or users accept all responsibility for results due to misuse or improper handling of this product.

**Inherent Risks of Use:**

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to the label instructions (including adverse conditions noted on the label, such as unfavorable temperatures, wind, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Emery Oleochemicals LLC or the seller.

**Produced for:**

**Emery Oleochemicals LLC**

**4900 Este Avenue**

**Cincinnati , OH 45232**

**513-762-2500**

**[www.Emeryoleo.com](http://www.Emeryoleo.com)**