



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 12, 2017

Norma C. Pangilinan, Ph.D.
Head of Regulatory Affairs North America
SBM Life Science Corp.
1001 Winstead Drive, Suite 500
Cary, NC 27513

Subject: Notification per PRN 98-10 – Label updates related to product transfer
Product Name: NS Herbicide Concentrate C
EPA Registration Number: 92564-52
Application Date: April 13, 2017
Decision Number: 529385

Dear Dr. Pangilinan:

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 will be placed in our records.

The alternate brand names Bianova Advanced DuraZone® Concentrate Weed & Grass Killer, BioAdvanced DuraZone® Concentrate Weed & Grass Killer, BioAdvanced Science-Based Solutions DuraZone® Concentrate Weed & Grass Killer, and Fortifend Advanced DuraZone® Concentrate Weed & Grass Killer have been added to the product record.

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 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) list 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.

If you have any questions, please contact Emily Schmid by phone at 703-347-0189, or via email at schmid.emily@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Emily Schmid for". The signature is written in a cursive, flowing style.

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

(FRONT PANEL)

NS Herbicide Concentrate C

[ABN: Bayer Advanced DuraZone™ Concentrate Weed & Grass Killer; **Bianova Advanced DuraZone® Concentrate Weed & Grass Killer; BioAdvanced DuraZone® Concentrate Weed & Grass Killer; BioAdvanced Science-Based Solutions DuraZone® Concentrate Weed & Grass Killer; Fortifend Advanced DuraZone® Concentrate Weed & Grass Killer**]

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▪ Editorial Note – Marketing Claims Positioned Here

Editorial Note – [Bracketed text] is optional language

ACTIVE INGREDIENTS:

Indaziflam.....	0.089%
Diquat dibromide.....	0.89%
Glyphosate isopropylamine salt	20.46%

OTHER INGREDIENTS:..... 78.561%

TOTAL 100.00%

Net Contents: 4, 16, 32, 64 fl. oz., and 1.0, 1.5, and 2.5 gal [or other size(s) within this range]

THIS PRODUCT CONTAINS:

0.0082 lbs Indaziflam per gal
1.88 lbs Glyphosate isopropylamine salt per gal
0.082 lbs Diquat dibromide per gal

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for additional precautionary statements.

FIRST AID

If swallowed

- 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.

NOTIFICATION

92564-52

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:

5/12/2017

If on skin	<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 further treatment advice.
If in 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 further treatment advice.
<p>NOTE: Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may call toll-free 1-877-229-3763 for medical emergency information.</p> <p>Active Ingredients: 20.46% glyphosate isopropylamine salt (CAS No. 38641-94-0), 0.89% diquat dibromide (CAS No. 85-00-7), and 0.089% indaziflam (CAS No. 950782-86-2).</p>	

(Back Panel)


OPEN Resealable Label for Directions & Precautions **PRESS TO RESEAL**

[Are you tired of spraying undesirable [listed] [*] weeds & grasses, just to see new ones pop up over and over again? Well, the days of multiple applications to kill [listed] [*] weeds and grasses are over!] Just one application of NS Herbicide Concentrate C's [proprietary] formula kills existing [listed] [*] weeds & grasses PLUS prevents new [listed] [*] weeds & grasses up to 6 months! Apply it to the entire [area] [zone] you want protected against [listed] [*] weeds, not just the emerged [listed] [*] weeds – creating a weed prevention barrier that continues working for up to 6 months – so you don't have to. [So, Relax.... and Enjoy Your Landscape] Controlling [listed] [*] weeds in your landscape [up to 6 months] has never been easier.



QUICK FACTS

Editorial Note – Marketing Claims Positioned Here

KILLS & PREVENTS	[One application [dual action 2-in-1 formula]]: <ul style="list-style-type: none">• Kills all types of [listed] [*] weeds and grasses• Prevents new [listed] [*] weeds and grasses [from [emerging] [growing]] for up to 6 months
WHERE TO USE [optional graphic image]	On patio, sidewalk & driveway cracks, gravel areas, paths, and along fence lines Around ESTABLISHED ornamentals – Ornamental beds, tree rings, mulched areas. Do NOT use around non-established plants, shrubs or trees (see BEFORE YOU USE section for details).
HOW TO USE [optional graphic image]	To prevent [listed] [*] weeds and grasses from [emerging] [growing], spray entire area you want protected - not just the existing [listed] [*] weeds - to create a long-lasting weed prevention zone.
COVERAGE	[This bottle treats 2,000 sq. ft. [32 fl. oz. size]] and/or [This bottle makes 4 gallons of spray [32 fl. oz. size]]
	For questions or comments, call toll-free 1-877-BayerAG (1-877-229-3924) or visit our website at www.bayeradvanced.com [INSERT COMPANY WEBSITE HERE]

Intended for Outdoor Residential Use

ACTIVE INGREDIENTS:

Indaziflam.....	0.089%
Diquat dibromide.....	0.89%
Glyphosate isopropylamine salt	20.46%

OTHER INGREDIENTS:..... **78.561%**

TOTAL..... **100.00%**

EPA Reg. No. **72155-100 92564-52**
Est. No.

EPA

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PRECAUTIONARY STATEMENTS


HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Harmful if swallowed or absorbed through skin.
- Causes moderate eye irritation.
- Avoid contact with skin, eyes, or clothing.
- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

- This product is toxic to fish, aquatic invertebrates, and plants.
- 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. Rinsing application equipment over the treated areas will help avoid runoff to water bodies or drainage systems.
- This chemical has properties and characteristics associated with chemicals detected in groundwater. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.
- This pesticide may impact water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

DIRECTIONS FOR USE	
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.	
BEFORE YOU USE Shake Well Before Use	<ul style="list-style-type: none">Do not use this product in or around vegetable gardens or in landscaped areas where young plants will soon be planted [within [2, 4, 6 or X] months after treatment].This product is not intended to be used on your lawn.Apply when the air is calm to avoid spray drift onto desirable plants.This product may affect young seedlings down-slope of treated area after heavy rainfall. Do not apply if heavy rainfall is expected within the next 48 hours.[Avoid tracking product onto desirable vegetation - do not walk on treated area until the spray has dried.]When spraying around the base of established plants (plants that have been in the ground at the same location for two or more years), shield them from spray drift using cardboard, plastic, or other materials. If the spray accidentally contacts a desirable plant, rinse it off immediately with water.
HOW MUCH TO USE	<ul style="list-style-type: none">Add 8 fl. oz. (16 TBS) to sprayer and fill with water to 1 gallon fill lineOne gallon treats 500 sq ft <p>Food utensils, such as tablespoons and measuring cups, should not be used for food purposes after use with this product. [Use attached [Measure-Up™] [measuring cup]]</p>
HOW TO USE PUMP STYLE TANK SPRAYERS 	<p>Note: Do not apply using a steel sprayer, except stainless steel.</p> <ol style="list-style-type: none">Shake bottle well before use. Add appropriate amounts of water & product to spray tank.Close sprayer, shake well and pressurize. Adjust nozzle to a coarse spray (NOT a stream).Spray existing [listed] [*] weeds and entire area that you want protected, not just the emerged [listed] [*] weeds, until thoroughly wet.Occasionally re-pressurize sprayer as needed to maintain a good spray pattern. <p>[This concentrate can also be used to refill all NS Herbicide Ready-to-Use (<i>insert commercial product name</i>) refillable [applications] [bottles] [sprayer] [containers]]</p>
[FOR BEST RESULTS]	<p>[WHEN TO APPLY]</p> <ul style="list-style-type: none">[Spray when weeds are small and actively growing when temperatures are above 60 F and when it's sunny].[Certain [listed] [*] hard-to-kill weeds may be re-treated in 2 weeks using spot application if necessary.][Disturbing the weed preventative barrier may reduce the effectiveness of this product.][Rain or watering [10, 30 or X minutes] [1, 6, 24 or X hours] after application will not wash away effectiveness.][Under drought conditions, it may be necessary to water the product in. Spray with water to move the residual herbicide into the soil and do not irrigate to the point of visible runoff.] <p>[REPLANTING]</p> <ul style="list-style-type: none">[Ornamental bedding plants (annuals, perennials), trees, shrubs, sod & seed may be planted [1, 2, 3, 4 or X] months after application.] <p>[CLEAN UP]</p> <ul style="list-style-type: none">[Triple rinse the spray tank and flush all sprayer components with water to remove residual product. Empty the rinse water onto bare soil or gravel.]
HOW IT WORKS	<p>This product contains a proven blend of weed & grass killers to kill existing [listed] [*] weeds & grasses plus a proprietary residual herbicide to keep [new ones] [new growth] [new weeds] [new grasses] from [emerging] [growing]. Existing [listed] [*] weeds & grasses begin to wilt & die within hours and [new ones] [new growth] [new weeds] [new grasses] will not grow for up to 6 months.</p>

KILLS [all types of [listed] [*] Weeds & Grasses] & PREVENTS [[new ones][new growth][new weeds][new grasses]][new weeds & grasses] from emerging up to 6 months]
[Optional section: Weeds are listed in Appendix 1.]



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.

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.

Container Handling



If empty: Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available.
If partly filled: 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. To the extent consistent with applicable law, 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.

PRODUCED FOR
DISTRIBUTED BY



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Cary, North Carolina 27513
A Business Unit of Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709

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NS Herbicide Concentrate C (PENDING) 04/13/2017

Appendix 1 – Optional section

KILLS [all types of [listed] [*] Weeds & Grasses] & PREVENTS [new ones from emerging up to 6 months]

Broadleaf Weeds	Scientific Name [optional]
Canada thistle, Common	<i>Cirsium arvense</i>
Chickweed, Common	<i>Stellaria media</i>
Chickweed, Mouse-ear	<i>Cerastium vulgatum</i>
Clover, White	<i>Trifolium repens</i>
Corn speedwell	<i>Veronica arvensis</i>
Curly dock	<i>Rumex crispus</i>
Evening primrose, Cutleaf	<i>Oenothera laciniata</i>
Dandelion, Common	<i>Taraxacum officinale</i>
Filaree, redstem	<i>Erodium cicutarium</i>
Fleabane, blackleaved	<i>Conyza bonariensis</i>
Florida pusley	<i>Richardia scabra</i>
Gromwell, Yellow	<i>Amsinckia calycina</i>
Groundsel, common	<i>Senecio vulgaris</i>
Hairy fleabane	<i>Erigeron bonariensis</i>
Henbit	<i>Lamium amplexicaule</i>
Horseweed/Marestail	<i>Erigeron canadensis</i>
Kochia	<i>Kochia scoparia</i>
Lambsquarters, common	<i>Chenopodium album</i>
Lespedeza, Serecia	<i>Lespedeza cuneata</i>
London rocket	<i>Sisymbrium irio</i>
Mustard, Wild	<i>Sinapis arvensis</i>
Spotted spurge	<i>Euphorbia maculata</i>
Prostrate spurge	<i>Euphorbia humifusa</i>
Ragweed, Common	<i>Ambrosia artemisiifolia</i>
Redroot pigweed	<i>Amaranthus retroflexus</i>
Shepherd's-purse	<i>Capsella bursa-pastoris</i>
Sida, Prickly / Teaweed	<i>Sida spinosa</i>
Sowthistle, Annual	<i>Sonchus olerachus</i>
Sunflower, Common	<i>Helianthus spp.</i>
Velvetleaf	<i>Albutilon theophrasti</i>
Vetch, Common	<i>Vicia sativa</i>
Wild mustard	<i>Sinapis arvensis</i>
Grass Weeds	Scientific Name [optional]
Annual bluegrass/ 'Poa'	<i>Poa annua</i>
Barnyardgrass, common	<i>Echinochloa crus-galli</i>
Cheatgrass	<i>Bromus secalinus</i>
Crabgrass	<i>Digitaria sp</i>
Crabgrass, Henry	<i>Digitaria adscendens</i>
Crabgrass, Large/Hairy	<i>Digitaria sanguinalis</i>
Crabgrass, Smooth	<i>Digitaria ischaemum</i>
Foxtail brome	<i>Bromus rubens</i>
Foxtail, Giant	<i>Setaria faberi</i>
Foxtail, Green	<i>Setaria viridis</i>

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Foxtail, Yellow	<i>Setaria glauca</i>
Goosegrass	<i>Eleusine indica</i>
Guineagrass	<i>Panicum maximum</i>
Kikuyugrass	<i>Pennisetum clandestinum</i>
Ryegrass, Italian	<i>Lolium multiflorum</i>
Ryegrass, Perennial	<i>Lolium perenne</i>

Appendix 2 - Optional Marketing Claims:

Kills/Prevents [Listed] [*] Weeds & Grasses Claims:

- Kills [controls] [even tough] [hard-to-control] [existing] [listed] [*] weeds [and grasses] [to the root]
- Systemic [Herbicide] [Activity] – moves throughout the [listed] [*] weed to kill from roots to tops
- [2-in-1] [Dual Action] [FORMULA] [Product]: Kills EXISTING [current] [listed] [*] WEEDS [& GRASSES] [to the root] [PLUS] [and], Prevents [New [listed] [*] Weeds] [& GRASSES] [up to 6 Months] [by creating an invisible barrier][zone]
- Prevents [listed] [*] Grasses & Weeds All Season Long
- Season Long [listed] [*] Weed Control
- Extended [listed] [*] Weed Control
- [Up to] 6 Month [listed] [*] Grass & Weed Control
- PROTECT [YOUR LANDSCAPE] FROM [LISTED] [*] WEEDS & GRASSES [UP TO 6 MONTHS]
- [KILLS] [AND PREVENTS] TOUGH [LISTED] [*] WEEDS AND GRASSES [LIKE BERMUDAGRASS, CRABGRASS, *[select other listed weeds]*]
- LONG LASTING FORMULA – [PROTECTS] [UP TO 6 MONTHS]
- UP TO 6 MONTH CONTROL [protection]!
- Long lasting [up to 6 months] [[listed] [*] weed] [zone] [protection]
- [Season Long [listed] [*] Weed Control] [with 1 Application]
- 1 Application Provides Season Long [listed] [*] [Weed] Control
- [Continuous Action] [long lasting] [up to 6 month] [Protective] [listed] [*] Weed Zone [barrier]
- Take a 6 month vacation from [listed] [*] weeds
- Prevents [listed] [*] weeds & grasses from growing in treated areas for up to 6 months
- Keeps on working for up to 6 months to prevent new [listed] [*] weeds & grasses from growing
- Kills the weeds* you see and prevents new [ones] [listed] [*] [weeds] [and] [grasses] from growing for up to 6 months
- Spray your problem areas to create a zone of 6 month protection against unwanted [listed] [*] weeds & grasses
- One application protects treated areas for up to 6 months
- One application provides continuous protection for up to 6 months
- Kills existing [listed] [*] weeds and creates a 6 month barrier against unwanted [listed] [*] weeds & grasses
- Kills [and] [&] prevents [unwanted] weeds [and] [&] grasses up to 6 months

Rainfastness/Weed Killing Time:

- Rainproof [protection] in 30 minutes
- Existing weeds & grasses begin to wilt & die within hours
- Starts working immediately
- All weather formula [rainproof in 3 minutes]
- Plant 6 months after application

Coverage Claims

- Treats 2,000 sq feet
- [Now] [XX]% more* (*vs. [X][fl.oz.] size)

Miscellaneous Claims

- Contains [proprietary] Indaziflam [for long lasting [listed] [*] grass & weed control]
- Indaziflam Inside! [for up to 6 months [[listed] [*] grass &] weed control]
- [proprietary] [Formula][tion]!
- Simple, [Convenient], [Easy] to use
- 100% Satisfaction Guaranteed* (or your money back)
- This bottle contains an anti-theft device, either inside or on the back of the bottle. It does not affect the product's performance
- [Convenient] [measuring] [measure-up™] cup
- Use to [for] refill[ing] (product name) ready to use's!
- Can be used to refill (product name) [Ready-to-Use] [sprayer][container]
- Let (product name) do all the work so you don't have to
- An easier way to kill & prevent problem [listed] [*] weeds in non-lawn areas
- An easier way to manage [guard against] [protect against] unwanted [listed] [*] weeds and grasses
- Enduring [long lasting] [6 month] zone of protection
- Zone of Endurance [enduring] [protection]
- Guarding Your Zone [is easy with name]
- Enduring Zone of Activity [and Protection]
- Let [name] be Your [Endurance] Zone Manager

- Guard against unsightly [listed] [*] weeds and grasses
- Create a [long lasting] [6 month] enduring zone of [listed] [*] grass & weed control
- The ideal solution for managing large areas of unwanted weeds & grasses
- An easier way to manage large areas of unwanted [listed] [*] weeds & grasses
- Provides fast-acting, long-lasting control of [listed] [*] weeds & grasses
- Take a [6 month] break from weed patrol [duty]
- [Herbicide] Technology [Always thinking ahead] [Reduce your impact] [A smarter choice]
- Kills [and] [&] prevents listed weeds [and] [&] grasses [for] up to 6 months
- Free Refill for 1.3 Gallon Ergo Grip [Sprayer]
- Free Bonus Refill
- 32 oz. makes 4 gallons of spray, 8 oz. makes 1 gallon of spray, 16 oz. makes 2 gallons of spray, 40 oz. makes 5 gallons of spray
- Refills [Bayer Advanced DuraZone Weed & Grass Killer] [1.3 Gallon] Ergo Grip [Sprayer]
- Bonus [X] oz size – [X]% more than [X] oz size
- Now covers [XXX] [square] [sq] feet
- Bonus [X] oz size
- Bonus value - [X]% more [vs [X] oz size]

Promotional Claims:

- Save \$XX [XX%] Now
- Save \$XX [XX%] now in-store with the purchase of DuraZone 1.3gal Ready-to-Use and DuraZone 24oz Concentrate
- Save \$XX [XX%] Now off any ~~Bayer Advanced~~ **INSERT ABN PRODUCT NAME** DuraZone Weed & Grass Killer [1.3gal RTU or 24oz Concentrate]

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Marketing Claim for Brand Name Change:

New Name. Same Great Results.

New Name. Same Familiar Formula.

New Name. Same Performance.

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*listed (Note to PM: The word "listed" can appear as a footnote with the appropriate phrase, such as *listed plants/pests/weeds)