

4-62

8/13/2009

1079



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 13 2009

Nicole Russell
Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4, 2008-1, and 98-10
(Updated warranty and additional marketing claims)

Dear Ms. Russell:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, 2008-1, and 98-10 dated June 19, 2009 for:

EPA Registration 4-62 Bonide Sulfur Plant Fungicide Micronized Spray or Dust

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4, 2008-1, and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4, 2008-1, and 98-10. 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,
Rachel C. Halloran
for
Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2009

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 4-62	2. EPA Product Manager Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide Sulfur Plant Fungicide Micronized Spray or Dust		PM# 21
5. Name and Address of Applicant (Include ZIP Code) Bonide Products, Inc. 6301 Sutliff Road Oriskany, NY 13424 Attn: Nicole Russell <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. <u>NOTIFICATION</u> Product Name <u>AUG 13 2009</u>

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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: Updated the Storage and Disposal section per PR Notice 2007-4, updated the Environmental Hazards section per PR Notice 2008-1, updated the warranty statement and addition of optional marketing statement. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the CSF of this product. Bonide Products, Inc. understands that it is a violation of 18 U. S. C. Sec. 1001 to willfully make any false statement to EPA and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input checked="" 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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 8oz, 1#, 2#, 4#, 5#, 15#, 20#, 25#, 40#, 50#		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input checked="" type="checkbox"/> Other <u>plastic bag</u>	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Nicole Russell	Title Pesticide Compliance Specialist	Telephone No. (Include Area Code) 315-736-8231 ext 230
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 Pesticide Compliance Specialist	
4. Typed Name Nicole Russell	5. Date 7/22/09	

Bonide Products, Inc.

3 of 9

6301 Sutliff Rd.
Oriskany, NY 13424

Phone (315) 736-8231
Fax (315) 736-7582

June 19, 2009

FedEx: 8685 1623 2274

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Bonide Sulfur Plant Fungicide Micronized Spray or Dust
EPA Reg. No. 4-62
Notification – Updated the Storage and Disposal section per PR Notice 2007-4, updated the Environmental Hazards section per PR Notice 2008-1, updated the warranty statement and addition of optional marketing statement

To Whom It May Concern:

Enclosed, please find a completed form 8570-1, Notification and labeling for the above mentioned registration. Changes are in red and highlighted in yellow. I trust you will find everything in order for approval.

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

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 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. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. Further understands that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and Bonide Products, Inc. May be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. further understands 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 Bonide Products, Inc. may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Nicole Russell
Pesticide Compliance Specialist

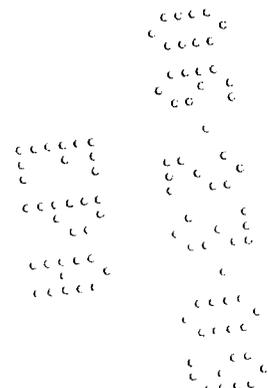
Enclosure



Continuation of Section II

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 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. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. Further understands that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and Bonide Products, Inc. May be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. further understands 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 Bonide Products, Inc. may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



50f9

NOTIFICATION

AUG 13 2009



BONIDE® SULFUR PLANT FUNGICIDE

MICRONIZED SPRAY OR DUST

Optional Marketing Statements:

For Homeowner Use

Controls Powdery Mildew and Red Spider on: Beans, Cherries, Currants, Gooseberries, Nectarines, Peaches, Pears, Plums, Prunes and Strawberries

For Organic Gardening

Acidifies Soil

Ready-to-Use

Controls Rust, Leaf Spot and Powdery Mildew

Use on Fruits, Vegetables and Various Ornamentals

Controls Fleas & Ticks on Dogs

Can Be Used On Dogs (Horses), (Cattle), (Swine), (Sheep), (Goats) to Control Fleas & Ticks

Controls Depluming Mites on Chickens, Turkeys, Ducks, Geese, Game Birds and Pigeons.

Controls Chiggers* (around the home). *(except in California)

Outdoor Chigger Control



ACTIVE INGREDIENT:

Sulfur..... 90%

OTHER INGREDIENTS:..... 10%

TOTAL..... 100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See side/back/other panel(s) for additional precautionary statements and First Aid

NET WEIGHT: _____



6009

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.	
If Swallowed:	<ul style="list-style-type: none"> • Call 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If Inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further 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 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.

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

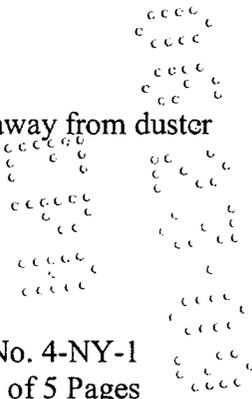
CAUTION: Harmful if swallowed, inhaled, or absorbed through skin. May cause irritation of eyes, nose, throat, and skin. Avoid contact with eyes or skin. Avoid breathing dust vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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. Do not apply when conditions favor drift from treated areas.

PHYSICAL OR CHEMICAL HAZARDS

Sulfur dust suspended in air ignites easily. When dusting keep fire and sparks away from duster and dust stream. Do not smoke while applying this product.



7099

DIRECTIONS FOR USE

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

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in interior plantscapes, ornamental gardens, or on lawns and grounds.

STORAGE AND DISPOSAL

Storage: Store and transport in an upright position. Store in a cool dry area inaccessible to children or pets.

Disposal: *If empty* – Nonrefillable 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

Do not enter treated areas within 24 hours of application without proper protective clothing; i.e., long-sleeved shirt, long pants, shoes plus socks.

Bonide® Sulfur Plant Fungicide is specially prepared, extremely fine particle size (4-5 microns surface average diameter) chemically treated with wetting agent, and suitable for use as a dust or spray. The extremely fine particles contribute to a uniform film forming layer, better adhesion, and more even distribution of particles over fruit and leaf surfaces, resulting in greater efficiency.

When spraying, use a good pressure sprayer and apply thoroughly to all leaf surfaces. When dusting, use a good duster and apply in a uniform thin film of dust to all leaf surfaces and fruit. Repeat application as necessary.

Use Precautions: Do not dust or spray with sulfur during periods of high temperature. Do not use sulfur within 2 weeks of an oil spray. Do not use sulfur on citrus within 3 weeks of an oil spray.

Bonide® Sulfur Plant Fungicide is used in the pre-blossom application, such as against apple and pear scab or peach blossom or cherry fungus diseases. Application must be timed to go on before rainy or spore discharge periods.

APPLES – apple cedar rust, black rot, brown rot, frog eye, leaf spot, powdery mildew, quince rust, scab, sooty blotch: 1 to 2½ rounded Tbs./gal. water, from pre-pink through cover, or use in cover sprays, up to day of harvest. Note: MacIntosh, Golden Delicious, Jonathan, and certain other varieties may be injured by sulfur application under certain conditions.

BEANS – leaf spot, powdery mildew, rust, red spider: 1½ to 3 level Tbs./gal. water. Begin when first true leaves form, or at first sign of disease. Repeat at 7 to 10 day intervals up to day of harvest.

BLACKBERRIES, BLUEBERRIES, BOYSENBERRIES, DEWBERRIES, HUCKLEBERRIES, LOGANBERRIES, RASPBERRIES – powdery mildew: 2 to 2½ rounded Tbs./gal. water. Begin when new shoots are 6 inches long and before blossoms open. Repeat at 10 day intervals or as necessary, up to day of harvest.

CHERRIES – brown rot, red spider, leaf spot, powdery mildew, rust, scab, stem blight: 1 to 3 rounded Tbs./gal. water. Begin in pink stage. Repeat at bloom, petal fall, and in cover stages, at 7 to 14 day intervals up to time of harvest, and post harvest for leaf spot.

CITRUS (ALL) – brown rot, rust mite, two spotted mite, citrus red spider, thrips; soft, red, yellow, purple, black, Citricola scale: 2 to 3 level Tbs./gal. water. Apply according to state recommendations up to day of harvest.

CURRANTS, GOOSEBERRIES – powdery mildew, red spider: 1½ to 3 level Tbs./gal. water. Begin before disease appears. Repeat at 10 day intervals up to day of harvest.

GRAPES – powdery mildew, rust: 1 to 3 level Tbs./gal. water. Begin when new shoots are 6 inches long. Repeat before blossoms open and continue as necessary up to day of harvest.

Note: Concord and other labrusca type grapes may be injured by sulfur.

NECTARINES, PEACHES – brown rot, leaf spot, powdery mildew, peach canker, rust, scab, shothole, red spider: 1 to 3 rounded Tbs./gal. water. Apply at pink, bloom, petal fall, shuck split, shuck fall, and at 10-14 day intervals as long as necessary, up to day of harvest.

PEAS – powdery mildew, rust, red spider: 1½ to 3 level Tbs./gal. water. Begin early in season before diseases appear. Repeat at 7 to 10 day intervals up to day of harvest.

PLUMS, PRUNES – brown rot, leaf spot, powdery mildew, rust, scab, shothole, red spider: 1 to 3 rounded Tbs./gal. water. Repeat at bloom, petal fall, shuck fall, and in cover period as necessary up to day of harvest.

PEARS – brown rot, leaf spot, powdery mildew, rust, scab, red spider: 1 to 2 rounded Tbs./gal. water. Apply at pre-bloom, bloom, petal fall, and cover periods, up to day of harvest. Anjou, Comice and certain other varieties may be injured by sulfur application.

ROSES, ORNAMENTAL SHRUBS, PERENNIALS (except California) – black spot, rust, powdery mildew, red spiders: 2 to 2¼ level Tbs./gal. water. Begin when diseases appear and repeat at 5-10 day intervals and after rains.

STRAWBERRIES – powdery mildew, red spider: 1 to 2 level Tbs./gal. water. Begin at first sign of disease and repeat as necessary up to day of harvest.

POULTRY (except California) – Chickens, Turkeys, Ducks, Geese, Game Birds and Pigeons. To control depluming mites, dust liberally on birds and rub into feathers. To treat quarters, mix 1 – 1 ½ pounds in 5 gallons of water and apply as a spray to 100 square feet (an area 10 feet x 10 feet). Apply thoroughly to all interior surfaces of poultry quarters. Force spray into cracks and crevices. Repeat application as needed. Note Physical and Chemical Hazards when applying this product.

ANIMALS (except California) – For use on domestic livestock (equine, cattle, swine, sheep and goats). Also for use on dogs; to control fleas and ticks, dust animal liberally and rub into hair. To treat quarters, mix 1 – 1 ½ pounds in 5 gallons of water and apply as a spray to 100 square feet (an area 10 feet x 10 feet). Apply thoroughly to all interior surfaces of quarters. Force spray into cracks and crevices. Repeat application as needed. Note Physical and Chemical Hazards when applying this product.

CHIGGERS (except California) – For control of CHIGGERS in yards, cover entire lawn, flower garden, shrubs and any place chiggers may hide. This should be done a day or two before protection is desired and should be repeated at weekly intervals to maintain control. Use approximately 2 pounds per 1,000 square feet (an area approximately 31 ½ feet x 31 ½ feet).

Soil pH Treatment – 1-1 ¼ lb./50 gal. water will acidify 100 sq. ft. of soil by approximately 1 pH unit. Do not attempt to change pH by more than 1 pH unit per year.

Note: Use lower application rates for prevention or control of minor insect/disease problems and when temperature exceeds 90°F. Use higher application rates for major pest problems, when temperature permits.

For information on pesticide products (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

To the extent consistent with applicable law, buyer assumes all risk when product is not used according to label directions or established safe practice.

Manufactured by:
Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424

[Batch Code to be inserted at production]

©Bonide Products, Inc. All Rights Reserved

NOTIFICATION

