06/26/2009



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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUN 26 2009

Matthew Granahan Registration Manager Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527

SUBJECT: Application for Pesticide Notification – Add Optional Fertilizer Claim Millennium Ultra Weed and Feed EPA Reg. No. 228-343 Application Dated May 28, 2009

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above 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 date-stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

1

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

2/9

United States Environmental Protection Agency Washington, DC 20460				cy			Registrat Amendm Other		OPP Identifier Number
		Applicatio	n for P	esticid	le - Secti	on	1		
1. Company/Product Number 228-343			2. EPA Product Manag Joanne Miller			)0f		3. Pro	None Restricted
4. Company/Product (Name) Millennium Ultra Weed and Fer	ed		РМ# 23						
5. Name and Address of Applicant <i>(Include ZIP Code)</i> Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527				6. Expedited Reveiw. 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 JUN 2 6 2009					
			Secti	on - Il			hinne fan ier en sen en se		
Amendment - Explain t Resubmission in respon	nse to Agency letter elow.				Final printed Agency latter "Me Too" Ap Other - Expla	date plice	ation.	to	
Explanation: Use additional Label Notification per P the provisions of PR notice confidential statement of fo statement to the EPA. I fund this product may be in viola	R Notice 98-10, Se 98-10 and EPA reg rmula of this productions in the second se	ection II. Amer gulations at 40 ct. 1 understar at if this notific	nded labe 0 CFR 15 nd that it i ation is no	ling with 2.46, an s a viola ot consis	d no other cl tion of 18 U. stent with the	nang S.C. terr	ges have bee . sec 1001 to ms of PR Not	n made willfully ice 98-1	make any false 0 and 40 CFR 152.46,
			Section	on - II	l				
1. Material This Product Will E	le Packaged In:						T		
Yes No	Unit Packaging Yes No If "Yes" Unit Packaging wgt.	No. per container		'es lo	No. per container		2. Type of C	ontainer Metal Plastic Glass Paper Other (S	pecify)
3. Location of Nat Contents In	formation ntainer	4. Size(s) Reta	sil Containe	hr	5	i. Loi [-	cation of Labe	I Directio	กร
6. Manner in Which Label is A	ffixed to Product	Lithogr Paper c Stencil	aph glued ed		Other			-	
			Section	on - IV	1				
1. Contact Point /Complete it	ems directly below fo	or identification	of individ	ual to be	contacted, if	пес	essary, to pro	cess this	application.)
Name Matthew Granahan matthe	w.granahan@us.n	4 (	Title Registr	ation N	Manager		1	elephone 630.45	9 No. (Include Area Code) 5.2048
I certify that the statem I acknewledge that any both ander applicable is	knowlingly false or i		ell ettachm						6. Date Application Recaivag > (Stamped)
2. Signature	/			strati	on Mai	na	ger	د د د د د د د د د د د د د د د	ن د د ( ز ر د د ( ز ر
Matthew Granahan			5. Date					ز و درد د د د د	

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.



Nufarm Americas Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 Telephone: (630) 455.2000 Facsimile: (630) 455.2001 www.us.nufarm.com

May 28, 2009

Via Overnight Courier

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

Subject: Millennium Ultra Weed and Feed EPA REG. No. 228-343 Label Notification per PR 98-10

Dear Ms. Hobgood:

Nufarm Americas Inc. would like to add optional language to subject product's label. The proposed language is consistent with PR Notice 98-10, Section II (labeling notifications) Subsection N and PR Notice 98-10, Section II (labeling notifications) Subsection E. We have added the following sentences:

### **"OPTIONAL FERTILIZER CLAIM:**

Contains NutriSphere-N®"

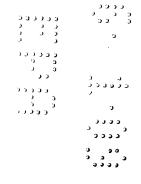
To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling clean (1 copy)

If you should have any questions regarding this matter, please feel free to contact me at (630) 455-2048 or <u>matthew.granahan@us.nufarm.com</u>.

Sincerely

Matthéw Granahan Registration Manager Nufarm Americas, Inc.



(Commercial Only Label)

# MILLENNIUM ULTRA WEED AND FEED

# THIS PRODUCT IS A PREMIUM GRADE HERBICIDE AND TURF FOOD COMBINATION WHICH CONTROLS A WIDE SPECTRUM OF BROADLEAF WEEDS WHILE PROVIDING BOTH FAST AND LONG FEEDING ACTION.

**CONTAINS 2,4-D, CLOPYRALID AND DICAMBA** 

Weeds contacted by this product gradually die and disappear from the lawn. Treats (or covers) 5,000 Square Feet (50' x 100')

ACTIVE INGREDIENTS:	
Dimethylamine Salt of 2,4-D*	
Clopyralid Acid**	71%
0.0	71%
OTHER INGREDIENTS:	<u>68%</u>
<b>TOTAL:</b>	00%
BY ISOMER SPECIFIC METHOD, EQUIVALENT TO:	
*2,4-D Acid	73%
**Clopyralid Acid	71%
	071%
GUARANTEED ANALYSIS:	
Total Nitrogen (N)	X%
X% Ammoniacal Nitrogen	
X% Urea Nitrogen	
Available Phosphate (P <sub>2</sub> O <sub>5</sub> )	X%
Soluble Potash (K <sub>2</sub> O)	X%
Primary Plant Foods derived from Ammonium Phosphate, Sulfur Coated Urea, Urea, Triple Super Phosphate, and Muriate of Potash.	
Chlorine (CI) Maximum	X%
The urea nitrogen in this product has been coated to provide X% coated slow release urea nitrogen. Fertilizer guaranteed by (Name of fertilizer registrant)	

<sup>2</sup>IN NEW YORK STATE, THIS PRODUCT MAY ONLY BE SOLD TO AND USED BY PROFESSIONAL APPLICATORS AND IS PROHIBITED FROM SALE AND USE IN NASSAU AND SUFFOLK COUNTIES. IN CALIFORNIA, OREGON, AND WASHINGTON, TURFGRASS AND LAWN USES ARE RESTRICTED TO GOLF COURSES ONLY.

This product cannot be used on Agricultural, Forest sites or Right-of-way.

## KEEP OUT OF REACH OF CHILDREN CAUTION

SEE BACK PANEL FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, call (877) 325-1840

EPA REG. NO. 228-343 EPA EST. NO. 228-IL-1 Manufactured For NUFARM AMERICAS INC. 150 Harvester Drive Burr Ridge, IL 60527



NET WEIGHT LBS.

000228-00343.20090528.EPA.PRN98-10

4/9

#### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE);

All loaders, applicators, and other handlers must wear:

- long-sleeved shirt and long pants
- shoes plus socks

Users Should:

· chemical-resistant gloves made of any waterproof material

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### USER SAFETY RECOMMENDATIONS

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **FIRST AID**

IF IN EYES	<ul> <li>Hold eye open and rinse slowly and gently with water for 15 to 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>
	HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

#### **ENVIRONMENTAL HAZARDS**

This pesticide may be toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

Not for use on turf grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

This product is for use on Ornamental Turf Lawns (Industrial and Institutional), Parks Cemeteries, Athletic and Recreational Sports Fields, Golf Courses (Fairways, Aprons, Tees\* and Roughs) and similar turf areas. \*Excluding Bentgrass Tees.

The maximum number of broadcast applications per treatment site is 2 per year.

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. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until dust has settled.

Do not use on Centipede, Dichondra, and St. Augustine. Do not use this product where desirable clovers are present or allow the product to "wind drift" onto flowers, vegetables, ornamentals, shrubs, trees or other desirable plants. Do not apply when air temperature exceeds 90°F. Avoid overlapping.

Do not use on residential turf. Do not collect grass clippings for mulch or compost. Do not send clippings to a compost facility. Applicator must give notice to landowners/property managers to not use grass clippings for mulching or composting.

#### WEEDS CONTROLLED

This product is designed to promote lush green growth in lawns and control many broadleaf weeds such as:

Alder Annual vellow sweet clover Artichoke Aster Austrian fieldcress Bedstraw Beggartick Biden Bindweed Bird vetch Bitterweed Bitter wintercress Black-eyed Susan Black Medic Black Mustard Black-seed plantain Blessed thistle Blue lettuce Blue vervain Box elder Bracted plantain Brassbuttons Bristly oxtongue Broadleaf dock Broadleaf plantain Broomweed Buckhorn Buckhorn plantain Bulbous buttercup Bull nettle Bull thistle Burdock Burning nettle Bur ragweed Burweed Buttercup Canada thistle Carolina geranium Carpetweed Catchweed Bedstraw Catsear Catnip Chickweed Chicory Cinquefoil Clover Cockle Cocklebur Coffeebean Coffeeweed Common chickweed Common mullein Common sowthistle Corn Chamomile Creeping jenny Crimson clover Croton Cudweed Curly dock Curly indigo Dandelion Dead nettle Dock

Dogbane Dogfennel Elderberry English daisy Fall dandelion False dandelion False flax False sunflower Fiddleneck Field bindweed Field pansy Flea bane (daisy) Flixweed Florida betony Florida pusley Frenchweed Galinsoga Garlic mustard Goathead Goatsbeard Goldenrod Ground ivv Gumweed Hairy bittercress Hairy fleabane Hawkweed Healall Heartleaf drymary Hedge bindweed Hedge mustard Hemp, Henbit Hoary cress Hoary plantain Hoarv vervain Honeysuckle Hop clover Horsenettle Horsetail Indiana mallow ironweed Jewelweed Jimsonweed Kochia Knawel Knotweed Lambsquarter Lespedeza Locoweed Lupine Mallow Marshelder Matchweed Mexicanweed Milk vetch Milkweed bloodflower Mugwort Morningglory Mousear chickweed Musk thistle Mustard Narrowleaf plantain Narrowleaf vetch Nettle

Orange hawkweed Oxalis Oxeye daisy Parsley-piert Parsnip Pearlwort Pennycress Pennywort Peppergrass Pepperweed Pigweed Pineywoods bedstraw Plains coreopsis Plantain Poison hemlock Poison ivy Poison oak Pokeweed Poorjoe Povertyweed Prickly lettuce Prickly sida Primrose Prostrate knotweed Prostrate pigweed Prostrate spurge Prostrate vervain Puncture vine Purslane Ragweed Red clover Redroot pigweed Red sorrel Redstern filaree Rough cinquefoil Rough fleabane Roundleafed marigold Rush Russian pigweed Russian thistle St. Johnswort Scarlet pimpernel Scotch thistle Sheep sorrel Shepherdspurse Slender plantain Smallflower galinsoga Smartweed Smooth dock Smooth pigweed Sneezeweed Southern wild rose Sowthistle Spanishneedle Spatterdock Speedwell Spiny amaranth Spiny cocklebur Spotted catsear Spotted knapweed Spotted spurge Spurae Spurweed

Stinging nettle Stinkweed Stitchwort Strawberry clover Sumac Sunflower Sweet clover Tall nettle Tall vervain Tansy mustard Tansy ragwort Tanweed Tarweed Thistle Tick trefoil Toadflax Trailing Crownvetch Tumble mustard Tumble pigweed Tumbleweed Velvet leaf Venice mallow Veronica Vervain Vetch Virginia buttonweed Virginia creeper Virginia pepperweed Wavyleaf bullthistle Western clematis Western salsify White clover White mustard Wild aster Wild buckwheat Wild carrot Wild four-o'-clock Wild garlic Wild geranium Wild lettuce Wild marigold Wild mustard Wild onion Wild parsnip Wild radish Wild rape Wild strawberry Wild sweet potato Wild vetch Willow Witchweed Woolly croton Woolly morning-glory Woolly plantain Woodsorrel Wormseed Varrow Yellow rocket Yellowflower pepperveed and other broadleaf weeds

3,23,3

)

3333 2222 פנינ ננננ

.....

WHEN TO APPLY: Best results are obtained when weeds are growing actively in spring or early fall. Avoid contact with desirable shrubs, plants, vegetables, or flowers; especially when applying with a rotary (spinner) type spreader. Do not reseed for at least 3 to 4 weeks after application. Do not apply to newly seeded or sodded lawn until after 3 mowings. For optimum results (1) Avoid mowing 1 to 2 days before and after application; (2) Apply when grass is moist (after a rain, sprinkling or dew); (3) Avoid unnecessary disturbances, including watering of treated areas for 48 hours after application. Watering will wash off weed killing material; and (4) Avoid applying if rainfall is expected within 48 hours following treatment. Possible retreatment in approximately 30 days may be necessary if lawn is heavily overrun with weeds or if adverse low moisture conditions prevail and weeds are in a state of poor growth. Do not exceed recommended rates because damage to turf may occur.

NOTE: When applying to listed Warm Season Grasses - under conditions of inadequate moisture, high temperature and high humidity, over-application may cause minor transitory discoloration. It is recommended that during hot, dry conditions, application rates should be reduced 50% to avoid possible dehydration or browning of grass.

HOW TO APPLY: This 20 (or 18) pound bag should be used on 5,000 square feet. Apply evenly with a lawn spreader as a one pass application. A two pass application, criss-crossing the area at half the rate each time is also acceptable.

The following settings are approximate for applying contents of this package at a suggested rate of 4 (or 3.6 for 18 lb. Bag) pounds per 1,000 square feet. Settings are based on an average walking speed. Reduce setting for slower speed; raise setting for higher speed. Check your spreader on 250 square feet and adjust to apply at the rate of 1 (.9 for 18 lb. Bag) pound per 250 square feet.

#### SPREADER SETTINGS ONE PASS APPLICATION

MAKE	<u>SETTING</u>
Central Calibrated	5
Cyclone Broadcast	3-3/4
Jackson	5
Sears Broadcast	3
Sears	5
Scotts Calibrated	4

Sweep (do not wash) all fertilizer materials from surfaces immediately after application, because certain fertilizer ingredients can cause permanent stains. Wash out spreader after each use and allow it to dry thoroughly. Treat any exposed metal spreader areas with oil to reduce corrosion

(The following paragraph is mandatory in Kentucky when the nitrogen analysis does not provide 1 pound of nitrogen/1,000 square feet; otherwise, this information is optional.)

A lawn typically will utilize 1 to 4 pounds of nitrogen per 1,000 square feet per growing season. When used as directed, this product will supplement your regular fertilizer program by providing \*(No. of Ibs.) pounds of nitrogen per 1,000 square feet (optional P205 and K20 levels) and herbicide to control listed weeds. Please consult your local extension office for questions regarding a regular fertilizer program.

\*Based on Inert Fertilizer claimed.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Do not stack more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides. PRODUCT DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, clean up all spilled material. Improper disposal of excess pesticide, spray mixtures, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay away from smoke.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW. (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER, EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELICIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER, JHIS WRITING 3En... Jayaa Yayaa 

4

Commercial
------------

CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

#### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO BUYER. ALL SUCH WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV052809N)

#### **OPTIONAL SPREADER INSTRUCTIONS:**

,

з

(Illustration) For Drop Spreaders: First apply two strips at ends. Then apply product along the length of the lawn, overlapping very slightly and shutting off spreader when turning.

(Illustration) For Rotary Spreaders: Apply in a circular path, starting on the outside and working toward the center, overlapping very slightly.

Suggested spreader settings are not intended to replace calibration.

Please calibrate your spreader prior to applying product.

XXX pounds treats XXX square feet at the XXX pounds per acre rate

#### **OPTIONAL MARKETING STATEMENTS**

Contains Millennium Ultra™ - A Premium Selective Herbicide

#### **OPTIONAL MARKETING STATEMENT(S)**

For Both Cool Season & Warm Season Grasses

Formulated for Fast Herbicide Response

The following note will not be part of the actual label copy.

<sup>1</sup>Note: Guaranteed (fertilizer) Analysis and Spreader Settings will vary among various commercial fertilizer manufacturers. Chlorine declaration and fertilizer guarantee are optional except where mandated by State fertilizer regulation.

#### EDITOR'S NOTE:

<sup>2</sup>The State Sale and Use Prohibitions of this product must be part of printed label text for any product which might possibly enter the channels of trade in the states of New York, California, Oregon and/or Washington. The state label prohibition is optional for all other states.

Special Editor's Note: REVISED

#### OPTIONAL FERTILIZER CLAIM:

Contains NutriSphere-N®

### NOTIFICATION

JUN 2 6 2009

