228-509

04/26/2011



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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

APR 2 6 2011

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

Subject: Notification per PR Notice 2007-4 – Revision of Storage and Disposal Statements ProDeuce EPA Reg. No. 228-509 Application Dated: April 8, 2011

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for the subject product.

The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action requested falls within the scope of this notice. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please feel free to contact Maggie Rudick at (703) 347-0257 or <u>rudick.maggie@epa.gov</u>.

Sincerely,

Kable Bo Davis, Product Manager 25 Herbicide Branch Registration Division (7505P) Office of Pesticide Programs

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Name Matthew Granahan matthew.granahan@us.nufarm.com			Title Regulatory Manager				Telephone No. (Include Area Code) (630) 455-2048					
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Matthew Granahan			04/08	04/08/2011								

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EPA Form 8570-1 (Rev. 3-34) Previous editions are obsolete.

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

893455

April 8, 2011

Via Overnight Courier

Bo Davis (PM-25) U. S. Environmental Protection Agency (7504P) Document Processing Desk (NOTIF) Room S4900, One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

# Subject: ProDeuce EPA Reg. No. 228-509 Notification per PR N 07-04

Dear Mr. Davis:

Nufarm Americas Inc. would like to update the Storage and Disposal text on above referenced label. We have added Commercial Storage and Disposal text applicable to less than 5 gallon non-refillable containers / greater than 5 gallon non-refillable containers and refillable containers. Nufarm has retained and assigned the current S&D as Residential, as it fits the residential market of the end use product. It is believed this can be revised via notification and is consistent with PRN 07-04.

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Certification with Respect to Label Integrity
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling clean (1 copy)
- CD containing the proposed labeling

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

Matthew Granahan Regulatory Manager Nufarm Americas, Inc.



APR 2 6 2011

# **ProDeuce**<sup>®</sup>

## PRE-EMERGENT AND POST-EMERGENT WEED CONTROL FOR MANY BROADLEAF WEEDS AND GRASSES

Glyphosate, N-(phosphonomethyl) glycine, in the form of its isopropylamine salt*	40.15%
Prodiamine**	
	<u>52.34%</u>
TOTAL:	00.00%

\*Contains 480 grams per liter or 4.0 pounds per U.S. gallon. Equivalent to 356 grams per liter or 2.97 pounds per U.S. gallon. \*\*Equivalent to 90 grams per liter or 0.75 pounds per U.S. gallon (CAS # 29091-21-1).

# KEEP OUT OF REACH OF CHILDREN CAUTION / PRECAUCION

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.)

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

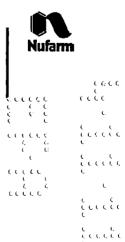
For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 228-509 EPA EST. NO.

**NET CONTENTS:** 

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MANUFACTURED FOR NUFARM AMERICAS INC. 150 HARVESTER DRIVE BURR RIDGE, IL 60527



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

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling.

	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

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 from treated areas may be hazardous to aquatic organisms in adjacent sites. Do not contaminate water when disposing of equipment wash water or rinsate.

# PHYSICAL OR CHEMICAL HAZARDS

Spray solutions of this product should be mixed, stored and applied using only stainless steel, aluminum, fiberglass, plastic or plastic-lined steel containers.

DO NOT MIX, STORE OR APPLY THIS PRODUCT, OR SPRAY SOLUTIONS OF THIS PRODUCT, IN GALVANIZED STEEL OR UNLINED STEEL (EXCEPT STAINLESS STEEL) CONTAINERS OR SPRAY TANKS. This product or spray solutions of this product react with such containers and tanks to produce hydrogen gas which may form a highly combustible gas mixture. This gas mixture could flash or explode, causing serious personal injury, if ignited by open flame, spark, welder's torch, lighted cigarette or other ignition source.

# 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.

Stay off treated areas until sprays have dried. Precautions should be taken to prevent tracking product after application onto desirable grasses.

# SHAKE WELL BEFORE USING.

# **PRODUCT INFORMATION**

# WHERE TO USE

Apply this product to both established weeds and weed-prone areas where weeds have not yet emerged:

- · on cracks and crevices in driveways, sidewalks, walkways, and patios
- · along fences, foundations, curbs, retaining walls, and edges of lawns
- around the base or in mulched beds of well-established (at least 6 months old) plants, shrubs or tree
- · on gravel areas

# HOW THIS PRODUCT WORKS

Important: To prevent new weeds and grasses from growing you must spray the entire area you want to control, not just the emerged weeds.

This product works two ways:

- 1. One ingredient enters the plants through foliage and moves systemically to the roots, killing many weeds by stopping the production of a substance found in plants. Weeds begin to yellow and wilt in a matter of days with complete kill of many weeds in 1 to 2 weeks.
- 2. The other ingredient provides a herbicidal barrier in the soil preventing growth and development of newly germinated weeds.

# **USE RESTRICTIONS**

- DO NOT spray desirable plants.
- · DO NOT use in lawns or for lawn renovations as this product prevents desirable grass establishment.
- · DO NOT use for vegetable garden preparations or in and around fruits and vegetables.
- DO NOT spray around ornamental plants or in an area that will be planted or seeded for 6 months after application when applying

at the 3 fl. oz. per 1,000 sq. ft. use rate.

• DO NOT spray around ornamental plants or in an area that will be planted or seeded for 12 months after application when applying at the 5.75 fl. oz. per 1,000 sq. ft. use rate.

# When to Apply

# APPLICATION

Spray when air is calm to prevent drift to desirable plants. For best results, apply during warm, sunny weather (above 60°F).

# WEEDS CONTROLLED

Pre-Emergent:

When used as directed, this product will prevent the following weeds from emerging:

- Barnyardgrass Bluegrass, annual (Poa annual)<sup>1</sup> Carpetweed Chickweed, common<sup>2</sup> Chickweed, mouse-ear (from seed) Crabgrass (large, smooth) Crowfootgrass Cupgrass, woolly Foxtails, annual Goosegrass
- Henbit<sup>1</sup> Itchgrass Johnsongrass (from seed) Junglerice Knotweed<sup>1</sup> Kochia Lambsquarters, common Lovegrass Panicum, (Texas, fall, browntop) Piaweed
- Purslane, common Pusley, Florida Rescuegrass<sup>2</sup> Shepherdspurse<sup>1</sup> Signalgrass, broadleaf Speedwell, Persian Sprangletop Spurge, prostrate Witchgrass Woodsorrel, yellow (from seed)

<sup>1</sup>To control this weed in non-turf areas, apply this product in late summer, fall, or winter before weeds germinate. <sup>2</sup> Suppression only.

#### **Post-Emergent:**

Barley Barnyardgrass Bluegrass, annual Bluegrass, bulbous Brome, downy Buttercup Cheat Chickweed, common Chickweed, mouse-ear (from seed) Cocklebur Corn Crabgrass Dwarf dandelion False flax, smallweed Filaree Foxtail Foxtail, Carolina Geranium, Carolina

Alfalfa Alligatorweed\* Anise (fennel) Artichoke, Jerusalem Bahiagrass Bentgrass Bermudagrass Bermudagrass, water (knotgrass) Bindweed, field Bluegrass, Kentucky Bluegrass, Texas Brackenfern Bromegrass, smooth Bursage, woollyleaf Canarygrass, reed Cattail Clover, red Clover, white Cogongrass Dallisgrass Dandelion

\* Partial Control

ANNUAL WEEDS

Goatgrass, jointed Goosegrass Groundsel, common Henbit Horseweed / Mare's Tail Lambsquarters, common Mustard, blue Mustard, tansy Mustard, tumble Mustard, wild Oats, wild Panicum, fall Panicum, Texas Pennycress, field Pigweed, redroot Pigweed, smooth Primrose, cutleaf evening Pusley, Florida

#### PERENNIAL WEEDS

Dock, curly Dogbane, hemp Fescue, tall Fescues Guinea grass Horsenettle Horseradish Ice plant Johnsongrass Johnsongrass, seedling Kikuyugrass Knapweed Lantana Lespedeza Milkweed Morningglory Muhly, wirestem Mullein, common Napiergrass Nightshade, silverleaf Nutsedge; purple, yellow

Rice, red Rocket, London Rye Ryegrass, Italian Shattercane Shepherdspurse Sicklepod Signalgrass, broadleaf Spanishneedles Sprangletop Spurge, annual Spurry, umbrella Stinkgrass Teaweed Wheat Witchgrass

Orchardgrass Pampasgrass\* Paragrass Phragmites\* Poison hemlock Quackgrass Redvine\* Reed, giant Ryegrass, perennial Smartweed, swamp Spurge, leafy\* Starthistle, yellow Sweet potato, wild\* Thistle, artichoke Thistle, Canada Timothy Torpedograss\* Trumpetcreeper\* Vaseygrass Velvetgrass Wheatgrass, Western TANK SPRAYER (plastic, aluminum, fiberglass, plastic-lined steel or stainless steel)

- Add 3 to 5.75 fluid ounces to 1 gallon of water and treat 1,000 sq. ft.
- For longer pre-emergent control and post-emergent control of larger weeds use the higher rate.

Do not apply with a galvanized or unlined steel (except stainless steel) sprayer, or through any irrigation system.

#### HOW TO APPLY

Spray existing weeds AND the entire surrounding weed-prone area you want to keep free of weeds. Spray the area with sufficient volume to assure complete coverage. When spraying around the base of well-established (at least 6 months old) ornamental plants, shrubs, or trees, shield desirable plants from drift with a sheet of cardboard or plastic. Use caution to prevent application to green stems and leaves, damage can occur.

## WHEN TO REPLANT

All ornamental bedding plants, trees, shrubs, sod, and seed (flowers and grasses) may be planted 6 months after application when applying at the 3 fl. oz. per 1,000 sq. ft. use rate or 12 months when applying at the 5.75 fl. oz. per 1,000 sq. ft. use rate.

#### HOW TO CLEAN SPRAYER

To clean sprayer after use, rinse sprayer and all sprayer parts with soap and water 3 times. Spray rinse water on bare soil or gravel. After cleaning, sprayer may be used for other products.

# STORAGE AND DISPOSAL [Commercial]

Do not contaminate water, food, or feed by storage or disposal. **PESTICIDE STORAGE**: STORE ABOVE 10°F (-12°C) TO KEEP PRODUCT FROM CRYSTALLIZING. Crystals will settle to the bottom. If allowed to crystallize, place in a warm room 68°F (20°C) for several days to redissolve and shake or roll to mix well before using.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. **DO NOT** contaminate water, food or feed by storage or disposal. Improper disposal of excess pesticide, spray mixture, or insate is a violation of Federal law. Dispose of excess or waste pesticide by use according to label directions, or contact your State pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### [Nonrefillable Containers 5 Gallons or Less:]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. The flow begins

#### [Nonrefillable containers larger than 5 Gallons:]

**CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container.** Offer for recycling if available. If recycling or reconditioning is not available, puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless allowed by state and local ordinance. If burned stay out of smoke. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate for later use or disposal. Repeat this procedure two more times.

**Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

#### [Refillable containers]

**CONTAINER HANDLING [DISPOSAL]: Refillable container.** Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

# STORAGE AND DISPOSAL [Residential]

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

**PESTICIDE STORAGE:** STORE ABOVE 10°F (-12°C) TO KEEP PRODUCT FROM CRYSTALLIZING. Crystals will settle to the bottom. If allowed to crystallize, place in a warm room 68°F (20°C) for several days to redissolve and shake or roll to mix well before using.

**PESTICIDE DISPOSAL AND CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. If empty: 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 (including toilet) or outdoor (including sewer) drain.

#### 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 ELIGIBILITY 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. THIS WRITING 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 FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH 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.

(RV040811)

ProDeuce is a registered trademark of Nufarm Americas Inc. All other trademarks are the property of their respective owners.

# OPTIONAL MARKETING HYPE:

- . . . . .

Season Long Control\* \* Season Long is 3 months Dual-Action-----Dual Action Formula Up to 4 months control 3 to 6 months control

## **OPTIONAL STATEMENT:**

The preemergent herbicide prodiamine in this product is yellow in color, which allows the user to see the area that has been sprayed. If sprayed on cement curbs, sidewalks, and driveways, it may temporarily stain if not washed off immediately after application. Caution should be used not to wash the product off target weeds or weed control may be adversely affected. Treated areas should be dry before entering to avoid staining onto non-treated surfaces.