

1769-159

4/24/2009

1/7



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

APR 24 2009

Mr. Dan Hollas  
NCH Corporation  
2727 Chemsearch Blvd  
Irvine, TX 75067

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 31, 2009 for:

**EPA Registration 1769-159 Fenocil III**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

2/2

Print Form

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1769-159	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) FENOCIL III	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) NCH Corporation 2727 Chemsearch Blvd. Irving TX 75067 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

**NOTIFICATION**  
APR 24 2009

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input 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 of label change per PR Notice 2007-4. (See attached page for additional information).

**NOTIFICATION**

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input 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"/> Text <input type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 2.5, 5, 7, 20, 35, 55 gal	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Dan Hollas	Title Regulatory Specialist	Telephone No. (Include Area Code) 972-438-0762
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 Regulatory Specialist	
4. Typed Name Dan Hollas	5. Date 4/23/2009	



4/7

# Fenocil™ III

Non-Selective Weed Killer

## ACTIVE INGREDIENT

Bromacil\* (5-Bromo-3-sec-butyl-6-methyluracil)..... 3.3%

**OTHER INGREDIENTS\*\*** ..... 96.7%

**TOTAL**..... 100.0%

\*Equivalent to 0.254 pound per gallon

\*\*Contains Heavy Aromatic Naphtha

EPA Reg. No. 1769-159

EPA Est. No.

## NOTIFICATION

APR 24 2009

KEEP OUT OF REACH OF CHILDREN

DANGER

Fenocil III can be used to control weeds for an extended period of time on non-cropland areas such as loading ramps, fence rows, railroad sidings, storage yards, parking lots, around buildings and industrial plant sites.

Effects are slow to appear and may not become apparent until the chemical has been carried into the root zone of the weeds by irrigation and/or rainfall. Effects on perennials usually progress over a period of several months. The degree of control and duration of effect will vary with the amount of herbicide applied, soil texture, rainfall, and other conditions.

## DIRECTIONS FOR USE

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

## GENERAL PRECAUTIONS AND RESTRICTIONS

For use on plants in non-crop and non-timber areas only. Not for use on crops, timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Do not apply this product through any type of irrigation system.

Not to be used in any recreational areas or in or around homes.

**Entry Restriction:** Do not enter or allow others to enter the treated areas until sprays have dried.

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 agency responsible for pesticide regulation.

5/7

### Application Timing

Best results are obtained if Fenocil III is applied as a pre-emergence or early post-emergence spray. Apply just before or during the period of active growth of plants to be controlled and when rainfall can be expected for soil activation. This product works only by root absorption, therefore it is important for the product to be applied to the soil and not the plant. If dense growth is present, results will be improved if vegetation is removed before treatment. Do not apply when the ground is frozen.

To control annual weeds and grasses such as foxtail, ryegrass, wild oat, crabgrass, cheatgrass, ragweed, lambsquarters, downy brome, puncturevine and turkey mullein, dilute 1 gallon of Fenocil III with 9 gallons of water for a total of 10 gallons of diluted spray solution. Apply 5 gallons of the diluted spray solution per 1000 square feet. At this application rate, do not make more than 2 applications per year.

For perennials such as smooth brome, bluegrass, purpletop, quackgrass, broomsedge, aster dandelion, dog fennel, goldenrod, plantain, bahiagrass, bermudagrass, johnsongrass, nutsedge, natalgrass (redtop), and wild carrot, dilute 1 gallon of Fenocil III with 9 gallons of water for a total of 10 gallons of diluted spray solution. Apply 10 gallons of the diluted spray solution per 1000 square feet. At this application rate, do not make more than 1 application per year.

Where limited rainfall (usually less than 4 inches) occurs during the active growth period, such as in some areas of the West, Fenocil III usually will not provide satisfactory control of hard-to-kill, deep-rooted perennial weeds such as johnsongrass.

**NOTE:** Do not let the liquid come in contact with susceptible plants such as vegetables, flowers, fruit trees, ornamentals, cotton, grapes or other desirable plants or allow spray mist to drift onto these plants. (Coarse sprays are less likely to drift.) Thoroughly clean spray equipment before using for other purposes. Do not store near fertilizers, seeds, insecticides or fungicides. Do not contaminate water used for irrigation or domestic purposes. Do not apply to areas underlaid by roots of desirable trees and shrubs.

*[for containers less than or equal to 5 gallons]*

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** KEEP THE CONTAINER CLOSED.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State pesticide or environmental protection agency or the hazardous waste representative at the nearest EPA regional office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. 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. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

1/6

[for containers larger than 5 gallons]

## STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** KEEP THE CONTAINER CLOSED.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State pesticide or environmental protection agency or the hazardous waste representative at the nearest EPA regional office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty 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 into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### DANGER

Corrosive. Causes irreversible eye damage. Harmful if swallowed or absorbed through the skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. This product may cause skin sensitization reactions in some people.

#### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category **G** on the EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as barrier laminate or viton >14 mils
- Protective eyewear
- Shoes plus socks

Remove and wash contaminated clothing using detergent and hot water before reuse. Keep and wash contaminated clothing separately from other laundry.

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

When handlers use closed systems (including water-soluble packets), enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard

2/7

(WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

### **USER SAFETY RECOMMENDATIONS**

Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. After handling this product, wash thoroughly and change into clean clothing.

### **FIRST AID**

**IF IN EYES:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lens, if present after the first five minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

**IF SWALLOWED:** Call a physician or Poison Control Center immediately for treatment advice. Have the person sip a glass of water if they can swallow. Do not induce vomiting unless told to by a poison control center or doctor.

**IF ON SKIN:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a physician or Poison Control Center for treatment advice.

**NOTE TO PHYSICIAN:** Probable mucosal damage may contraindicate the use of gastric lavage. This product may pose an aspiration pneumonia hazard. Contains petroleum distillate.

### **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment wash waters. Do not apply when weather conditions favor drift from areas treated. Do not apply this product through any type of irrigation system. Apply this pesticide only as specified on the label.

### **PHYSICAL OR CHEMICAL HAZARD**

Combustible: Do not use, pour, spill, or store near heat or open flame.

For medical or environmental emergencies, call CHEMTREC® at 1-800-424-9300.

**Not for Resale**

**MADE IN THE U.S.A.**

[Label Code]

[Date Code]

[Batch Code]

[ISO Logo]

**NET CONTENTS:** \_\_\_\_\_

NCH Corporation  
2727 Chemsearch Boulevard  
Irving, Texas 75062  
©2009 NCH Corporation