

2935-547

3/26/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Sandi Escamila
Product Registration
Wilbur-Ellis Company
PO Box 1286
Fresno, CA 93715

MAR 26 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change/Change Ammoniacal Nitrogen etc, on the
fertilizer Guaranteed Analysis
EPA Reg. No. 2935-547
Application Dated February 10, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 02/10/10 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(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Wilbur-Ellis Company (2935-547)	2. EPA Product Manager Kathryn Montadue	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Moss Terminator 10-4-6	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company PO Box 1286 Fresno CA 93715 <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. _____ Product Name _____	

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.

NOTIFICATION

MAR 26 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Submitting notification PR Notice: 98-10 for changing Guaranteed Analysis on label.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> Text <input type="checkbox"/> No		<input type="checkbox"/> Metal	
* Certification must be submitted				<input type="checkbox"/> Plastic	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		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 type="checkbox"/> Lithograph <input type="checkbox"/> 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 Sandi Escamilla	Title Registration Specialist	Telephone No. (Include Area Code) 559-893-2108
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 Registration Specialist	
4. Typed Name Sandi Escamilla	5. Date Feb. 10, 2010	



3 of 5

February 10, 2010

FEDEX

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Notification of changes on Fertilizer Guaranteed Analysis
Moss Terminator, EPA Reg. No. 2935-547

Dear Sir or Madam:

Wilbur-Ellis Company is submitting this notification PR-Notice 98-10 to EPA. We are changing the Ammoniacal Nitrogen and the Urea Nitrogen on the fertilizer Guaranteed Analysis on our Moss Terminator 10-4-6 label.

Also, we have changed our company logo.

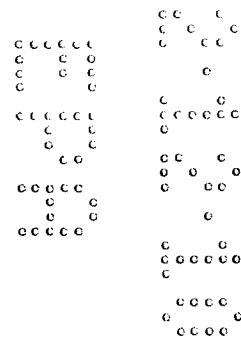
Enclosed are three copies of the label and one copy is highlighted in red to show the changes.

Please call me at (559) 493-2108, or email to sescamil@wecon.com if you have any questions.

Sincerely,

Sandi Escamilla
Registration Specialist
Wilbur-Ellis Company

Enclosure(s)





MOSS TERMINATOR™

10-4-6

With 10% Iron

ALL SEASON QUICK GREEN AND MOSS KILLING FERTILIZER

NOTIFICATION

GUARANTEED ANALYSIS:

Total Nitrogen(N).....	10%
9.40% Ammoniacal Nitrogen	
0.60% Urea Nitrogen	
Available Phosphate (P ₂ O ₅).....	4%
Soluble Potash (K ₂ O).....	6%
Sulfur (S).....	16%
Iron (Fe).....	10%

Derived from: Urea, Ammonium Sulfate, Treble Super Phosphate, Muriate of Potash, Ferrous Sulfate

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aapfco.org/metals.htm>

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

FIRST AID

If on skin:	<ul style="list-style-type: none">•Take off contaminated clothing.•Rinse skin immediately with plenty of water for 15-20 minutes.
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 mouth-to-mouth if possible.•Call a poison control center or doctor for further treatment advice.
If swallowed:	<ul style="list-style-type: none">•Call a poison control center or doctor immediately for treatment advice.•Have a person sip a glass of water if able to swallow•Do not induce vomiting unless told to by a poison control center or doctor.•Do not give anything by mouth to an unconscious person.
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.•Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

ACTIVE INGREDIENTS:

Ferrous Sulfate Monohydrate.....	30.52%
INERT INGREDIENTS:.....	69.48%
TOTAL.....	100.0%

MAR 26 2010

EPA Reg. No. 2935-547

EPA Est. No.35497-OR-1

ENVIRONMENTAL HAZARDS

For terrestrial uses: 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 disposing of equipment washwaters or rinsate.

GENERAL INFORMATION

Use any time of the year (even when moss is not present)

Sweep or blow (do not wash) all fertilizer materials from surfaces immediately after application, because certain fertilizer ingredients can cause permanent stains. Do not apply to concrete, masonry, wall siding or stucco surfaces. If applied by accident brush or sweep off immediately. Keep out of pools.

NOTE: All products containing soluble iron will stain masonry and clothing. Sweep or blow off immediately, if spilled. Do not wash off with water. Wash spreading equipment thoroughly after use.

Children and pets may walk on a treated lawn after the dust settles from the application. To take extra precautions, avoid contact with treated lawn until the following day.

DIRECTIONS FOR USE

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

1. Rake lawn lightly to remove leaves, dead grass and other debris.
2. Mow lawn to expose moss and to allow fertilizer to penetrate the turf canopy.
3. Apply uniformly at the recommended rate using a lawn spreader. Contents of this bag cover up to 5,000 sq. ft. for moss control or up to 7,500 sq. ft. for fertilization.
4. Water thoroughly immediately after application to wash fertilizer particles off grass and down into the soil.
5. Sweep or blow off sidewalks, driveways and painted surfaces as ferrous sulfate may stain concrete.

HOW TO APPLY: Apply one pass evenly with a properly calibrated drop type or rotary spreader. A two-pass application, crisscrossing the area at half the rate each time is the same as one application. Always apply with fertilizer spreader. Do not apply by hand.

Spreader setting are approximate. The conditions of your spreader, the speed at which you walk and the width between spreader passes may cause differences in the rate of application.

5045

APPLICATION RATES

	Pounds of Product Per 1,000 sq. ft.	Pounds of Actual Nitrogen Per 1,000 sq. ft.	Sq. Ft. Coverage Per 50# bag
Fertilization	6.66	0.67	7,500
Moss Control	10	1.0	5,000

DO NOT exceed the maximum annual application rate of 20 lbs per 1,000 sq. ft.

ESTABLISHED LAWNS AND COOL SEASON GRASSES

Bluegrass, Bentgrass, Fescues, Ryegrass - apply 3 - 10 pounds per 1,000 sq. ft. in the spring and fall. Early spring treatment will give grasses a head start.

This product is an excellent lawn fertilizer to apply SPRING, SUMMER AND FALL.

The extra water soluble iron supplied by ferrous sulfate turns your lawn a beautiful deep green in just 2-3 days.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only and keep sealed. Store in closed storage areas. Store in a cool place. Use care when moving, opening, closing or pouring.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Nonrefillable Container: Do not reuse or refill this container.

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 out of smoke.

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.

The Directions for Use of the product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label. EXCEPT FOR THIS WARRANTY, THE PRODUCT IS FURNISHED "AS-IS," AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEYOND WHAT IS STATED ON THE LABEL. Buyer and User accept all risks arising from any use of this product, including without limitation, uses contrary to label instructions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.

Neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE BUYER OR USER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT,

SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT, OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted, unless otherwise required by the law of the state of purchase, in accordance with the laws of the State of California, excluding its conflicts of laws rules, and may not be amended by any oral or written agreement.

WILBUR-ELLIS Logo® and IDEAS TO GROW WITH® are registered trademarks of WILBUR-ELLIS COMPANY. MOSS TERMINATOR™ is a trademark of WILBUR-ELLIS COMPANY.

IN CASE OF EMERGENCY,
CALL CHEMTREC: (800) 424-9300

F-011509-4

NET CONTENTS: 50 LB

WILBUR-ELLIS COMPANY
7 E. Washington Ave. - Yakima WA 98903

Manufactured in U.S.A. by:
WILBUR-ELLIS COMPANY
P.O. Box 16458 - Fresno, CA 93755

Batch Code _____