

7401-188

07/30/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Leslie Oliver  
Agent for Voluntary Purchasing Groups, Inc.  
C/o Mandava Associates, LLC  
6860 N. Dallas Parkway, Suite 200  
Plano, TX 75034

JUL 30 2009

SUBJECT: Applications for Pesticide Notification – Change in Storage and Disposal Section per PR Notice (PRN) 2007-4 and Environmental Hazard Statements per PRN 2008-1

Ferti-lome® Dusting Sulfur	EPA Reg. No. 7401-188
Ferti-lome® Fire Blight Spray	EPA Reg. No. 7401-311
Hi-Yield® Terraclor® Fungicide	EPA Reg. No. 7401-389

Applications Dated January 14, 2009 and May 18, 2009

Dear Ms. Oliver:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRNs) 2007-4 and 2008-1 for the above products. The Registration Division (RD) has conducted a review of these requests for their applicability under PRNs 2007-4 and 2008-1 and finds that the actions requested fall within the scope of these PR Notices. The labels submitted with the applications are considered “acceptable”, 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 call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



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 7401-188	2. EPA Product Manager Mary Waller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ferti-lome dusting Sulfur	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Voluntary Purchasing Groups, Inc. 230 N. FM 87 Bonham, Texas 75418 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <u>JUL 3 0 2009</u>	

**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 pages if necessary. (For section I and Section II.)**

Notification of label change relative to PR Notices 2008-1 and 2007-4. This notification is consistent with the guidance in PR Notices 2008-1 and 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. 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 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 I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

**Section - III**

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes <input checked="" 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  
 Label  Container

4. Size(s) Retail Container  
2 lb.

5. Location of Label Directions  
 On Label  
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product  
 Lithograph Paper glued  
 Stenciled  Other \_\_\_\_\_

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Leslie Oliver	Title Agent for Voluntary Purchasing Groups, Inc.	Telephone No. (Include Area Code) 972-265-7924
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**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.

2. Signature <i>Leslie Oliver</i>	3. Title Agent for Voluntary Purchasing Groups, Inc.	6. Date Application Received (Stamped)
4. Typed Name Leslie Oliver	5. Date May 18, 2009	

# MANDAVA ASSOCIATES, LLC

CONSULTANTS IN SCIENCE, TECHNOLOGY AND REGULATORY AFFAIRS

6860 N Dallas Parkway, Suite 200, Plano, TX 75034

Telephone: (972) 265-7924 / Fax: (972)-265-7942 / E-MAIL: [Madhu@Mandava.com](mailto:Madhu@Mandava.com) / [www.Mandava.com](http://www.Mandava.com)

May 18, 2009

Document Processing Desk (7504P)  
Registration Division (7505P)  
Attn: Terri Stowe (NOTIF)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202

Re: Voluntary Purchasing Groups, Inc; Company Number 7401; Response to email dated May 12, 2009 for Notifications of product numbers 7401-188, 7401-311 and 7401-389.

Dear Ms. Stowe:

Please find enclosed the hard copies of the revisions made to the Notification Applications for product numbers 7401-188, 7401-311 and 7401-389 as requested in your email dated May 12, 2009. E-submissions of these revisions were email to you on May 18, 2009 per your request.

If there are any questions or concerns, please contact me at (972) 265-7925. Thank you for your anticipated cooperation.

Sincerely,



Leslie Oliver  
Agent for Voluntary Purchasing Groups, Inc.

Attachment for Section II of form 8570-1

"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. 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 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 I 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. 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 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 I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

*Justie Oliver*

\_\_\_\_\_  
Signature

Agent for Voluntary Purchaing Groups, Inc.  
Title

April 23, 2009  
Date

[FRONT LABEL PANEL]

**Ferti-lome®**

**Dusting Sulfur**

[Optional proposed text appears in brackets-the final label may include some or all of the optional text]

- [For Use in Home Lawns and Gardens]
- [Controls Black Spot, Powdery Mildew, Leaf Spot, Rust & Brown Canker on Roses.]
- [Controls Listed Diseases & Insects on Shrubs, Flowers, Vegetables & Fruits]
- [Controls Thrips, Rust Mites, Red Spider Mites & Two Spotted Mites on Citrus.]
- [Controls Chiggers in Home Lawns]

**ACTIVE INGREDIENT:**

Sulfur.....90.0%

**INERT INGREDIENTS:**..... 10.0%

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

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**See Back/Side Panel for Additional Precautionary Statements**

**Net Weight**\_\_\_\_\_

**[BACK/SIDE LABEL PANEL]**

<b>FIRST AID</b>	
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 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>
If swallowed	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

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

**CAUTION:** May be harmful if swallowed, inhaled or in eyes. Avoid contact with skin, eyes or clothing. Wash thoroughly after handling and before eating or smoking. Keep children and pets off treated areas for at least 24 hours and until this material has washed into the soil.

**ENVIRONMENTAL HAZARDS**

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.

[BACK/SIDE LABEL PANEL]

**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 and being grown in home lawns and gardens.

**1. WHAT IS THIS PACKAGE FOR?**

This product provides effective and economical control of listed plant diseases and insects. May be used as a dust or spray.

**2. HOW DO YOU USE IT?**

When used as a dust, punch out perforated tab on top of shaker can and rotate lid to dust setting. Apply to all plant surfaces to thoroughly cover. When used as a spray, mix 4 tablespoons per each 1 gallon of water used. Spray to cover thoroughly all plant surfaces. NOTE: DO NOT RE-ENTER TREATED AREAS FOR AT LEAST 24 HOURS AFTER APPLICATION IS MADE.

**ROSES, SHRUBS, FLOWERS:** (as a Fungicide & Insecticide)

For Black Spot, Brown Canker, Leaf Spot, Powdery Mildew, Thrips and Mites on Roses. Begin spraying when new growth starts in the spring. Repeat at 7 day intervals and re-apply after rainfall. For disease and insect control on shrubs, flowers and ornamentals begin application when diseases appear and repeat at 5-10 day intervals and after rains.

For control of Powdery Mildew, Thrips and Mites on Azalea, Alder, Buttonbush, Catalpa, Cosmos, Crape Myrtle, Dahlia, Daisy, Delphinium, Aster, Calendula, Dogwood, Euonymus, Gladiolus, Golden Fleece, Hibiscus, Holly, Hydrangeas, Lady's Mantel, Ligustrum, Lilac, Petunia, Poplars, Silver Vine, Spires, Sunflower. Sweet Pea, Verbena, Violets, Willows, Carnations, Cedar, Cherry Laurel, Chrysanthemums, Hollyhock, Juniper, Simlax and Spruce. For control of Leaf Spot, Thrips, and Mites on Calendula, Cedar, Cherry Laurel, Chrysanthemum, Clematis, Columbine., Foxglove, Hollyhock, English Ivy, Juniper, Laurel, Sage, Simlax, Snapdragons, and Spruce. For control of Rust, Thrips, and Mites on Asters, Carnations, Chrysanthemums, Hollyhock and Snapdragon.

**VEGETABLES:** (as Fungicide)

For control of Powdery Mildew on Beans, Peas, Broccoli, Brussels Sprouts, Cabbage, Cauliflower. For control of Rust on Beans and Peas. Begin applications at first sign of disease. Repeat applications at 7-10 day intervals. NOTE: Sulfur may injure certain varieties of beans. For control of Powdery and Downy Mildew and Botrytis Blight on Onions. Begin application before diseases are expected to appear. Repeat as necessary. Do not use on Cucurbits (Cucumbers, Cantaloupes, Melons, and Squash) or Tung.

**[BACK/SIDE LABEL PANEL]****FRUITS:**(as Fungicide and Insecticide)**APPLE, PEAR:** For Powdery Mildew and Scab. Reduce dosage to 1 tablespoon per gallon of water if hot weather threatens. For disease control on apples apply from pre-pink through cover periods. For Pears apply at pre-bloom, bloom, petal fall and cover periods.**PEACH:** For Brown Rot, Scab. Apply in pink, bloom, shuck, cover and pre-harvest sprays.**CHERRY:** For Brown Rot, Leaf Spot. Apply in pink, bloom, petal fall, shuck, cover and post-harvest sprays.**PLUM, PRUNE:** For Brown Rot, Leaf Spot. Apply in pink, bloom, shuck, cover and pre-harvest sprays.**CITRUS:** For Brown Rot. Apply according to state recommendations. For Rust, Mite Thrips, Red Spider Mites, Two-spotted Spider Mites. Begin applications at first signs of damage and repeat as necessary. Rust Mites should be controlled at all times of the year in order to prevent russetting of fruit and greasy spots on leaves.**COMMON CHIGGER CONTROL:** For control of chiggers in the yard, dust over the entire lawn, flower garden, shrubs and any place the chiggers may be hiding. This should be done a day or two before protection is desired and should be repeated at weekly intervals. The contents of this package will cover from 1,500 to 2,000 square feet.**IMPORTANT:** Do not use within 2 weeks of an oil spray treatment, on citrus within 3 to 6 weeks. Use only according to state recommendations. Sulfur may burn foliage when temperature is high (90-95 F).**3. HERE ARE THE RESULTS YOU MAY EXPECT!**

When used as directed, this product will provide effective and economical control of listed diseases and insects and thus promote healthy, lush growth.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Keep out of reach of children and pets. Store in original containers only. Store in cool, dry place and avoid excess heat.

**PESTICIDE DISPOSAL:** **If Empty: Non-refillable container.** Do not reuse 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.



NOTIFICATION<sup>9/9</sup>  
JUL 30 2009

[BACK/SIDE LABEL PANEL]

Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith. Voluntary Purchasing Groups, Inc. warrants this product to conform to the chemical description on the label and for the purposes stated on the label. The limit of any liability incurred shall be the purchase price paid by the user or buyer.

Released For Shipment By:

VOLUNTARY PURCHASING GROUPS, INC.  
P.O. BOX 460  
BONHAM, TEXAS 75418

EPA Reg. No. 7401-188  
EPA Est. No. 7401-TX-1

[www.fertilome.com](http://www.fertilome.com)