

7401-366

6.4.2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

JUN 4 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 2008-1

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated January 14, 2009 for:

EPA Registration 7401-366 Ferti-Lome Improved Bermuda Grass Weeder

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1 and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 2008-1. 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,

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
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Application for Pesticide - Section I

1. Company/Product Number 7401-366	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ferti-lome Improved Bermuda Grass Weeder	PM# 25	
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)(i), my product is similar or identical in composition and labeling to: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____ JUN 04 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 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 wilfully 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" 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"/> No			<input 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 Pint & Quart		5. Location of Label Directions <input checked="" 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 <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 Madhu Mandava	Title Agent for Voluntary Purchasing Groups, Inc.	Telephone No. (Include Area Code) 972-265-7924
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.		8. Date Application Received (Stamped)
2. Signature 	3. Title Agent for Voluntary Purchasing Groups, Inc.	
4. Typed Name Madhu Mandava	5. Date April 30, 2009	

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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 / www.Mandava.com

January 14, 2009

Mr. Jim Tompkins
US EPA
Office of Pesticide Programs
Registration Division (7504P)
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

SUBJECT: EPA Registration Number: 7401-366; ferti-lome Improved Bermuda Grass Weeder;
Notification Per PR Notices 2008-1 and 2007-4

Dear Mr. Tompkins:

On behalf of Voluntary Purchasing Groups, Inc. (VPG), we are submitting notification for change in Storage and Disposal Statements per PR Notice 2007-4 and Environmental Hazards Statements per PR Notice 2008-1 for ferti-lome Improved Bermuda Grass Weeder; (EPA Registration Number: 7401-366).

Enclosed with this submission, please find the following:

- 1) Application for Pesticide Registration Notification
- 2) Two amended labels clearly marked
- 3) One original label

Please update the agency records in consideration of this notification.

If you have any questions regarding this submission, please contact me at (972) 265-7925.

Sincerely,



Leslie Oliver
Agent for Voluntary Purchasing Groups, Inc.

7401-366
Ferti-lome Improved Bermuda Grass Weeder

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."

Heslie Oliver

Signature

Agent for Voluntary Purchasing Groups, Inc.

Title

April 23, 2009

Date

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NOTIFICATION

JUN 04 2009

[FRONT LABEL PANEL]

Ferti-lome®

Improved Bermuda Grass Weeder For Use on Bermuda Grass Lawns

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

- [Kills Weeds in Bermuda Grass...Including Dallis Grass, Nutgrass, Crabgrass, Dandelion, Johnson Grass, Morning Glory and Many Others.]
- [Mix 2 ozs. with each Gallon of Water]
- [1 Quart [Pint] Treats 16,000 [8,000] sq. ft.]
- [Use Only When Temperature is above 70°F]

ACTIVE INGREDIENTS:

Monosodium Methanearsonate.....	33.97%
Sodium Cacodylate.....	9.11%
Dimethylarsenic Acid (Cacodylic Acid).....	1.57%
INERT INGREDIENTS:	<u>55.35%</u>
TOTAL:	100.00%

*Total arsenic (as elemental) all in water soluble form 20.1% Product contains 0.96% Cacodylic acid equivalent per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back/Side Panel for Additional Precautionary Statements

Net Contents _____

[FRONT LABEL PANEL-RIGHT SIDE]

KILLS

- Dallis Grass**
- Nutgrass**
- Crabgrass**
- Dandelion**
- Nutsedge**
- Johnson Grass**
- Sandbur**
- Barnyard Grass**
- Carpet Grass**
- Chickweed**
- Goosegrass**
- Watergrass**
- Witchgrass**
- Cocklebur**
- Green Foxtail**
- Ragweed**
- Yellow Foxtail**
- Wood Sorrel**

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[BACK/SIDE LABEL PANEL]

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-222-1222 or 1-800-900-4044 for emergency medical treatment information.	
If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
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 eye. • Call a poison control center or doctor for treatment advice.
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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-222-1222 or 1-800-900-4044 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid contact with skin, eyes, or clothing. Wash thoroughly after handling and before eating or smoking. Avoid contamination of feed and food stuffs. Keep children and pets off treated areas until material is washed into the soil. Wear protective clothing when handling or applying this product, including long pants, long-sleeve shirt and impermeable gloves and boots.

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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

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[BACK/SIDE PANEL]

DIRECTIONS FOR USE

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

1. WHAT IS THIS PACKAGE FOR?

ferti-lome® IMPROVED BERMUDA GRASS WEEDER is especially formulated to kill Dallis Grass, Crabgrass, Nutgrass, Dandelion, Johnson Grass, Morning Glory and other listed weeds in Bermuda Grass lawns.

2. HOW DO YOU USE IT?

Use in a tank type sprayer. Mix 2 ozs. with each gallon of water. Use 2 ozs. of product to cover 1,000 sq. ft. Spray to thoroughly saturate weeds. Two or three treatments are usually necessary at 7-14 day intervals. Bermuda grass may be temporarily discolored after treatment, but will come back quickly depending on moisture and plant food available to grass. For best results mow lawn grasses before application.

NOTE: Do not apply with hose-end applicators. Do not spray seeded lawns until second year. Do not use on St. Augustine, Carpet, Centipede, Bahia or Dichondra grass lawns. Avoid contact with desirable vegetation such as shrubs, flowers, and other ornamentals. If contact occurs, wash off immediately with water.

3. HERE ARE THE RESULTS YOU MAY EXPECT!

This effective weed killer will control unsightly Dallis Grass, Crabgrass, Nutgrass, Dandelion, Johnson Grass, Morning Glory and other listed weed growth for a more beautiful and uniform appearance of Bermuda Grass lawns.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store in original container. Keep in an area inaccessible to children and pets.
PESTICIDE DISPOSAL: **If Empty: Non-refillable container.** Do not reuse or refill 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.**

*** Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.**

Released For Shipment By:
VOLUNTARY PURCHASING GROUPS, INC.
P.O. BOX 460
BONHAM, TEXAS 75418
EPA Reg. No. 7401-366
EPA Est. No. 7401-TX-1

www.fertilome.com

NOTIFICATION

JUN 04 2009