

7401-389

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. 2070-0080



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 7401-389	2. EPA Product Manager Mary Waller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Hi-Yield Terraclor Fungicide	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)(i), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name _____ JUL 30 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:			
Child-Resistant Packaging: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>* Certification must be submitted</i>	Unit Packaging: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container: <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information: <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container: 8 lb.	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 Leslie Oliver	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.		6. Date Application Received (Stamped)
2. Signature <i>Leslie Oliver</i>	3. Title Agent for Voluntary Purchasing Groups, Inc.	
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."

*Jessie Oliver*

\_\_\_\_\_  
Signature

Agent for Voluntary Purchasing Groups, Inc.  
Title

April 23, 2009  
Date

[FRONT PANEL]

**HI-YIELD®**  
**TERRACLOR®**  
**FUNGICIDE**

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

- [Controls Brown Patch, Dollar Spot, Leaf Spot & Rust in Lawns]
- [For Bermuda, St. Augustine, Dichondra, Centipede, Bahia, Bluegrass, Fescue & Ryegrass]
- [8 [16] lbs. treats up to 2,000 [4,000] sq. ft.]
- [Will Cover up to 2,000 sq. ft. for Cool Season Grasses]
- [Will Cover up to 1,000 sq. ft. for Warm Season Grasses]
- [COVERAGE-Cool Season Grasses-up to 2,000 sq. ft.  
-Warm Season Grasses-up to 1,000 sq. ft.]

<b>ACTIVE INGREDIENT:</b>	
Pentachloronitrobenzene .....	4.67%
<b>INERT INGREDIENTS:</b> .....	95.33%
<b>TOTAL:</b> .....	100.00%

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**SEE BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

NET WEIGHT \_\_\_\_\_ LBS.

**[BACK/SIDE PANEL]**

<b>FIRST AID</b>	
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"> <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>
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 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>

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

**CAUTION:** Harmful if swallowed. May be irritating to eyes, nose, throat & skin. Avoid breathing dust. Avoid contact with skin, eyes or clothing. Wash thoroughly after using. Wear protective clothing such as long sleeved shirt, long pants, socks, shoes, rubber gloves and respirator when loading spreader. Avoid contamination of feed or foodstuffs. Keep children and pets off treated areas until this material is washed into the soil and the treated area has dried completely. Wash hands thoroughly after using.

**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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

**[BACK/SIDE PANEL CONTINUED]**

**DIRECTIONS FOR USE**

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

Hi-Yield® Terraclor® Fungicide provides an easy, economical and effective method for controlling Brown Patch, Dollar Spot, Leaf Spots and Rust on Bermuda, St. Augustine, Centipede, Bahia, Bluegrass, Fescue & Ryegrass lawns. Also, controls Brown Patch on Dichondra.

Make first application at first sign of disease or for best results apply Hi-Yield® Terraclor® Fungicide as a preventative against disease before it appears. Once the disease appears, applications will only control further spread of the disease not cure it. For Bermuda, St. Augustine, Centipede, Bahia and other warm season grasses, apply 8 lbs. To cover over 1,000 sq. ft., see table below for spreader settings on warm season grasses. For Bluegrass, Fescue and Ryegrass, apply 8 lbs. to cover 2,000 sq. ft. See table below for spreader settings on cool season grasses. For Dichondra apply 8 lbs. to cover 500 sq. ft. to control Brown Patch. See table below. After application is made, lightly water treated area to insure movement through grass to the soil level. If treated area is subjected to unusually heavy rainfall or flooding, or if disease is severe and re-appears, the area should be re-treated at 3-4 week intervals as needed.

**SPREADER SETTINGS\***

<b>Spreader Model</b>	<b>Cool Season Grasses</b>	<b>Warm Season Grasses</b>	<b>Dichondra</b>
ferti-lome® Plus Iron Broadcast/Earthway 2850	14	16	22
ferti-lome® Plus Iron Prof. Broadcast/Earthway 2800A	14	16	22
ferti-lome® Deluxe Broadcast 2050 S.U.	14	16	22
Earthway Drop 7300B	15	18	21
Scott Broadcast/Speedy Green	5	8	11
Republic/Scotts Broadcast	4	7	10
Republic Drop	5	8	11
Precision Broadcast/Red Devil	9	11	13
Precision Drop FH-22D	8	10	12

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**[BACK/SIDE PANEL CONTINUED]**

\*These settings can be used only as a guide, they are not absolute. The speed at which the applicator walks, spreader condition and the texture of the turf will alter the rate of application. If product remains in spreader after application to recommended square foot coverage, spread remainder over same area going at right angles. (See Diagram)

[APPLICATION DIAGRAM HERE]

NOTE: Under certain growing conditions, a temporary discoloration of the grass occasionally may occur. This causes no harm and will disappear in a short time. Do not graze treatment areas or feed clippings to livestock.

**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 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. Voluntary Purchasing Groups, Inc. warrants that this product conforms to the chemical description on the label and that 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 . B o x 4 6 0  
Bonham, TX 75418  
EPA Reg. No. 7401-389  
EPA Est. No. 7401-TX-1

[www.hi-yield.com](http://www.hi-yield.com)

Terraclor® is a Registered Trademark of Uniroyal Chemical Company, Inc.