

8378-55

12.16.2008

1/6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Robert F. Bishoff
Agent for Knox Fertilizer Company, Inc
C/O Total Turf Consulting LLC
26 A. A Cooper Rd
Meigs, GA 31765

DEC 16 2008

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 October 14, 2008 for:

EPA Registration 8378-55 Shaw's Fungicide 100 Contains Bayleton

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,

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 8378-55	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Shaw's Fungicide 100 Contains Bayleton	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Knox Fertilizer Company, Inc. P. O. Box 248 Knox, IN 46534 <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. <u>N/A</u> Product Name <u>N/A</u> <div style="text-align: right; font-weight: bold; font-size: 1.2em;"> NOTIFICATION DEC 16 2008 </div>

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

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 Parts 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 Parts 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 checked="" 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 10; 20; 30; 40; 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> On Label			
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 Robert F. Bischoff	Title Agent, TotalTurf Consulting LLC	Telephone No. (Include Area Code) (317) 873-0222
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 (Stamp)
2. Signature 	3. Title Agent, TotalTurf Consulting LLC	
4. Typed Name Robert F. Bischoff	5. Date October 14, 2008	

3/4

**TotalTurf Consulting LLC
26 A. A. Cooper Rd.
Meigs, GA 31765**

**Direct: 843-384-2807
Fax: 229-683-3426**

E-Mail: rbcooper@juno.com

October 14, 2008

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

Attn: Tony Kish

Subject: Shaw's® Fungicide 100 Contains Bayleton®
EPA Reg. No. 8378-55
Notification to Comply with PR Notice 2007-4

Dear Mr. Kish:

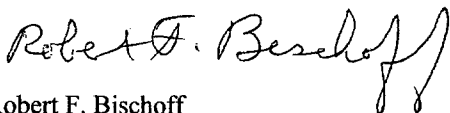
In response to PR Notice 2007-4 concerning container reuse and related container label statements for pesticide products, labeling for the subject product has been revised to comply with this Notice. The revised label is being submitted by notification on behalf of Knox Fertilizer Company, P. O. Box 248, Knox, IN 46534 by TotalTurf Consulting LLC, an authorized agent for Knox Fertilizer Company.

The following documents are included in the subject submission:

- Cover Letter
- Application for Pesticide (EPA Form No. 8570-1)
- One Copy of Highlighted Final Printed Label (Coded as 20081014.Final Label)

If there are any questions or additional information is needed concerning this submission, do not hesitate to contact me at (317) 873-0222 or Raymond B. Cooper at (843) 384-2807.

Sincerely,



Robert F. Bischoff
Agent
TotalTurf Consulting LLC
26 A. A. Cooper Road
Meigs, GA 31765

4/14

Shaw's® Fungicide 100 Contains Bayleton®

Contains 1.0% Bayleton fungicide - for Systemic Control of Certain Diseases on Turf

Systemic Fungicide Granules - For control of lawn disease on Bluegrass, Fescue, Ryegrass, Bermuda grass, Zoysiagrass, St. Augustinegrass and Bentgrass. For the prevention or cure of Dollar Spot, Copper Spot, Powdery Mildew, Red Thread, Rusts, Brown Patch, Anthracnose, Striped Smut, Fusarium Blight, Summer Patch and Zoysia Patch.

ACTIVE INGREDIENT:

1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)-2-butanone.....	1.00%
INERT INGREDIENTS	99.00%
TOTAL	100.00%

Bayleton® Turf Fungicide a registered trademark of Bayer Corp.
Shaw's® is a registered trademark of Knox Fertilizer Company, Inc.

EPA Reg. No. 8378-55

EPA Est. No. 8378-IN-1

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

IF SWALLOWED	Call a 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 by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
IF IN EYES	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING	Take off contaminated clothing. Rinse immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
IF INHALED	Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control or doctor for further treatment advice.
Have this product container or label with you when calling a poison control center or doctor, or when going for treatment.	
HOT LINE NUMBER	
You may also contact 1-800-858-7378 from 6:30 am to 4:30 pm Pacific Time, every day for emergency medical treatment information.	

See side panel for additional Precautionary Statements

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing vapor or dust. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating or smoking. Wash contaminated clothing with soap and hot water before re-use.

ENVIRONMENTAL HAZARDS

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 by disposal or equipment washwaters. Apply this product only as specified on this label. This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination. Do not make applications when weather conditions favor drift from target areas.

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 turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes. Do not use on crops grown for food or forage.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store this product only in its original container in a dry, cool, secured area.

PESTICIDE DISPOSAL: ~~Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.~~

IF EMPTY: Do not reuse this bag. Place in trash.

IF PARTLY FILLED: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

SPILL: In case of spill, sweep up and use as per label instructions or dispose of as indicated above.

Application

Bayleton* is absorbed rapidly and works systemically from within the plant. Rainfall or sprinkler irrigation soon after application will assure rapid systemic uptake. Control will be less effective on turf suffering from drought stress. Therefore in order to achieve maximum control, turf should be maintained in a vigorously growing state through good cultural practices. Apply when the turf is fully established and actively growing. Apply Preventative Rates prior to appearance of disease and/or when damage from disease is anticipated. Apply Curative Rate when disease is first observed. Note: Apply the specified amount of Shaw's Fungicide 100 with a standard granular applicator calibrated to uniformly apply recommended amount of product per 1,000 sq. ft. Make application when turf is dry and following the mowing operation. Do not mow until a minimum of $\frac{1}{4}$ inch of water has been applied to the treated area.

Disease	Recommended Applications-Turfgrass Disease Control		Remarks
	How much to use per 1,000 sq. ft.		
	Preventive	Curative	
Dollar Spot (<i>Sclerotinia homoeocarpa</i>)	1.5 lbs.	-	PREVENTATIVE RATE: Apply recommended rate on 30-day intervals. Protective activity of product may extend for as long as 60 days dependent upon environmental conditions.
	0.75 lbs.	-	PREVENTATIVE RATE: Apply recommended rate on 14-day intervals. Protective activity of product may extend for as long as 30 days dependent upon environmental conditions.
	-	3 lbs.	CURATIVE RATE: To control existing infections, apply the curative rate. Re-application should be no closer than 14 days. When infections have been controlled, subsequent applications should be applied on a preventative schedule and rate.
Copper Spot (<i>Gloeocercospora sorghi</i>) Powdery Mildew (<i>Erysiphe graminis</i>) Corticium Red Thread (<i>Laetisaria fuciformis</i>) Rusts (<i>Puccini</i> spp.) Brown Patch/Rhizoctonia Blight (<i>Rhizoctonia solani</i>) (Suppression)	1.5 lbs.	3 lbs.	PREVENTATIVE RATE: Apply at 15 to 30 day intervals. When environmental conditions favor light to moderate disease development, use a longer interval. Protective activity of this product can be greater than 30 days depending on environmental conditions. CURATIVE RATE: To control existing infections, apply the curative rate. Re-application should be no closer than 14 days. When infections have been controlled, subsequent applications should be applied on a preventative schedule and rate.
Anthracnose (<i>Collectotrichum Graminicola</i>)	3lbs.	-	PREVENTATIVE RATE: Apply at 30-day intervals and repeat as necessary for seasonal control. Dependent upon environmental conditions, residual control may be extended to 45 days.
	1.5lbs.	-	PREVENTATIVE RATE: Apply at 30-day intervals and repeat as necessary for seasonal control. Dependent upon environmental conditions, residual control may be extended to 30 days.
	-	3lbs.	CURATIVE RATE: To control existing infections, apply the curative rate. Re-application should be no closer than 14 days. When infections have been controlled, subsequent applications should be applied on a preventative schedule and rate.
Stripe Smut (<i>Ustilago striformis</i>)	Preventive Rate Only/1,000 sq. ft. 3 lbs.		Make a single application in spring as grass growth begins.
Fusarium Blight (<i>Fusarium culmorum</i>) (<i>Fusarium poae</i>) Summer Patch (<i>Magnaporthe poae</i>) (Except California)	3 lbs.		Apply 1 st applications in mid-June or 30 days prior to time this blight normally becomes evident. Application should be made on 30 day intervals.
Fusarium Blight (<i>Fusarium culmorum</i>) (<i>Fusarium poae</i>) Summer Patch (<i>Magnaporthe poae</i>) (California Only)	3 to 6 lbs.		Apply 1 st applications in mid-June or 30 days prior to time this blight becomes evident. Application should be made at the 3 lb. rate on 15 day intervals or at the 6 lb. rate on 30 day intervals.
Zoysia Patch "Large Patch" of Zoysia (<i>Rhizoctonia solani</i>)	3 to 6 lbs.		Make first application in early fall (mid-September to mid-October) prior to development of disease symptoms. A second application in early Spring may be necessary in areas where disease pressure is known to be heavy.

Spreader Settings

The following settings are approximate for applying contents of this package at suggested rates of application per 1,000 square feet. Settings are based on an average walking speed. Reduce setting for slower speed, raise setting for higher speed. If you have reason to believe that your spreader is not calibrated correctly, test apply by placing the amount for 250 sq. ft. into your spreader and apply to your premeasured 250 sq. ft.

Spreader	Width Ft.	Setting to apply per 1000 sq. ft.			
		0.75 lbs	1.5 lbs.	3 lbs.	6 lbs.
Lesco* high wheel	7	XX	XX	XX	XX
Earthway 2400-SS	7	XX	XX	XX	XX
Scotts R-8A	7	XX	XX	XX	XX
Spyker 24-22	7	XX	XX	XX	XX
Prizelawn CBR-II	7	XX	XX	XX	XX

Limited Warranty

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Direction for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with the label instructions, warnings or cautions, or to use the product under abnormal conditions such as drought, excessive rainfall, include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

Distributed by: Knox Fertilizer Company, PO Box 248, Knox, Indiana 46534

Net weight 30 lbs. (13.6 kg.)

Batch No.

NOTIFICATION
DEC 1999