

9779-342

6/18/2010

1 of 11



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 18, 2010

Alice Walker, Ph.D.
Regulatory Consulting
3094 Country Club Road
Senatobia, MS 38668

Subject: Application for Pesticide Notification (PRN 98-10) – Adding Adjuvant Statement
Asulam 3.3 Herbicide
EPA Reg. No. 9779-342
Your Application Dated April 1, 2010

Dear Dr. Walker:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated April 1, 2010 for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action 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.

Sincerely,

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

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

2011

EPA	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 9779-342	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Asulam 3.3 Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Winfield Solutions LLC, c/o Alice Walker 3094 Country Club Rd. Senatobia, MS 38668 <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
JUN 18 2010

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

Notification to add CPDA certified adjuvant statement. I believe this notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 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 terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 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 <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input 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) of Retail Container 1, 2.5, 30, 55 gallons	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 type="checkbox"/> Lithograph <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other (self-adhesive booklet)			

Section IV

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

Name Alice Walker	Title Registration Specialist	Telephone No. (Include Area Code) 662-562-5995
2. Signature 		6. Date Application Received (Stamped)
3. Title Registration Specialist		
4. Typed Name Alice Walker	5. Date April 1, 2010	

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.

4 of 11



ASULAM 3.3 Herbicide

NOTIFICATION

JUN 18 2010

ACTIVE INGREDIENT:

Sodium salt of asulam methyl [(4-aminophenyl) sulfonyl] carbamate* 36.2%

INERT INGREDIENTS: 63.8%

TOTAL 100.0%

* Equivalent to 33.0% asulam acid or 3.30 lb asulam per gallon (or 397 g/L).

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP -- READ LABEL BEFORE USING

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 the first 5 minutes, then continue rinsing.
- Call a poison control center or doctor for treatment advice.

IF ON SKIN:

- 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 INHALED:

- 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. For further medical emergency information call toll-free 1-877-424-7452.

EPA Reg. No. 9779-342

EPA Est. No. _____

Distributed By
Winfield Solutions, LLC
P.O. Box 64589, St. Paul, MN 55164-0589

NET CONTENTS _____ GALS.
LOT NO. _____

1/0401/0

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

CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Personal Protective Equipment (PPE):

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Chemical-resistant gloves such as nitrile rubber, butyl rubber, neoprene rubber, and/or barrier laminate,
- Shoes and socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY STATEMENTS

Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users must leave the treated area, and remove clothing immediately if pesticide gets inside. Users must remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

Engineering Controls Statement:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS. However, full PPE must be available in the event that the handler exits the aircraft, enclosed cab, etc., prior to the REI.

ENVIRONMENTAL HAZARDS

This chemical is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

Surface water contamination may occur in areas with poorly draining soils and little or no buffers or in areas where drainage systems flow directly to surface water.

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 and rinsate.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Read entire label before using this product.

Chemigation: Do not use this product through any type of irrigation system.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

For early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with

anything that has been treated, such as plants, soil, or water, wear: coveralls, chemical resistant gloves, shoes and socks.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter or allow others to enter the treated area until sprays have dried.

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD, OR FEED BY STORAGE OR DISPOSAL.

STORAGE

Store in a dry location away from children, animals, foods, feeds, seeds, or other agricultural chemicals. Store at temperatures greater than 20°F. Keep container closed when not using. Keep storage area locked when not in use. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with information given under PESTICIDE DISPOSAL. Repackage and relabel useable product in a sound container.

DISPOSAL

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

Container Disposal: Use label language appropriate for container size and type.

Nonrefillable containers. Do not reuse or refill this container. Clean container promptly after emptying.

Nonrefillable container equal to or less than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Nonrefillable container greater than 5 gallons. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

Spray Drift:

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outermost nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed.

The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

Spray Drift Advisory Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

SUGARCANE

RESTRICTIONS AND PRECAUTIONS: Do not rotate to any crop which is not registered for use with products containing asulam for one year following the last application of this product.

- Cover crops may be planted if they are plowed under and not grazed; otherwise, do not plant crops other than sugarcane in treated areas.
- Do not graze or feed sugarcane fodder and forage to livestock.
- Asulam 3.3 Herbicide should be used when weeds are actively growing and may be applied to plant cane or to cane grown from stubble.
- Do not harvest sugarcane within the following number of days after application: 140 days in mainland USA (excluding Louisiana), 100 days in Louisiana and 400 days in Hawaii.
- Differences in crop tolerance to asulam among sugarcane varieties have been reported in Louisiana. Contact your local County Agent or University Extension Specialist for further information.

RATES:

The rates in the tables below are for broadcast application.

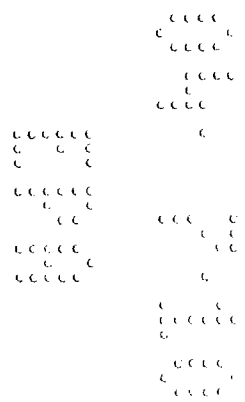
Ground Application: Apply as a water mix spray in 15 - 100 gallons of water per acre.

Aerial Application: Apply as a water mix spray in 3 - 5 gallons of water per acre; in Hawaii, use 5 - 10 gallons per acre.

Banded Application: Reduce rates according to the following formula: band width (inches)/row width (inches) X broadcast rate per acre = banded rate per acre.

Spot Treatment: Apply a 5% v/v Asulam 3.3 Herbicide spray (1 gal. per 20 gals. of water) but not exceeding a rate of 8 pints of the concentrated herbicide per acre.

Addition of an adjuvant approved for use on growing crops to the water mix spray will improve weed control when environmental conditions are not optimal. A nonionic surfactant of at least 80% active ingredient (e.g., ACTIVATE PLUS) can be added at a rate of 1 - 2 quarts per 100 gallons of spray mix (0.25% - 0.5% by volume). Alternatively, a crop oil concentrate (e.g. PRIME OIL, CROP OIL CONCENTRATE) containing 80 - 85% paraffinic oil and 15 - 20% nonionic surfactant can be added at a rate of 4 quarts per 100 gallons (1% by vol.) of spray mix. When an adjuvant is to be used with this product, Winfield Solutions, LLC recommends the use of a Chemical Producers and Distributors Association certified adjuvant.



WEED SPECIES	RATE (PINTS/ACRE)	SPECIAL INSTRUCTIONS
Crabgrass (<i>Digitaria spp.</i>)	8	Apply before the grass reaches seed head formation.
Johnsongrass (<i>Sorghum halepense</i>)	8	Apply when the grass is at least 18 inches tall. As a spot treatment in Hawaii, apply in 50 gallons of spray mixture per acre.
Paragrass or Californiagrass (<i>Brachiaria mutica</i> or <i>Panicum purpurascens</i>)	8	Apply before seed head formation. As a spot treatment in Hawaii, apply in 50 gallons of spray mixture per acre.
Western bracken (<i>Pteridium aquilinum var. pubescens</i>)	7 - 8	Apply when the fern is in full frond. Use the higher rate in heavy infestations.

CHRISTMAS TREES

For use as a post-emergent treatment on Douglas fir, Grand fir, Nobel fir, or Scotch pine plantings for Christmas trees. Do not graze or feed forage from treated areas to livestock.

MAXIMUM RATE: 1 gal/acre limited to one application per year.

Apply a minimum 20 gallons of solution per acre for ground application. Aerial application is prohibited.

Spray at a rate of 1 gallon of solution per acre (without a surfactant) after bud-break and hardening of new tree growth to control western bracken (*Pteridium aquilinum var. pubescens*), which should be in full frond.

ORNAMENTAL SHRUBS

MAXIMUM RATE: 1 gal/acre limited to one application per year. Broadcast apply as a post-emergent treatment, without a surfactant, at a rate of 1 gallon in 20 gallons of water per acre to the following species of junipers and yews:

- Juniperus andorra*
- J. chinensis*
- J. conferta*
- J. horizontalis*
- J. litoralis*
- J. sabina*
- Taxus cuspidata*
- T. media*
- Pondocarpus macrophyllus*

To control:

- Barnyardgrass (*Echinochloa crusgalli*)
- Crabgrass (*Digitaria spp.*)
- Fall Panicum (*Panicum dichotomiflorum*)
- Foxtail (*Setaria spp.*)
- Goosegrass (*Eleusine indica*)
- Horseweed or Mare's tail (*Conyza canadensis*)

TURF (FOR SOD FARM USE ONLY)

All turf grasses except for St. Augustinegrass and Tifway 419 Bermudagrass – Apply 8 pints per acre per year.

St. Augustinegrass and Tifway 419 Bermudagrass Sod Farm Use - Apply 5 pints per year without a surfactant in 20 - 50 gallons of water per acre (1 pint in 4 - 10 gallons per 5,445 square feet) to St. Augustinegrass or Tifway 419 Bermudagrass. Do not apply to turf under stress or freshly mowed.

To control:

- Bullgrass (*Paspalum supinum*)
- Crabgrass (*Digitaria spp.*)
- Goosegrass (*Eleusine indica*)
- Sandbur (*Cenchrus spp.*)

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE.

