



Reg # 33560-41

PM-23

File
1916
7

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

JAN 14 1994

Robert J. Cochran
PRO SERVE INC.
400 East Brooks Rd
Box 161059
Memphis, TN 38186

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 06/22/93 in Response to PR Notice 93-7
EPA Reg. No. 33560-41
PRONONE POWER PELLET HERBICIDE

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.

BEST AVAILABLE COPY



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

29 15

Each notification must include the following information:

1. Registrant 's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

3 9 15

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- **BEFORE** selling or distributing any product bearing the final printed labeling as amended

AND

- **WITHIN** one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

**Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001**

49.16

Page 4

Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

59 18

PRO SERVE INC.
PRONONE POWER PELLET HERBICIDE
33560-41 6/22/93

ORIGINAL SUBMISSION

USER SAFETY RECOMMENDATIONS and THE AGRICULTURAL USE REQUIREMENTS sections must either be placed in a box or printed on the label in a contrasting color from surrounding text.

Add the Personal Protective Equipment heading.

Protective eyewear is required as PPE.

Waterproof gloves are required as PPE.

On page 6 under "Application": delete reference to wearing chemical resistant gloves.

69 15

D R A F T L A B E L

PRONONE POWER PELLET

HERBICIDE

| | | |
|--------------------|--|------------|
| ACTIVE INGREDIENT: | Hexazinone | |
| | 3-cyclohexyl-6-(dimethylamino)-1-methyl-1,3,5-triazine-2,4-(1H,3H)-dione | 75% |
| INERT INGREDIENTS: | | <u>25%</u> |
| TOTAL | | 100% |

EPA Est. No. 33560-TN-1

EPA Reg. No. 33560-41

(Container Size)

3 oz., 1 lb. 6 oz. or 5.5 lb.

ACCEPTED
with COMMENTS
in EPA Letter Dated

JAN 14 1994
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registration under EPA Reg. No.
33560-41

June 21, 1993

1991

KEEP OUT OF REACH OF CHILDREN

DANGER

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail).

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center immediately. Drink one or two glasses of water and induce vomiting by touching back of throat with finger. Repeat until vomit fluid is clear. Do not induce vomiting or give anything by mouth to an unconscious person.

IF INHALED: Remove victim to fresh air and apply respiration if indicated.

IF ON SKIN. Wash promptly with soap and water. Rinse thoroughly.

IF IN EYES: Rinse eyes with plenty of water. Call a physician.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Corrosive, causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. May cause irritation of nose, throat or skin.

87 15

Applicators and handlers must wear long-sleeved shirt and long pants and shoes plus 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. ~~Applicator must wear goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.~~ Do not store near food or feed products. Store out of the weather.

BEST AVAILABLE COPY**User Safety Recommendations:**

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing

ENVIRONMENTAL HAZARDS

Do not apply directly to any body of water or wetlands (swamps, bogs, marshes, and potholes). Do not contaminate water used by wildlife and aquatic life or for domestic and irrigation purposes. Do not contaminate water when disposing of equipment washwaters or disposing of waste.

IMPORTANT

Injury to or loss of desirable trees or other plants may result from failure to observe the following: Do not apply, drain or flush equipment on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots. DO NOT use on lawns, walks, driveways, tennis courts or similar areas.

9915

Prevent contact with desirable plants. Keep from contact with fertilizers, insecticides, fungicides and seeds.

GENERAL INFORMATION

Pro-Serve's PRONONE POWER PELLET HERBICIDE is a concentrated pellet of Hexazinone to be used for selective weed and brush control in reforestation areas, and for non-selective weed and brush control on noncropland areas.

PRONONE POWER PELLET is an effective general herbicide providing residual control of many annual and biennial weeds, woody plants and, except for Johnsongrass, is effective for control of most perennial weeds. It is absorbed through the roots.

Moisture is required to activate PRONONE POWER PELLETS in the soil. Best results are obtained when weeds are less than 2 inches in height or diameter, soil is moist at time of application and 1/4 to 1/2 inch of rainfall occurs within 2 weeks after application.

On herbaceous plants, symptoms usually appear within 2 weeks after application under warm, humid conditions, while 4 to 6 weeks may be required when weather is cool. If rainfall after application is inadequate to activate PRONONE POWER PELLETS in the soil, plants may recover and continue to grow.

On woody plants, symptoms usually appear within 3 to 6 weeks after sufficient rainfall has dissolved the pellet and carried the herbicide into the root zone

10 7 15

where it is absorbed during periods of active plant growth. Defoliation and subsequent refoliation may occur, but susceptible plants are killed. The effect of treatment will vary with the amount applied, soil type, rainfall, timing and uniformity of application and other conditions.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Pro-Serve, Inc. will not be responsible for losses or damages resulting from the use of this product in any manner not specifically recommended by Pro-Serve, Inc. User assumes all risk associated with such nonrecommended use.

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.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40CFR 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

11 9 15

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 (RE) of 24 hours.

PPE required 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 is coveralls, water proof gloves, shoes plus socks and protective eyewear.

Application: Apply PRONONE POWER PELLETT HERBICIDE by hand to the ground around specific plants or in a grid pattern for area control. Wear chemically resistant gloves when handling pellets to prevent skin contact.

Make application just before or during the period of active growth of brush species to be controlled. For effective brush control and prevention of damage to desirable vegetation do not apply to brush standing in water; do not use where desirable trees or shrubs are immediately adjacent to treated areas.

RANGELAND: Apply the pellet to the soil within 3' of the root collar at the rate of 1 or 2 pellets for each 1" of stem diameter of brush to be controlled. When treating large stems and when more than one pellet is needed per stem, make application on opposite sides of the stem. Do not treat more than 300 one-inch

12915

stem equivalents (approximately 70 brush plants) per acre per season. Late winter to mid-spring application is suggested. Do not use on marshy or poorly drained sites or on soils classified as clays. Do not cut hay from treated grasses. Do not use on pastures.

NOTE: For effective brush control and prevention of damage to desirable vegetation, do not apply to brush standing in water; do not use where desirable trees or shrubs are immediately adjacent to treated areas.

FORESTRY: PRONONE POWER PELLETT HERBICIDE is recommended for use in forestry site preparation, preharvest control of hardwoods and pine release in pine-hardwood stands for growth enhancement of loblolly, slash, shortleaf and longleaf pine. The treatment provides control of many woody plants such as black cherry, blackgum*, dogwood*, elm, hawthorn, hickory*, oaks, red maple*, sweetgum and sumac*.

* Considered hard to kill.

Apply at a rate of 1,700 to 5,800 pellets per acre for preharvest, site preparation, and wildlife openings, and 900 to 3,800 pellets per acre for pine release. Make the application using a grid pattern as suggested in the table below. Do not apply Power Pellets closer than 36" to seedlings or directly upslope from seedlings. When treating large stems and where more than one pellet is needed per stem, make application on opposite sides of the stem.

13916

PRONONE POWER PELLET

D R A F T L A B E L

Selection of the rate per acre and grid pattern will depend on soil texture and woody plant species composition. Use the higher rates on fine-textured soils and when the major component of the hardwoods is a difficult-to-control species such as blackgum, dogwood, hickory and red maple. Use the lower rates on medium to coarse texture soils where elm, cherry, oak and sweetgum are dominant. For individual stem treatment apply the pellet to the soil within 3' of the root collar at the rate of 1 or 2 pellets for each 1" diameter of brush to be controlled. When treating large stems and when more than one pellet is needed per stem, make application on opposite sides of the stem.

14 y 15

TABLE OF SUGGESTED APPLICATION PATTERNS

FOR PRONONE POWER PELLETS

For Site Preparation and Preharvest Control for Hardwoods

| <u>Soil</u> | | <u>Grid Spacing (ft)</u> |
|-------------|----------|-----------------------------------|
| Coarse | 1 Pellet | 5' x 5' or 4' x 5' or 4' x 4' |
| Medium/Fine | 1 Pellet | 3' x 4' or 3' x 3' or 2 1/2' x 3' |

For Pine Release

| <u>Soil</u> | | <u>Grid Spacing (ft)</u> |
|-------------|----------|--------------------------|
| Coarse | 1 Pellet | 6' x 8'* or 5' x 6' |
| Medium/Fine | 1 Pellet | 4' x 6' |

* Use on deep sands with pines four years of age or older.

NOTE: As spacing decreases, rate increases.

PRONONE POWER PELLETT should be applied during the period from late winter (bud-break) to early summer. DO NOT BURN treated sites after initial foliage browning is evident. Burn only after brush has completely defoliated, at least once, from sufficient root uptake of the herbicide. Inconsistent results may occur if the site is burned up to 3 to 6 months prior to treatment.

Results may be unsatisfactory where stump sprouts of less than one year's growth predominate.

NOTE: Use on 1-year old or 4-year old or older seedlings is acceptable, however injury may result from use on 2 and 3-year seedlings where root growth is extensive but hardiness is lacking. Do not graze domestic animals on treated areas with 30 days after treatment.

15) 18

PRONONE POWER PELLET

D R A F T L A B E L

GENERAL WEED AND BRUSH CONTROL - NONCROPLAND:

PRONONE POWER PELLET HERBICIDE is recommended for general weed and brush control in noncropland areas such as utility, highway, pipeline and railroad rights-of-way, petroleum tank farms, lumberyards, storage areas, industrial plant sites, and other similar areas. Apply at 1-2 pellets per inch of stem diameter or as broadcast or grid pattern with rates up to 7,000 pellets per acre.

STORAGE AND DISPOSAL

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

STORAGE: Store product in original container only, away from other pesticides, fertilizer, food or feed.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

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

15915

PRONONE POWER PELLETT

D R A F T L A B E L

NOTICE OF WARRANTY

Pro-Serve warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risk inherently associated with use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Pro-Serve, Inc. In no case shall Pro-Serve be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by buyer. Pro-Serve makes no warranties of merchantability or fitness for a particular purpose nor any other express or implied warranty except as stated above.

NOTICE TO BUYER: Purchase of this material does not confer any rights under patents of countries outside of the United States.

PRO-SERVE, INC.

400 EAST BROOKS ROAD

MEMPHIS, TN 38109

June 21, 1993

11