

42519-30

5/14/2009

1 of 10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAY 14 2009

Mr. Frederick T. Smith
Senior Regulatory Specialist
Luxembourg-Pamol, Inc.
5100 Poplar Avenue, Suite 2700
Memphis, TN 38137

RE: Notification to change of Primary Brand Name: **Vitalonil** and other general label changes
EPa Reg. No.: 42519-30
Date of Submission: March 13, 2009

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, March 13, 2009, for the product, Vitalonil. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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 or Joyce Edwards of my staff at 703-308-5479.

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

<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 42519-30	2. EPA Product Manager T. Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Luxembourg-Pamol, Inc./Vitalonil	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Luxembourg-Pamol, Inc. 5100 Poplar Ave., Suite 2700 Memphis, TN 38137 <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 NOTIFICATION	

Section - II

MAY 14 2009

<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.)

Change of primary brand name to Vitalonil; correction of various typographical errors/omissions; editorial changes to text; minor non-substantive changes."

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 sections 12 and 14 of FIFRA."

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input 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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On label.
 On label accompanying product.

6. Manner in Which Label is Affixed to Product
 Lithograph Other _____
 Paper glued
 Stenciled

Section - IV

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

Name Frederick T. Smith	Title Agent (SciReg, Inc.)	Telephone No. (Include Area Code) 703/494-6500
----------------------------	-------------------------------	---

Certification

I certify that the statements which 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.

2. Signature 	3. Title Agent (SciReg, Inc.)	6. Date Application Received (Stamped)
4. Typed Name Frederick T. Smith	5. Date 3/13/09	

30410

SciReg, Inc.
Science and Regulatory Consultants

March 13, 2009

Ms. Sherada Hobgood
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: Notification Consistent with PR Notice 98-10
- EPA Reg. No. 42519-30

Dear Ms. Hobgood:

On behalf of Luxembourg-Pamol, Inc. (Co. No. 42519), SciReg, Inc. is submitting a notification consistent with PR Notice 98-10 for EPA Reg. No. 42519-30. The notification consists of a change in the primary brand name of the subject product to Vitalonil, corrections of typographical errors, insertion of omitted words, editorial text changes, and other non-substantive changes. Six copies of the revised label, one of which is redlined to show the changes are provided herein.

Should you have any questions, please let me know.

Sincerely,



Frederick T. Smith
Senior Regulatory Specialist

Enclosures

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

LBG-G31FCL-VITALONIL

A combination fungicide for the control and prevention of diseases and algae on turf

ACTIVE INGREDIENTS:

Potassium Phosphite* 38.9%

Chlorothalonil** 16.7%

OTHER INGREDIENTS: 44.4%

TOTAL 100.0%

*Phosphorous acid equivalent: 3.17 lbs/gal 25% (3.17 lbs/gal 25%)

**Chlorothalonil: 2.1 lbs/gal

Formatted

NOTIFICATION

MAY 14 2009

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
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 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 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 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency information concerning this product, call 1-800-424-9300.	
See back panel for additional precautionary statements.	

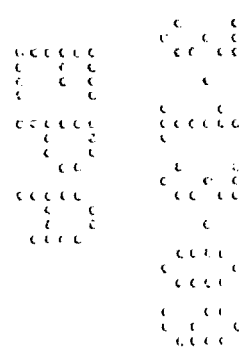
EPA Reg. No.: 42519-GN-30
EPA Est. No.: 42519-ISR-001

Net Contents: contents:

Manufactured for:
LUXEMBOURG-PAMOL, INC.
5100 Poplar Avenue, Suite 2700
Memphis, Tennessee 38137
Customer Service (713) 661-8800

FOR CHEMICAL SPILL, LEAK,
FIRE OR EXPOSURE CALL
TOLL FREE: 1-800-424-9300

AGRICULTURAL CHEMICAL
DO NOT SHIP OR STORE WITH FOODS, FEEDS, DRUGS OR
CLOTHING



(Back Panel)

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION:

Causes moderate eye irritation. Avoid contact with eyes or clothing, or breathing spray mist. Wear face shield or safety glasses. Harmful if swallowed, absorbed through skin or inhaled. 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 reactions in some individuals.

~~PERSONAL~~ Personal ~~PROTECTIVE~~ Protective ~~EQUIPMENT~~ Equipment (PPE)

Mixers, loaders, applicators, and all other handlers must wear:

- long-sleeved shirt and long pants
- shoes plus socks

In addition, chemical-resistant gloves must be worn by: (1) mixers/loaders, (2) other handlers exposed to the concentrate, (3) cleaners/repairers of equipment, (4) applicators using airblast equipment for golf course applications, (5) and applicators using handheld equipment.

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

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove PPE immediately after handling this product.
- Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards:

For terrestrial uses. This pesticide is toxic to aquatic invertebrates and wildlife. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

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

This chemical can contaminate surface water through spray drift. Under some conditions, it may also have a high potential for runoff into surface water for several days to weeks after application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with infield canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-laying tile drainage systems that drain to surface water.

DIRECTIONS FOR USE

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

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 intervals (REI). 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.

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
- chemical-resistant gloves
- shoes plus socks
- protective eyewear

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.

Entry Restrictions:

DO NOT enter or allow others to enter area until sprays have dried.

Formatted

Entry Restrictions:

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

General Precautions and Restrictions:

Do not apply this product in a way that will contact workers or other persons, or pets, either directly or through drift. Only protected handlers may be in the area during application. This product must not be applied within 25 feet of marine/estuarine water bodies unless there is an untreated buffer area of that width between the area to be treated and the water body. Do not use on home lawns and turf sites associated with apartment buildings, day-care centers, playgrounds, play fields, recreational park athletic fields, athletic fields located on or next to schools (i.e., elementary, middle and high schools), campgrounds, churches and theme parks.

GENERAL INFORMATION

LBG-G34FCLVitalonil is a product which contains chlorothalonil and potassium phosphite. This product is effective in the control of turf diseases and also provides protection through activation of the plants' natural resistance mechanism. LBG-G34FCLVitalonil is intended for use as part of an Integrated Pest Management (IPM) system. When used in conjunction with good cultural management practices and as part of a complete disease control program, LBG-G34FCLVitalonil will control diseases on golf courses, in commercial turf, and sod farms. In order to achieve maximum results in controlling the disease, spraying should be carried out before the appearance of the disease or when disease conditions are favorable.

Mixing and Application Instructions:

Apply in sufficient water to ensure thorough coverage. Fill spray tank halfway with clean water. Add the required amount of LBG-G34FCLVitalonil to the tank as indicated in the table below. While agitating, add the remaining amount of water. Apply solution directly to turf and avoid spray drift. For optimum control, thorough coverage is required. Sod farm turf treated with chlorothalonil prior to harvest must be mechanically cut, rolled, and harvested. Use of this product on home lawns is prohibited.

Compatibility:

Phytotoxicity has been noted when chlorothalonil is combined with Dipel[®], Latron B-1956[®], Latron AG-98[®], horticultural oil, and products containing xylene. Test tank mix combinations on a small number of plants before treating large areas, especially with products specifically identified above.

DO NOT combine LBG-G34FCLVitalonil in the spray tank with other pesticides, surfactants or fertilizers, unless your prior use has shown the combination physically compatible, effective and noninjurious under your conditions of use.

Formatted

Potential Plant Injury:

LBG-G34FCLVitalonil has been evaluated for phytotoxicity on a number of turf species under various normal field conditions. However, testing all species, in all mixtures and

combinations is not feasible. Where feasible, test for phytotoxicity a small portion of the area to be treated, prior to treating the entire area.

NOTESNotes:

- (1) Do not **DO NOT** mow or water after treatment until the spray deposit on the grass is dry. Use LBG-G34FCLVitalonil in conjunction with good disease management practices.
- (2) Under severe disease pressure use the highest rate and shortest interval corresponding with the application selected from the table below.
- (3) For best results apply LBG-G34FCLVitalonil preventatively.
- (4) In hot weather avoid applications directly to open wounds before the plant has recovered from top dressing or mowing.
- (5) If spraying during the heat of the day and/or tank mixing with several products we suggest a short irrigation prior to application to reduce the potential for tip burn.

Formatted

DIRECTIONS FOR APPLICATION

Begin spraying when environmental conditions are favorable for the development of disease or as indicated below. Do not apply above the recommended rates.

Disease, Application Interval, and Rate Summary — All Uses

Disease	Application Interval ¹	Rate (fl. oz./1000 sq. ft.) ²	Causal Fungi
Dollar-spot	7-10 days	2.8-5.75	<i>Sclerotinia homeocarpa</i>
Leafspot/Melting out	7-10 days	5.75	<i>Drechslera, Bipolaris, Curvularia spp.</i>
Brown-patch	7-10 days	5.75	<i>Rhizoctonia solani, R. zeae, R. cerealis</i>
	14 days	8.0	
Grey leafspot	7-10 days	5.75	<i>Pyricularia grisea, P. oryzae</i>
Red thread	7-10 days	5.75	<i>Laetisaria fuciformis</i>
Anthracnose	14 days	8.0	<i>Colletotrichum graminicola</i>
Pythium blight	7-14 days	5.0	<i>Pythium spp.</i>
Algae ³	7-14 days	5.75-8.0	

Disease	Causal Fungi	Rate (fl. oz./1000 sq. ft.) ¹	Application Interval ² (days)
Algae ³		5.75 - 8.0	7 - 14
Anthracnose	<i>Colletotrichum graminicola</i>	8.0	14
Brown patch	<i>Rhizoctonia solani, R. zeae, R. cerealis</i>	5.75	7 - 10
		8.0	14
Dollar spot	<i>Sclerotinia homeocarpa</i>	2.8 - 5.75	7 - 10
Grey leafspot	<i>Pyricularia grisea, P. oryzae</i>	5.75	7 - 10
Leafspot / Melting out	<i>Drechslera, bipolaris, Curvularia spp.</i>	5.75	7 - 10

90410

Disease	Causal Fungi	Rate (fl. oz./1000 sq. ft.) ¹	Application Interval ² (days)
Pythium blight	<i>Pythium spp.</i>	5.0	7 - 14
Red thread	<i>Laetisaria fuciformis</i>	5.75	7 - 10 days

Notes:

- 1 To obtain the pint/acre rate multiply the fluid ounce rate by 43.5 and divide by 16.
- 2 For specific instructions and limitations see the directions below.
- 3 To obtain the pint/acre rate multiply the fluid ounce rate by 43.5 and divide by 16.
- 3 For the prevention of algae apply LBG-G31 FCL Vitalonil at 5.75 — 8.0 fl. oz./1000 sq. ft. Note that it is much more difficult to eliminate algae from turf than prevent its growth. When algae is well established, every attempt should be made to dry out the affected area. Once dry, the area should be spiked or verticut just before product application to enhance turf recovery.

Formatted

Formatted: Bullets and Numbering

Formatted

Formatted: Bullets and Numbering

GOLF COURSE GREENS AND TEES:

- (1) Tees: Do not apply more than 70 fl. oz./1000 sq. ft. of Vitalonil LBG-G31 per growing season. The minimum re-treatment interval for use rates up to 6 fl. oz./1000 sq. ft. is 7 days; for rate of 8 fl. oz./1000 sq. ft. the minimum spray interval is 14 days.
- (2) Greens: Do not apply more than 97 fl. oz./1000 sq. ft. of Vitalonil LBG-G31 per growing season. The minimum re-treatment interval for a single application up to 6 fl. oz./1000 sq. ft. is 7 days, for rate of 8 fl. oz./1000 sq. ft. the minimum interval is 14 days.
- (3) Apply in an adequate amount of water to provide complete coverage, typically this is 1-5 gal-gallons per 1000 sq. ft. See table above for use rates and timings.

GOLF COURSE FAIRWAYS, SOD FARMS, AND COMMERCIAL TURF:

- Do not apply more than 35 fl. oz./1000 sq. ft. of LBG-G31 FCL Vitalonil per growing season to golf course fairways and commercial turf. The minimum re-treatment interval for a single application of rates up to 8 fl. oz./1000 sq. ft. is 7 days. Do not use for sod farms at application rates greater than 13 pounds of chlorothalonil per acre, per season.
 - Apply LBG-G31 FCL Vitalonil in 40 gallons of water per acre (0.9 gallon per 1000 sq. ft. or more). Begin applications when conditions favor disease and repeat applications as long as these conditions persist. Under severe conditions use the highest labeled rate and shortest interval.
- See table below for use rates and timings.

Important:

Do not apply to plants when they are under water stress, or during severe weather conditions such as high or very low temperatures.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry, cool place.

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 ~~{(2.5 gallons)-}~~: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the 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, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.

Container Disposal ~~{(250 gallons)-}~~: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the 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. 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, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.

Warranty Limitations and DisclaimerARRANTY LIMITATIONS AND DISCLAIMER

To the fullest extent permitted by law, Luxembourg warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance. This is the only warranty made on this product. Luxembourg EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer assumes all risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.

NOTIFICATION

MAY 14 2005