



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 20 2009

Morris Gaskins
Registrations Manager
Albaugh, Inc.
P.O. Box 2127
Valdosta, GA 31604-2127

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 2008-1

Dear Mr. Gaskins:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated July 10, 2009 for:

EPA Registration 42750-196

Myclobutanil 2% Homeowner Fungicide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1 and finds that the label change(s) requested falls within the scope of PRN 2007-4 and 2008-1. 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 Nicole Williams of my staff at 703-308-5551.

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

2/7



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 42750-196	2. EPA Product Manager M. Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Myclobutanil 2% Homeowner Fungicide	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Albaugh Inc. P.O. Box 2127 Valdosta, GA 31604-2127 <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: NOTIFICATION EPA Reg. No. _____ AUG 20 2009 Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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.)

Label notification to revise Environmental Hazards text under PR Notice 2008-1 and Container Disposal under PR Notice 2007-4.

Refer to attached cover letter for certification statements for each.

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 checked="" 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		
			4		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pint, 1 quart, 1 gallon		5. Location of Label Directions <input checked="" type="checkbox"/>	
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 Morris Gaskins	Title Registrations Manager	Telephone No. (Include Area Code) 229-244-3288
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 	3. Title Registrations Manager	
4. Typed Name Morris Gaskins	5. Date July 10, 2009	

CORPORATE OFFICE

1525 NE 36th Street
Ankeny, IA 50021
515.964.9414 - Office
800.247.8013 - Toll Free
515.964.7813 - Facsimile

ALBAUGH, INC.

Valdosta Office 3/17
P.O. Box 2127
304 Janet Street, Suite H
Valdosta, GA 31604
229.244.3288 - Office
229.244.5841 - Facsimile

FED-X

July 10, 2009

Document Processing Desk (NOTIFY)
Registration Division
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard (South Bldg)
2777 South Crystal Dr.
Arlington, VA 22202

RE: Myclobutanil 2% Homeowner Fungicide
EPA Reg. No. 42750-196

Dear Sirs,

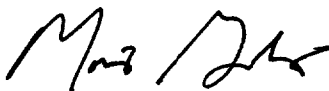
The enclosed submissions for the above referenced registrations are notifications of revised labeling to incorporate changes in the Environmental Hazards section under PR Notice 2008-1 and changes for the Container disposal statement under PR Notice 2007-4.

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 per 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 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 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.

Please call if you have any questions.

Regards,



Morris Gaskins
Registrations Manager
Albaugh, Inc.
P.O. Box 2127
Valdosta, GA 31604
229-244-3288



PREMIER SUPPLIER OF OFF-PATENT CROP PROTECTION PRODUCTS

www.albaughinc.com

EDITOR'S NOTE: 7/10/09 "marked" draft label for PR Notice 2007-4 Container Disposal and PR Notice 2008-1 Environmental Hazard General Labeling Statements noted with bold/underlined text.

Optional marketing text noted by italicized text in brackets

MYCLOBUTANIL 2% HOMEOWNER FUNGICIDE

[Do-it-yourself disease control • Prevents and cures all major lawn diseases • Controls brown patch, crown rot, powdery mildew, leaf spot, rust, Summer patch and more • Systemic action • Systemic action - Can't be washed off by rain once dried • Rainproof - Can't be washed off [away] by rain once dried • Protects for up to 2 weeks • Treats [3,000] [6,000] [12,000] sq ft • Just connect to your [garden] hose and spray • Easy-to-use spray ready nozzle • No spreading or complicated mixing • Water-based • Easy-View [Clear-View] measuring window • Guaranteed Results or your money back]*

[MYCLOBUTANIL 2% HOMEOWNER prevents and cures all major diseases on lawns. Because it works systemically, it can't be washed off by rain or sprinklers once dried and it works for weeks. Use this product on your lawn to keep it thriving.]

[Prevents and cures... Brown Patch, Dollar Spot, Powdery Mildew, Rust, Blight, Leaf Spot... and more!]

- [One 32 oz bottle of this formula will treat 3,000 sq ft]*
- [One 64 oz bottle of this formula will treat 6,000 sq ft]*
- [One gallon bottle of this formula will treat 12,000 sq ft]*

[CONTROLS] [DISEASES CONTROLLED]

[Use MYCLOBUTANIL 2% HOMEOWNER as directed to treat the following diseases in your lawn:]

MYCLOBUTANIL 2% HOMEOWNER prevents and cures anthracnose, brown patch, copper spot, dollar spot, leaf spot (including septoria, zonate), melting out, crown rot, leaf smuts, powdery mildew, rust, red thread, Spring dead spot, necrotic ring spot and Summer patch.

Active Ingredient:	
Myclobutanil	2.0%
Other Ingredients:	<u>98.0%</u>
Total:	100.0%

Read all instructions inside before using.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back [booklet] for additional precautionary statements

EPA Reg. No. 42750-196

EPA Est. No. xxxxx-xy-xxx

Net Contents: [1 quart] [2 quarts] [1 gallon]

MANUFACTURED FOR:
ALBAUGH, INC.
1525 NE 36th STREET
ANKENY, IA 50021

FIRST AID	
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 eyes. Call a Poison Control Center or doctor for treatment advice.
IF SWALLOWED:	Call a Poison Control Center or doctor immediately for treatment advice. Have person sip 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.
Have the product container or label with you when calling the Poison Control Center or doctor, or going for treatment. For transportation or medical emergency information involving this product, please call 1-800-424-9300.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear protective eyewear. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

USER SAFETY RECOMMENDATIONS

1. Remove contaminated clothing. Wash clothing before reuse.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

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 ensure that wind or rain does not blow or wash pesticide off the treatment area.

[OPTIONAL PRODUCT FACT BOX]

PRODUCT FACTS

What it Does:

Prevents and cures all Major Lawn Diseases including Anthracnose, Brown Patch, Copper Spot, Dollar Spot, Leaf Spot (including Septoria, Zonate), Melting Out, Crown Rot, Leaf Smuts, Powdery Mildew, Rust, Red Thread, Spring Dead Spot, Necrotic Ring Spot and Summer Patch

Where to Use: *(grass icon)*

Lawns

When To Use:

Start Treating When Grass Begins to Turn Green in Spring or When Signs of Diseases are First Noticed

Questions & Comments *(phone icon)* *(computer icon)*

Call 1-800-247-8013 or email Albaugh, Inc.

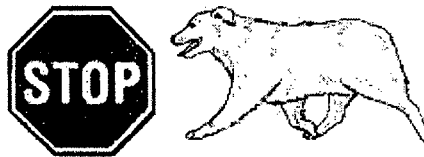
STOP. READ ENTIRE LABEL BEFORE USE.

DIRECTIONS FOR USE

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

For home lawn use only.

Keep pets and people other than applicator off treated areas until spray has dried. *(stop sign icon)(walking dog icon)*



WHEN TO USE

This product is highly effective when it is used to prevent diseases or applied at the first sign of disease. Start treating when grass begins to turn green in the spring or when signs of diseases are first noticed. For best disease control, treat every 2 weeks.

RESTRICTIONS

Do not apply more than 13 treatments per year. In Nassau and Suffolk Counties in New York State, do not apply more than 3 times per given area per year.

Do not treat lawns during periods of stress, i.e. heat, drought, flooding, insects, excessive fertilizer, herbicides or pesticide use, etc.

Do not apply when temperatures are above 85°F as injury to lawn can occur.

If it rains before product has dried, reapply.

If you need more information, contact your local County Extension Service.

HOW TO USE

Determine the size of the area (lawn) to be treated. To calculate square feet, multiply length by width.

Start at the farthest point to be treated and work backward so you don't walk over treated area. Walk at a steady pace and spray using a side-to-side [arc] motion, slightly overlapping the treated area.

The entire [32 oz] bottle will treat 3,000 sq ft of lawn. Refer to [sight gauge] [Easy-View] [Clear-View] measuring window to guide coverage. When bottle is half empty, you should have covered half the area.

ENTIRE LAWN

HOSE END SPRAYER INSTRUCTIONS [Dial Button]

1. Shake container well before using.
2. Connect a garden hose to the Ready Spray nozzle. Make sure the dial on the nozzle is in the "OFF" position with the [green] safety tab in the valve notch.
3. Turn on water at faucet. Extend hose to the farthest area to be treated and work back toward the faucet so you don't come in contact with the treated area.
4. To BEGIN spraying, point nozzle toward lawn or plants to be treated and 1.) bend the [green] safety tab (located at right of [yellow] dial) back and hold, 2.) using your other hand, QUICKLY turn the dial clockwise until it stops and [green] tab engages into notch. Water will automatically mix with the product.
5. Spray lawn or plants thoroughly. Walk at a steady pace while spraying using an even sweeping motion, slightly overlapping treated areas. [One quart] [two quarts] [one gallon] will treat [3,000] [6,000] [12,000] sq ft. Calculate square feet by multiplying length by width. Refer to sight gauge to guide coverage (example: when one quart bottle is half empty, you should have covered 1,500 square feet).
6. To STOP spraying, QUICKLY turn the dial in the opposite direction of "ON" (counter clockwise) until it stops and the safety tab engages into the notch. Turn water off at faucet. To relieve pressure before removing nozzle from hose, bend the safety tab back and turn dial "ON" until water stops spraying.
7. To STORE unused product, make sure the dial is in the "OFF" position with the green safety tab in the valve notch. Place in a cool area away from heat, sunlight or open flame.

Rainproof— rain or watering 2 hours after application will not wash away effectiveness. [If rainfall occurs within 2 hours of application, the product should be reapplied.]

NOTE: This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray may contact home siding (vinyl siding in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store in a cool, dry area away from heat and open flame.

PESTICIDE DISPOSAL: ~~If empty: Do not reuse or refill this container. Place in trash or offer for recycling if available.~~

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.

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

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[*Guaranteed Results - if you are not satisfied with the product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]