

45728-21

6-8-2001

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number  
271129

Application for Pesticide - Section I

1. Company/Product Number 45728-21	2. EPA Product Manager C. Parker	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Defiant Turf Fungicide & Animal Repellent	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) UCB Chemicals Corporation 2000 Lake Park Dr. Smarna, GA 30080 <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 _____	<b>NOTIFICATION</b> JUN 8 2001
<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.)

Notification for the removal of the "Non-Agricultural Use Requirements" box from this sub-label; documentation for state registrations

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt.    No. per container		<input checked="" type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 4 x 10 16.	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 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 Timothy A. Dotson	Title Regulatory Affairs Mgr.	Telephone No: (Include Area Code) 770-201-3212
2. Signature 		6. Date Application Received (Stamped) ..... ..... ..... ..... .....
3. Title Regulatory Affairs Mgr.		
4. Typed Name Timothy A. Dotson	5. Date 5/21/01	



# Defiant®

## Turf Fungicide and Animal Repellent

NOTIFICATION

JUN 8 2001

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**ACTIVE INGREDIENT:**

Thiram (Tetramethylthiuram disulfide).....	75.0%
OTHER INGREDIENTS:.....	25.0%
TOTAL	100.0%

EPA Reg. No. 45728-21

EPA Est. 37429-GA-2

EPA Est. 32557-BEL-1

### KEEP OUT OF REACH OF CHILDREN CAUTION

**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).**

**FIRST AID**

**IF SWALLOWED:** Call a physician or Poison Control Center immediately. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious or convulsing person.

**IF ON SKIN:** Remove contaminated clothing and wash affected areas with soap and water. Get medical attention if irritation persists. Wash contaminated clothing before reuse.

**IF IN EYES:** Flush eyes with plenty of water. Get medical attention if irritation persists.

**IF INHALED:** Remove victim to fresh air. Apply artificial respiration, if indicated.

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Causes eye and skin irritation. Harmful if swallowed, inhaled or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves when handling. Wash with soap and water after handling. Avoid inhaling spray mist. Do not use or store near food or feed. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. The consumption of alcoholic beverages increases the toxic effects of Thiram.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Applicators and other handlers must wear:

- \*Long-sleeved shirt and long pants
- \*Waterproof gloves
- \*Shoes plus socks
- \*Chemical-resistant headgear for overhead exposure

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining Personal Protection Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations:**

User 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.
- \*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.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish. 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 cleaning of equipment or disposal of wastes. Drift or runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

**GENERAL PRODUCT INFORMATION**

Defiant® is a broad-spectrum fungicide for use on Turf (parks, golf courses, commercial landscapes, etc.) to control Dollar Spot, Brown Patch and Fusarium Patch.

Defiant®, when used according to label directions, can also protect trees, vines, nursery stock, shrubs and ornamentals from rabbit, deer and rodent depredation. One application will protect treated parts from 1 to 3 months, depending upon weather conditions. Defiant® can also be used as a repellent in deterring deer from moving into important areas such as airport runways as a result of local feeding and browsing. It can also deter migratory birds such as geese on golf courses and other turf areas. The addition of a latex based sticker prolongs the residual effectiveness of the treatment. Repellency is the result of rendering the treated plant parts distasteful.

UCB's recommendations for the use of this product are based upon tests believed to be reliable. **FAILURE TO FOLLOW DIRECTIONS AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, OR ILLEGAL RESIDUES.**

**DIRECTIONS FOR USE**

**Not for use on turf being grown for sale or other commercial use such as sod, or for commercial seed production, or for research purposes. Not for use on residential lawns or turf.**

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.

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**GENERAL RECOMMENDATIONS**

Be sure spray equipment is clean before use. If it is contaminated with any material, crop injury or sprayer clogging may result. Calibrate spray equipment before use.

Applications of Defiant® fungicide on turf are most effective when made before infection periods. Under low disease conditions, minimum label rates should be used; however, maximum label rates and shortened spray schedules are recommended for severe or threatening conditions. If you are not familiar with such conditions, get advice from your state agricultural extension service.

**IMPORTANT:** When spraying, thorough coverage is necessary to provide good disease control for turf and good protection against animal depredation. Addition of a spreader/sticker to the finished spray mixture may improve coverage. Make fresh spray mixtures for each application.

**MIXING INSTRUCTIONS**

To mix, fill the spray tank about 2/3 full of water, and with agitator running, slowly sift in the recommended amount of Defiant®. Finish filling the tank with water and continue agitation until thoroughly mixed. Continue agitation and apply immediately.

**Repellency Applications\***

Applications To Vines, Tree Trunks and Dormant Plants:

Prepare a slurry of 1 pound Defiant® in 3 quarts of water and apply as a full coverage spray to all portions of the plant to be protected. For greater retention and residual efficacy, add 1 pint of a latex based sticker to the spray solution.

Brush On Application:

Prepare a slurry of 1 pound of Defiant® in 3 quarts of water and apply with a paint-brush to stem parts and trunk parts to be protected. For greater retention and residual efficacy, add 1 fluid ounce of a latex based sticker into each quart volume of solution prepared.

Foliar Applications:

Prepare a slurry of 1 pound of Defiant® in 6 quarts of water and apply as a full coverage spray to all portions of the plant to be protected. For greater retention and residual efficacy, add 1 pint of a latex based sticker to the spray solution. **DO NOT** use wetting agents or surfactants as foliar damage may result. For best results, spray when temperatures are greater than 40 F and relative humidity is less than 70 percent. **DO NOT USE FRUIT FOR HUMAN CONSUMPTION.**

\*NOT FOR USE IN CALIFORNIA

**Turf Applications**

Defiant® prevents infestation of common turf diseases such as Dollar Spot, Brown Patch and Fusarium Patch during the Summer growing season and Snow Mold during the cool weather seasons. When used at curative rates, Defiant® will cure diseased turf infected with Dollar Spot and Brown Patch and can also prevent Fusarium Patch when two applications are made during the Fall through the Spring season.

**SPECIFIC APPLICATIONS FOR DEFIANT®**

TURF	DISEASES	OUNCES DEFIANT® Per 1000 square feet	DIRECTIONS FOR USE
TURF*	Dollar Spot (Sclerotinia homeocarpa) Brown Patch (Rhizoctonia Blight) (Rhizoctonia solani)	Preventative Rate: 2.5 to 3.0 oz	Apply recommended rate in 5 to 10 gallons water/1000 sq. ft. beginning in early Spring <u>before</u> disease symptoms appear. Repeat at 7 to 10 day intervals as needed when environmental conditions favor disease development. Do not apply more than 40 oz per 1000 sq.ft. during the Summer growing season.
		Curative Rate: 4.5 to 5.0 oz	Apply recommended rate in 5 to 10 gallons water/1000 sq. ft. after disease symptoms first appear. Repeat at 7 to 10 day intervals as needed. Do not apply more than 40 oz per 1000 sq.ft. during the Summer growing season.
	Fusarium Patch (Fusarium nivale) (Pink Snow Mold and Gerlachia Patch)	Preventative Rate: 8.0 oz	Apply recommended rate in 2 to 5 gallons water/1000 sq. ft. in late Fall immediately before expected permanent snow cover. As a follow-up to the late-Fall application, a Spring application of 3.0 oz/1000 sq. ft. during Spring thaw and after runoff has ended may be necessary to aid in the prevention of Spring disease.

DO NOT graze or feed treated turf.

\*Not for use in California.

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**CHEMIGATION:** Do not apply this product through any type of irrigation system.

**STORAGE AND DISPOSAL**

**Pesticide Storage**  
Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited. Do not reuse empty container. Store unused product in original container only. Store in a cool, dry area preferably locked and out of the reach of children and animals. Not for the use or storage in or around the home. Protect from excess heat.

**Pesticide Disposal**  
Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**Container Disposal**  
Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**TERMS OF SALE OR USE**

On purchase of this product, buyer and user agree to the following conditions:

**Warranty:** UCB makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Except as so warranted, the product is sold as is. Buyer and user assume all risk of use and/or handling and/or storage of this material when such use and/or handling and/or storage is contrary to label instructions.

**Damages:** Buyer's or user's exclusive remedy for damages for breach of warranty or negligence shall be limited to direct damages not exceeding the purchase price paid and shall not include incidental or consequential damages.

Defiant® is a Registered Trademark of UCB S.A., a Belgium corporation.

**For Emergencies Involving a Spill, Leak, Fire, Exposure, or Accident, contact: CHEMTREC at (800) 424-9300.  
For Other Emergencies, phone (770) 801-3248 or (770) 433-6421.**

NET WEIGHT: 10 lbs.



**Chemicals**

UCB Chemicals Corporation  
2000 Lake Park Drive  
Smyrna, GA 30080



**UCB Chemicals**

UCB Chemicals Corporation - 2000 Lake Park Drive - Smyrna, Georgia 30080

**Via Certified Mail**  
**Return Receipt Requested**

May 18, 2001

Cynthia-Giles Parker  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
401 M St., S.W.  
Washington, D.C. 20460-0001

**Subject: Notification for the Removal of the "Non-Agricultural Use Requirements" Box from the Sub-label "Defiant Turf Fungicide and Animal Repellent" (EPA Reg. No. 45728-21); Documentation for State Registrations**

Dear Cynthia:

Based on guidance in the Worker Protection Standard and PR-Notices 93-7 and 93-11, UCB Chemicals is removing the "Non-Agricultural Use Requirements" Box from the sub-label "Defiant Turf Fungicide and Animal Repellent" since this is considered "over labeling" and is not required on the sub-label.

The basis for this revision can be found in PR-Notice 93-7, which states that "Control of vertebrate pests" is "NOT within the scope of this notice" (PR-Notice 93-7, Section IV, "Scope Criteria: Determining Applicability to Individual Products", Part D). Further, based on guidance found in PR-Notice 93-11 ("Supplemental Guidance for PR-Notice 93-7- Labeling Revisions Required by the Worker Protection Standard"), Supplement G, III: "WPS Statements on Sub-labels with No In-Scope Uses", several items must be included on the label. There are seven individual bullet points that have to be reviewed to determine which of these items have to be included on sub-labels with no in-scope uses.

Since the inclusion of the "Non-Agricultural Use Requirements" Box is not one of those bullet points within Supplement G, it is being removed from this particular sub-label. This Notification serves as documentation that this item has been removed from the sub-label, and is to be used for state registration activities alone.



Methylamines & Derivatives Business Unit  
Tel: (800) 426-3820 / (770) 437-5670 - Fax (770) 801-3238  
www.chemicals.ucb-group.com  
E-mail: Methylamines.us@ucb-group.com



Agro-  
**UCB Chemicals**



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Cythnia-Giles Parker  
May 18, 2001

If you have any questions please let me know at 770/801-3212.

Best Regards,



Timothy A. Dotson  
Regulatory Affairs Manager

**NOTIFICATION**  
JUN 8 2001

**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.**

Label Code: 05/18/01.TAD(EPA05/18/01, CDPRxxx); Replaces 10/30/00.TAD (EPA11/30/00).

