

48234-15

8/27/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

AUG 27 2009

Michael Kellogg  
Regal Chemical Company  
c/o Pyxis Regulatory Consulting, Inc.  
4110 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

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

Dear Mr. Kellogg:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 21, 2009 for:

**EPA Registration 48234-15**

**RegalStar II**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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

2009

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



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 48234-15	2. EPA Product Manager J. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Regal Chemical Company / RegalStar II	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Regal Chemical Company c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <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. <b>NOTIFICATION</b> Product Name <b>ATIG 97 2009</b>	

### 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.

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

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.

### 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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input 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 50 lbs.		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 Paper glued 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 Michael Kellogg	Title Agent	Telephone No. (Include Area Code) (253) 853-7369
2. Signature 		6. Date Application Received (Stamped)
3. Title Agent		
4. Typed Name Michael Kellogg	5. Date 7/21/09	

**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 both under applicable law.



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# REGALSTAR II

For sale to and use by professional applicators only. Not for sale to or use by homeowners/consumers.

RegalStar II is a selective pre-emergence herbicide for control of crabgrass, goosegrass, annual bluegrass and crowfoot on turf and golf courses, of established bermudagrass, zoysiagrass, St. Augustine grass, ryegrass, centipede grass, bentgrass, bluegrass, tall fescue grasses, and a wide variety of woody ornamental shrubs, trees, and vines. RegalStar II also controls many annual broadleafweeds, including spotted spurge, knotweed, chickweed, yellow woodsorrell and clovers.

### GUARANTEED FERTILIZER ANALYSIS

38% Total Nitrogen (N)  
27% Water-Insoluble Nitrogen Derived from Ureaform  
11% Water-Soluble Nitrogen Derived from Ureaform

#### Active Ingredients:

Oxadiazon: 2-tert-butyl-4-(2,4-dichloro-5-isopropoxyphenyl)- delta <sup>2</sup> -1,3,4-oxadiazolin-5-one .....	1.0%
Prodiamine: (N <sup>3</sup> ,N <sup>3</sup> -Di-n-propyl-2,4-dinitro-6- (trifluoromethyl)-m-phenylenediamine.....	0.2%
<b>Other Ingredients</b> .....	<b>98.8%</b>
<b>TOTAL</b> .....	<b>100.0%</b>

### 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	
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-800-621-5208 for emergency medical treatment information.	

EPA REG. NO. 48234-15

EPA EST. NO. 48234-GA-1

REGAL CHEMICAL COMPANY  
P.O. BOX 900, ALPHARETTA, GEORGIA 30009

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

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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 clothing/PPE 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 apply where runoff is likely to occur. Do not contaminate water when disposing of equipment washwaters or rinsate. Apply only as specified on this label.

**GENERAL INFORMATION**

RegalStar II is a selective, pre-emergent herbicide for control of annual grasses and broadleaf weeds in established bermudagrass, bluegrass, tall fescue grasses, and on a wide variety of woody ornamental shrubs, vines, and trees. It is especially effective on crabgrass (*Digitaria* spp.), goosegrass (*Eleusine indica*), annual bluegrass (*Poa annua*) and crowfoot (*Dactyloctenium aegyptium*). Many broadleaf annual weeds such as spotted spurge (*Euphorbia maculata*), knotweed (*Polygonum* spp.), chickweed (*Stellaria media*), yellow woodsorrel (*Oxalis*), and white clover (*Malba Medic*) are controlled pre-emerge from seed. RegalStar II controls the weeds by killing the young weed seedlings as they come in contact with the herbicide during germination.

Ureaform is the fertilizer carrier of the herbicides in RegalStar II. Ureaform is a slow-release, non-burning, non-leaching, odorless, pathogen-free source of nitrogen. Applied at 200 lbs. per acre, it provides the majority or total quantity of nitrogen required by bermudagrass or bluegrass during the entire growing season.

For best results, water-in the product as soon as practical after application.

**Restrictions:**

- Not for use on home lawns
- Do not graze or feed livestock forage cut from areas treated with RegalStar II.
- Do not apply this product through any type of irrigation system.
- Do not apply aerially.
- Do not apply more than 600 pounds of product per acre per year (equivalent to 6 pounds ai/A/year) except in areas of heavy weed infestation.

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- In areas of heavy weed infestation, do not apply more than 750 pounds of product per year (equivalent to 7.5 pounds ai/A/year).
- Do not apply more than 400 pounds of product per acre (equivalent to 4 pounds ai/A) in a single application.

#### 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

#### 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 interval. The requirements in this box only apply to uses of this product that are covered by 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 into treated areas that is permitted under Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil, or water is:

- Coveralls,
- Shoes plus socks
- Chemical-resistant gloves made of any waterproof material
- 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.

Do not enter or allow others to enter the treated area until dusts have settled. If soil incorporation is required after the application, do not enter or allow others to enter the treated area (except those persons involved in the incorporation) until the incorporation is complete. If the incorporation is accomplished by watering-in, do not enter or allow others to enter the treated area until the surface is dry after the watering-in.

#### TURF

Apply RegalStar II at 200 lbs. product per acre for weed control (4 ½ lbs. per 1000 sq. ft.). Apply in early spring before weed seed germination.

Apply to dry foliage with a properly calibrated granular applicator at the recommended rate prior to weed seed germination. Complete aerifying, verticutting and raking before applying RegalStar II, so that the protective chemical barrier is not disrupted.

Use only on recommended established turfgrasses. Germination of overseeded grasses may be reduced by as much as 50% more or less, if seeded within 6 months of an application. For newly seeded bermudagrass, ryegrass, and bluegrasses, delay application until after second mowing. Use on newly sprigged or vegetative planted bermudagrass and bluegrass after stolons have rooted.

**APPROXIMATE SPREADER SETTINGS**  
(For applying RegalStar II in one pass over turf)

Listed below are approximate spreader settings. These should serve only as initial starting points for calibration because all spreaders will vary in their operation depending on the age, condition, particular model and speed of operation. Always calibrate your own spreader according to the manufacturer's recommendations.

Rate: 200 lbs. per acre, or 4 ½ lbs. per 1000 sq. ft.

<u>SPREADER TYPE</u>	<u>WIDTH</u>	<u>SETTING</u>
Regal I Spreader	10'-12' spread	6 ¾
Cyclone:		
Model B-1-80	6.5' spread	4.0
Gandy:		
Turf Tender	(24&42 inch)	3.8
Speed 4 mph		
Scott:		
Model 100	36" spread	5 ¾
Model R8 Cone	12' spread	K ½
Model R7X	12' spread	N
Lely	Roman Numeral II, speed 4.5	5 ¼
Vicon	Speed 3.5 mph	35

Walking speeds should be adjusted to generate indicated spread widths. Slower speeds result in smaller spreads.

**WOODY ORNAMENTAL SHRUBS, VINES AND TREES**

Apply RegalStar II to established plants any time during the year, prior to weed seed germination. RegalStar II can be applied to both newly transplanted and established ornamentals. Delay application to new transplants until soil has settled around plant. Application can be made to actively growing or dormant ornamentals. Cultivating or disturbing the soil may reduce the weed control of RegalStar II. DO NOT apply to wet foliage or under conditions in which granules will collect on leaves. DO NOT apply in greenhouses.

RegalStar II should be applied at 200 lbs. of product/acre or 4 ½ lbs./1000 sq. ft. prior to susceptible weed seed germination, with a suitable spreader which will assure accurate, even particle distribution. Do not apply herbicide granules to wet foliage as phytotoxicity can result. Applications should be made to weed free surfaces. Susceptible weeds are listed on this label under the "General Information" section. RegalStar II herbicide has shown excellent results when used on the following:

**Container and/or Field Grown Ornamentals**

<u>Scientific Name</u>	<u>Common Name</u>
Acacia spp.	Acacia
Acer palmatum	Japanese Maple
Barberis gladwynesis	Barberry
Betula papyrifera	Birch, Paper
Buxus microphylla	Japanese Boxwood
Callistemon viminalis	Weeping Bottlebrush
Camellia japonica	Camellia, Common, Japanese
Chamaecyparis pisifera	False Cypress
Cornus florida	Flowering Dogwood
Cortaderia selloana	Pampas Grass
Cotoneaster spp.	Cotoneaster

Cupressus spp.  
 \*Euonymus fortunei  
 Forsythia intermedia  
 Gardenia jasminoides  
 \*Illex spp.  
 Jasminium nudiflorum  
 Juniperus chinensis  
 Ligustrum amurense  
 Lonicera japonica  
 Magnolia spp.  
 Nerium spp.  
 Pachysandra terminalis  
 Photinia fraseri  
 Picea abies  
 Pieris japonica  
 Pinus spp.  
 Pittosporum rhombifolium  
 P. tobira  
 Prunus laurocerasus  
 Pyracantha coccinea  
 Querus spp.  
 Raphiolepis indica  
 \*Rhododendron spp.  
 (including azalea)

Cypress  
 Wintercreeper  
 Border Forsythia  
 Gardenia, Cape-Jasmine  
 Holly  
 Winter Jasmine  
 Chinese Juniper  
 Amur Privet  
 Japanese Honeysuckle  
 Magnolia species  
 Oleander  
 Pachysandra  
 Frasier's Photinia (Redtip)  
 Norway Spruce  
 Lily-of-the-Valley Shrub  
 Pine  
 Queensland Pittosporum  
 Japanes Pittosporum  
 Enlish Laurel  
 Firethorn, Scarlet  
 Oak species  
 Indian Hawthorne  
 'Coral Bells'  
 'Formosa'  
 'Hino-crimson'  
 'PJM'  
 'Roseum Elegans'

Santolina virens  
 Taxux cuspidata  
 T. media  
 Thuja Occidentalis  
 Viburnum japonica  
 Vinca major  
 Vinca minor  
 Weigela florida  
 Xylosma congestrum

Japanese Yew  
 Yew  
 American Arborvitae  
 Japanese Viburnum  
 Vinca  
 Dwarf Periwinkle  
 Old Fashioned Weigela  
 Xylosma

\*Certain cultivars of these species may be sensitive to this herbicide. Growers should evaluate usage on a small scale prior to large scale application if not know.

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**PESTICIDE STORAGE:** Store in a cool place. Protect from excessive heat

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide spray 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:** Nonrefillable container. Do not reuse or refill this container. Completely empty container-bag into application equipment. Then offer for recycling if available or dispose of empty container-bag in a sanitary landfill or by incineration or, or at an incineration facility, or, if allowed by Sstate and local authorities, by burning. If burned, stay out of smoke.



**WARRANTY AND LIMITATIONS**

It is impossible to eliminate all risks inherently associated with the use of this product. Plant injury, 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 Regal or seller. All such risks shall be assumed by buyer or user. Seller warrants that this material conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use and buyer assumes the risk of any use contrary to such directions. To the extent consistent with applicable law, seller makes no other express or implied warranty of fitness or of merchantability, and no agent of seller is authorized to do so except in writing with a specific reference to this warranty. To the extent consistent with applicable law, in no event shall seller's liability for any breach of warranty exceed the purchase price of the material as to which a claim is made.

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