

51873-8

9/28/2009

10/10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Roland L. Cargill
Product Registration Specialist
Fair Products, Inc.
P.P. Box 386
Cary, North Carolina 2712-0386

SEP 28 2009

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

Dear Mr. Cargill:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 5, 2009 for:

EPA Registration 51873-8

DeCut

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 identify 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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 Fair Products, Inc. / 51873-8		2. EPA Product Manager Tony Kish		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Fair Products, Inc. / DeCut		PM# 22			
5. Name and Address of Applicant (Include ZIP Code) Fair Products, inc. PO Box 386 COLUMBIA, MO 65202 <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. 51873-8 Product Name Fair Plus		

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION SEP 28 2009
<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 guidances PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. (Continued on attached page)"

Section - III

1. Material This Product Will Be Packaged In:					
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	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container	
2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2 gal		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 glued and slip sleeve <input checked="" type="checkbox"/> Lithograph <input checked="" 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 Roland L. Cargill		Title Product Reg. Specialist		
		Telephone No. (Include Area Code) 910-467-1593		
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 Product Registration Specialist		
4. Typed Name Roland L. Cargill		5. Date 8/5/09		



Fair Products, Inc.

August 5, 2009

Tony Kish Product Manager, Team-22
Fungicide Branch, Registration Division
Document Processing Desk (AMEND)
Office of Pesticide Programs (7504P)
U.S Environmental Protection Agency
Room S-4900 One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Notification: Container Disposal Statement per PR 2007-4
EPA Reg. No. 51873-8 DeCut

Dear Tony:

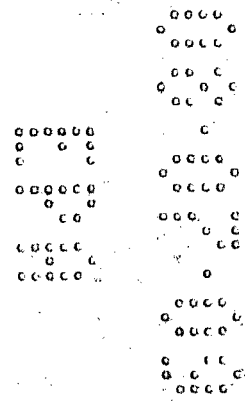
Attached is the completed Notification (EPA form 8570-1) for the subject product in compliance with PR 2007-4, as well as a copy of the updated label that contains the revised Container Disposal Statement.

If you have any questions, please do not hesitate to contact me at (919) 467-1599 or by email carla@fairproductsinc.com.

Sincerely,

Roland L. Cargill
Product Registration Specialist

Enclosed



4 of 10

De-Cut/Front panel



NOTIFICATION

SEP 28 2009

DE-CUT®

A 1.5 lb Maleic Hydrazide Product
TO CONTROL AND RETARD PLANT GROWTH
IN AREAS DIFFICULT TO MAINTAIN

KEEP OUT OF REACH OF CHILDREN
CAUTION

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

ACTIVE INGREDIENT:

Potassium salt of 1,2-Dihydro-3,6-pyridazinedione*21.7%

INERT INGREDIENTS:.....78.3%

TOTAL.....100.0%

*Hereinafter called *potassium salt of maleic hydrazide CAS No. 28382-15-2*

This product contains 1.5 lbs. maleic hydrazide (MH) CAS No. 123-33-1 equivalent per gallon

READ ENTIRE LABEL CAREFULLY BEFORE USING THIS PRODUCT
SHAKE WELL BEFORE USING

If not used in accordance with directions, plant injury,
or other undesirable results may occur.

Sold by:



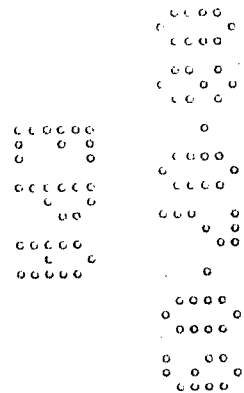
fair products, inc.

Agri-Specialties Division

Post Office Box 386

Cary, North Carolina 27512-0386

Telephone: (919) 467-8352



EPA Reg. No. 51873-8
EPA Est. No. 45671-NC-01

Net Contents:
2 Gallons (256 Fl Oz)
7.57 LITERS (7570 ml)

DE-CUT/Left side panel, p.1

PRECAUTIONARY STATEMENTS
Hazards to humans and domestic animals

CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Wear long-sleeved shirt and long pants, socks, and shoes, and chemical resistant gloves made of any waterproof material.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply this product through any type of irrigation system. Do not contaminate water when disposing of equipment washwaters.

SURFACE WATER ADVISORY

Under some conditions, maleic hydrazide (MH) may have a significant potential for runoff into surface water (primarily via dissolution in runoff water), for several days post-application. Conditions favoring runoff include poorly draining soils or wet soils with readily visible slopes, frequently flooded areas, areas where an intense or sustained rainfall is forecast to occur within 48 hours, areas overlying extremely shallow ground water, and areas overlying tile drainage systems that flow to surface water.

USE PRECAUTIONS

**PERSONAL PROTECTIVE EQUIPMENT
APPLICATORS AND OTHER HANDLERS MUST WEAR:**

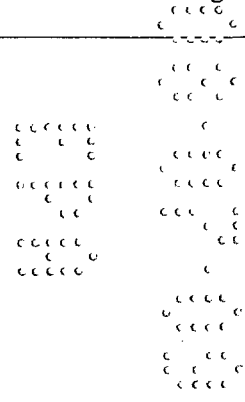
- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material.
- Shoes plus socks

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions 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 toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

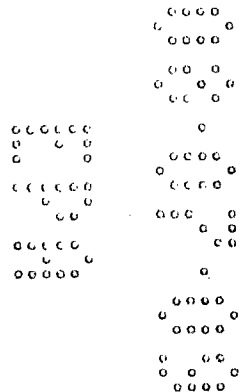


DE-CUT/Right side panel

STORAGE AND DISPOSAL

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

1. **PESTICIDE STORAGE** - Do not stack over 2 pallets high. Store original containers in cool dry place away from food, water and feed. Avoid storage below 45 degrees F. At temperatures below 40 degrees F, the formulation will form solids. It readily re-dissolves, but must be warmed to 50 degrees F or above. The larger the container the more time is needed to completely re-dissolve the solids.
2. **PESTICIDE DISPOSAL** - Open dumping is prohibited. Do not reuse empty container. Pesticide spray mixture or rinse that cannot be used according to label instructions must be disposed according to applicable federal, state or local procedures.
3. **CONTAINER DISPOSAL** - Non-refillable containers. Do not use or refill this container. Offer for recycling if available. **For container sizes of 5 gallons or less**, triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and draining 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. **For container sizes greater than 5 gallons**, triple rinse as follows: empty the remaining contents into 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. Turn the container over onto its other 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 the procedure two more times.
4. **GENERAL** - Consult federal, state or local disposal authorities for approved alternative procedures in your area.



DE-CUT/Rear panel, p.1

DIRECTION FOR USE

DE-CUT will retard the growth of grass, ivy, shrubs, weeds, and trees. DE-CUT is recommended for use on highways, under power-transmission lines, along airfield runways, golf-course roughs, cemeteries, industrial grounds, and similar areas difficult and expensive to mow and trim. The proper use of DE-CUT can reduce maintenance procedures from the usual several times per month to once or twice in a season, thereby cutting labor costs and the hazards of trimming hard-to-reach areas.

DE-CUT should be used on good, well established turf which is at least 3 years old, where the need for frequent mowing is to be eliminated. DE-CUT should not be used on any agricultural crops such as tobacco, potatoes, onions, fruit trees, etc. It is not recommended for general use on home lawns, except along edges. Do not use on fairways of golf courses (only in roughs). Never use in pastures or areas where livestock graze and do not cut hay for livestock feed from treated areas. **DO NOT MAKE MORE THAN ONE APPLICATION PER SEASON.**

SUPPRESSION OF GRASS

DO NOT MAKE MORE THAN ONE APPLICATION PER SEASON.

GENERAL INFORMATION

When applied according to directions, DE-CUT is absorbed through the actively-growing green blades and transmitted by the plant fluids to the growth-control area of the plant. DE-CUT retards cell division but does not destroy or harm the normal, healthy grass.

APPLICATION TIMING

GENERAL

DE-CUT should be used in either the spring (early April to end of May) or in the fall (early October to mid-November). **ONLY ONE APPLICATION PER YEAR IS PERMITTED.** It should be used only on healthy, active-growing green grass. Brown grass, mowed areas covered with clippings, leaves and foreign debris all interfere with proper application and absorption, with ensuing poor results.

SPRING APPLICATION (early April to end of May)

The two-week period in spring when the forsythia and dandelion are in full bloom, and when the grass has newly grown from 2" to 4" in height, is the best time for applying DE-CUT. At this time grass is vibrant with growth and maximum absorption, with the optimum inhibition, will result. If spraying is delayed beyond the two-week period, allow one week after spraying and then mow to improve the appearance of the area.

SPRING APPLICATION RATE

During spring use 2 2/3 gallons of DE-CUT in 50-80 gallons of water for application on one acre. For smaller quantities mix 4 oz. of DE-CUT with 2 gallons of water for 500 sq. ft. of coverage. Mix thoroughly before use.

NOTE: DE-CUT should not be applied during the summer months of June through September. Most grasses are partially dormant at this time and the effect of herbicides is greatly diminished.



DE-CUT/Rear panel, p.2

FALL APPLICATION (early October to mid-November)

De-Cut may be applied late in the growing season to reduce grass growth the following spring. Treatment should be made while grass is still green but before it becomes dormant. Fall application will also offer suppression of wild onion, garlic, and biennial weeds such as dandelion and plantain. In the spring the grass will "green-up" about two weeks later than untreated grass. Other than this, DE-CUT does not normally affect the color of grass when used as directed. At times it may be slightly deeper green than untreated areas.

FALL APPLICATION RATE

For fall application use 3 1/3 gallons of DE-CUT in 50-80 gallons of water for application on one acre to control growth during the next season. For smaller quantities, mix 5 oz. of DE-CUT with 2 gallons of water for 500 sq. ft. of coverage.

APPLICATION EQUIPMENT

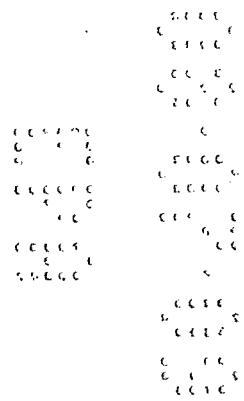
The equipment used for spraying should provide a minimum of 50 gallons of water per acre and supply a spray pattern that will apply this volume of spray uniformly over the entire area. It should be equipped with controls to provide calibrated amounts of spray at all times. Trucks should have special tachometers to read from 0-15 mph. The usual speedometers are inaccurate at such low speeds. The accepted methods of pump-nozzle, boom, or air-carry methods of application are satisfactory. The equipment should have the capability of maneuvering in all areas where DE-CUT is to be applied. DE-CUT is not corrosive and equipment can be cleaned by washing with water. Do not contaminate natural waters with cleaning operations.

CONTROL OF POA ANNUA

DO NOT MAKE MORE THAN ONE APPLICATION PER SEASON.

Poa Annua grass can pose problems in golf-course fairways. A light treatment of DE-CUT in the spring can eliminate or substantially reduce the reseeding of Poa Annua with little effect on the grass growth.

Mow the area to be treated twice in the spring (usually 5-8 days apart). Before the first Poa Annua seed heads appear, and when the third mowing is needed, apply 2 qts. of DE-CUT in 30 gallons of water per acre. The treatment effects will be evident in about eight days.



DE-CUT/Rear panel, p.3

FOR APPLICATION OF TREES, SHRUBS, and IVY
DO NOT MAKE MORE THAN ONE APPLICATION PER SEASON.

GENERAL INFORMATION

TREES

DE-CUT can be used to inhibit growth of the following trees: Sycamore, Willow, Alder, Poplar, Oak, Mulberry, Black Walnut, Maple, Sweet Gum, Elm and Tamarack.

SHRUBS

DE-CUT can be used to inhibit growth to the following shrubs: Privet, Pyracantha, Myrtus, Xylosmas, Viburnum, Eugenia, Pittosporum, Ciccus, Hahns, Ivy, Algerian Ivy, Honeysuckle, Forsythia and Ice Plant.

APPLICATION TIMING

For best results apply DE-CUT in the spring when new leaves have expanded and vigorous new growth has started. It can also be used in summer after pruning when new regrowth is 2" to 4" long. On trees, new leaves should be fully expanded when treatment is made.

RATE OF APPLICATION

Use 1 2/3 to 2 gallons of DE-CUT in 100 gallons of water. Use the higher rate for plants that are more vigorous. All areas to be inhibited should be sprayed to wet all surfaces of leaves and bark to the point of drip, but not run-off. Rates are based on the use of a standard 200 gallons per acre for mature trees, 100 gallons per acre for full size shrubs, 50 gallons per acre for for ively and ice plant, users should not exceed these rates at any time.

APPLICATION METHOD

For limited application a compressed air-shoulder sprayer may be used. Thoroughly mix 8 tablespoons of DE-CUT for each gallon of water and apply. Do not spray when the wind velocity exceeds 15 mph.

NOTES AND RECOMMENDATIONS

- Do not apply DE-CUT when rain is expected for 6 hours following application. This time period is needed for effective absorption into the plant itself. Once DE-CUT is absorbed, rain and watering have no effect on its performance.
- It is not recommended to use DE-CUT during periods of extended drought when the soil is dry and growing conditions are impaired. DE-CUT gives best results if applied when the soil is moist and the air is humid. DE-CUT prevents the formation of new seed heads and retards blade growth.
- A DE-CUT-treated area which is not mowed will grow slowly to 6" or 12" in height during the entire growing season. Growth rate is accelerated as the effects of the active ingredient gradually wear off.
- **DO NOT EXCEED ONE APPLICATION OF DE-CUT PER YEAR ON FALLOW LAND, TURF, AND RIGHTS OF WAY**

WARRANTY STATEMENT: Seller's guarantee shall be limited to terms of the label and, subject thereto, the buyer assumes any risk to persons or property arising out of use or handling, and accepts the product on these conditions.