

53883-62

8/10/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 10 2009

Ms Amy Warren
Control Solutions, Inc
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 08, 2009 for:

EPA Registration 53883-62 Eraser 18% Systemic Weed and Grass Killer

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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rachel C. Hollander".

Linda Arrington *for*
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 53883 -62	2. EPA Product Manager James Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Eraser 18% Systemic Weed and Grass Killer	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <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: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: center; font-weight: bold; font-size: 1.2em;">APR 10 2009</div> Product Name _____	

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 checked="" 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 <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 oz - 250 gallon tote		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
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 Amy Warren	Title Regulatory Affairs Specialist	Telephone No. (Include Area Code) 800-242-5562
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 Regulatory Affairs Specialist	
4. Typed Name Amy Warren	5. Date 07-08-09	

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July 8, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule
"Pesticide Management and Disposal"
(EPA Reg. No. 53883-62) Eraser 18% Systemic Weed and Grass Killer**

Dear Sir or Madam:

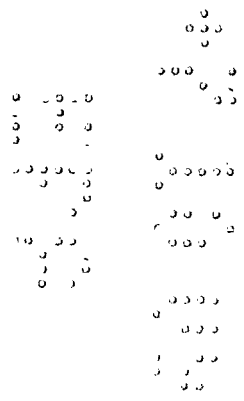
Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

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.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Amy Warren
Regulatory Affairs Specialist
Control Solutions, Inc.



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NOTIFICATION

APR 10 2009

Surrender[®] brand

ERASER 18%
Systemic Weed and Grass Killer

- 18% CONCENTRATE [optional marketing statement]
- CONTAINS GLYPHOSATE [optional marketing statement]
- GRASS, WEED AND VEGETATION HERBICIDE (KILLER) [optional marketing statement]
- This product is a nonselective herbicide that is diluted and applied to the foliage of actively growing weeds as a spot or broadcast application. It is absorbed by the leaves and moves throughout the stem and roots to control the entire plant. [optional marketing statement]
- Visible symptoms may require a week or more to appear, with burndown usually occurring in 2 to 4 weeks. Symptoms are a gradual wilting and yellowing of the sprayed plant followed by deterioration of both shoots and roots. This product has no herbicidal activity in the soil and will not wash or leach to affect nearby vegetation. [optional marketing statement]
- This product controls many weeds around buildings, vacant lots, storage and recreational areas, gravel or ground bark mulch, shade trees, ornamentals and shrubs, along fences, sidewalks, driveways and patios; and prior to planting turfgrasses or shrubs listed on the label. When used as a spot treatment in lawns, all vegetation contacted will be damaged. [optional marketing statement]
- Where to use: around buildings, sidewalks, recreational areas, driveways and patios, vacant lots [optional marketing statement]
- Mixing rates: Use 3 oz. per gallon of water for most annual weeds, Use 6 oz. per gallon of water for most perennial weeds. [optional marketing statement]

ACTIVE INGREDIENT:

Glyphosate, N-(phosphonomethyl) glycine, in the form of its isopropylamine salt* 18.00%

INERT INGREDIENTS: 82.00%

TOTAL..... 100.00%

Keep Out Of Reach of Children
Caution

See back panel (or inside booklet/pamphlet) for additional precautionary statements

NET CONTENTS _____

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
KEEP OUT OF REACH OF CHILDREN**

CAUTION

Harmful if swallowed. May cause eye irritation. Avoid contact with skin, eyes or clothing.

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact SafetyCall® International (866) 897-8050 for emergency medical treatment information.	
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a 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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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 mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, shoes plus socks. Follow manufacturer's instructions for cleaning/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 the toilet.

ENVIRONMENTAL HAZARDS

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

PHYSICAL OR CHEMICAL HAZARDS

Mix, store or apply this product only in stainless steel, aluminum, fiberglass, plastic or plastic-lined steel containers. **DO NOT MIX, STORE OR APPLY THIS PRODUCT OR SPRAY SOLUTIONS OF THIS PRODUCT IN GALVANIZED STEEL OR UNLINED STEEL (EXCEPT STAINLESS STEEL) CONTAINERS OR SPRAY TANKS.** This product or spray solutions of this product react with such containers and tanks to produce hydrogen gas which may form a highly combustible gas mixture. This gas mixture could flash or explode, causing serious personal injury, if ignited by open

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flame, spark, welder's torch, lighted cigarette or other ignition source.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

- This product is a nonselective herbicide that is diluted and applied to the foliage of actively growing weeds as a spot or broadcast application. It is absorbed by the leaves and moves throughout the stem and roots to control the entire plant. Visible symptoms may require a week or more to appear, with burndown usually occurring in 2 to 4 weeks. Symptoms are a gradual wilting and yellowing of the sprayed plant followed by deterioration of both shoots and roots. This product has no herbicidal activity in the soil and will not wash or leach to affect nearby vegetation.
- This product controls many weeds around buildings, vacant lots, storage and recreational areas, gravel or ground bark mulch, shade trees, ornamentals and shrubs, along fences, sidewalks, driveways and patios; and prior to planting turfgrasses or shrubs listed on the label. When used as a spot treatment in lawns, all vegetation contacted will be damaged.

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes, or climatic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

THIS PRODUCT CAN INJURE OR DESTROY ALL VEGETATION CONTACTED. AVOID SPRAY DRIFT CONTACT WITH DESIRABLE LAWN GRASSES, FLOWERS, VEGETABLES, SHRUBS OR TREES. DO NOT CONTACT GREEN BARK OF TREES OR SHRUBS. IF DESIRABLE VEGETATION IS CONTACTED, WASH IMMEDIATELY WITH WATER.

WEEDS CONTROLLED

When applied as recommended under the conditions described, this product controls many common weeds including the following:

ANNUALS: Barnyardgrass, Bluegrass (annual), Chickweed, Crabgrass, Foxtail, Lambsquarter (common), Lettuce (prickly), Mustard (tansy), Pennycress (field), Pigweed (redroot, smooth), Ragweed (common), Ryegrass (annual), Sandbur (field), Shepherdspurse, Sowthistle.

PERENNIALS: Bahiagrass, Bermudagrass, Bindweed (field), Bluegrass (Kentucky), Fescue (tall), Johnsongrass, Nutsedge (purple, yellow), Orchardgrass, Bromegrass (smooth), Clover (red, white), Dalligrass, Dandelion, Fescue species, Quackgrass, Ryegrass (perennial), Thistle (Canada), Timothy, Vaseygrass.

BRUSH: Alder, Blackberry, Cherry, Dewberry, Elderberry, Honeysuckle, Kudzu, Oak, Poison Ivy, Poison Oak, Raspberry, Rose (multiflora), Sumac, Trumpet creeper, Willow.

WHEN TO APPLY

Apply to vigorously growing plants. Apply to annual weeds at any time after emergence. For best results apply to perennial weeds after seedheads, flowers, or berries appear. On woody brush or trees, apply after leaves have fully expanded. Applications made at less than the recommended stage of growth may result in reduced control. After mowing, clipping or tilling, allow weeds to regrow to the recommended growth stage before spraying this product. Rainfall or watering within 6 hours after application can wash the product off plant foliage which may require retreatment. Delay mowing, clipping, tilling, planting or sodding of treated areas for at least 7 day after application. This allows time for this product to move within the plant for most effective results. **SINCE THIS PRODUCT DOES NOT WORK IN SOIL, RETREATMENTS WILL BE NECESSARY TO CONTROL NEW WEEDS EMERGING FROM SEED.**

One application will control most weeds listed. Symptoms on certain tough perennial weeds and woody brush and tree species may be slow to develop. If control is not achieved within 4 weeks, allow time for the sprayed weeds to regrow and make a repeat application. In some cases, control of woody brush and trees treated in the fall may not be fully apparent

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until the following season.

LAWN RENOVATION

Best results are obtained when at least one mowing is skipped prior to treatment. This provides more leaf surface to intercept the spray. For areas where renovation and reseeding is desired, thorough spray coverage of all existing vegetation is necessary. Delay planting or sodding of treated areas for at least 7 days after application.

ORNAMENTALS

Any ornamental species may be planted in treated areas 7 days or more after application. Apply this product as recommended to control undesirable plants. To avoid injury on desirable plants, prevent spray or drift contact with foliage, stems or green bark. Do not spray into or over the top of growing ornamentals.

HAND-HELD SPRAYERS

Add 3 to 6 fluid ounces (6 to 12 tbsp.) of this product to 1 gallon of clean water. Use the higher recommended rate for control of listed perennials and brush. Use pump-up-type or hand-trigger-type sprayers. USE OF HOSE-END SPRAYERS OR SPRINKLER-TYPE DEVICES MAY RESULT IN POOR AND/OR ERRATIC RESULTS.

CLEANING EQUIPMENT

Triple-rinse spray tank and flush all sprayer components with water to remove residues of this product. After thorough cleaning, equipment may be used to apply other products.

****Ensure uniform and complete spray coverage, but do not spray plants to the point that the spray solution runs off. Use a coarse spray. Do not spray during windy conditions, as spray drift may cause damage to any vegetation contacted.

STORAGE AND DISPOSAL

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

Storage and Spill Procedures: Store upright at room temperature. Avoid exposure to extreme temperatures. Store in a locked area out of reach of children and domestic animals. In case of spillage or leakages, soak up with an absorbent material such as sand, sawdust, earth, Fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, 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: If empty - Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling is not available: then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

If partly filled: Call your local solid waste agency for disposal instructions. Unless otherwise instructed, place in trash. Never pour unused product down the drain or on the ground.

[Commercial Language]

For Bulk containers: (Refillable Container) Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the re-filler. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or re-circulate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

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

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NOTIFICATION

APR 10 2009

Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041
EPA REG. NO. 53883-62
EPA Est. No. 53883-TX-002