

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

AUG 1 0 2009

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

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 53883-63 Martin's Eraser RTU 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,

Linda Arrington

Notifications & Minor Formulations Team Leader

Registration Division (7505P) Office of Pesticide Programs

2096

Please read instructions on reverse before completing form. Form Approved. OMB No. 2070-0080. Approval exp **OPP Identifier Number** Registration **United States Environmental Protection Agency** Amendment Washington, DC 20460 Other Application for Pesticide - Section I 2. EPA Product Manager 1. Company/Product Number 3. Proposed Classification 53883 -63 James Tompkins None Restricted 4. Company/Product (Name) PM# Martin's Eraser RTU Systemic Weed and Grass Killer 25 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling Control Solutions, Inc. to: 5903 Genoa-Red Bluff EPA Reg. No. \_\_\_\_\_NOTIFICATION Pasadena, TX 77507-1041 APR 1 0 2009 Check if this is a new address Product Name Section - II Amendment - Explain below. Final printed labels in repsonse to Agency letter dated Resubmission in response to Agency letter dated "Me Too" Application. Notification - Explain below. 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: Child-Resistant Packaging **Unit Packaging** Water Soluble Packaging 2. Type of Container Metal Yes Yes Yes **Plastic** No No Glace Panar No. per If "Yes" No. per Certification must container Unit Packaging wgt. container Package wgt Other (Specify) be submitted 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions on label 1 oz - 250 gallon tote Container 6. Manner in Which Label is Affixed to Product Other Lithograph Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Name Telephone No. (Include Area Code) Amy Warren 800-242-5562 Regulatory Affairs Specialist 6. Date Application Certification Received I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowlinglly false or misleading statement may be punishable by fine or imprisonment no. , , , →(Stamped) both under applicable law. 2. Signature Regulatory Affairs Specialist

5. Date

07-08-09

4. Typed Name

Amy Warren



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. 53883-63) Martin's Eraser RTU 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.

Martin's

### **ERASER RTU**

Systemic Weed and Grass Killer

- READY-TO-USE [optional marketing statement]
- CONTAINS GLYPHOSATE [optional marketing statement]
- GRASS, WEED AND VEGETATION HERBICIDE(KILLER) [optional marketing statement]

ACTIVE INGREDIENT:	
Glyphosate, N-(phosphonomethyl) glycine, in the form of its isopropylamine salt*.	 0.96%
INERT INGREDIENTS:	
	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

If swallowed, may cause gastrointestinal tract irritation. Wash thoroughly with soap and water after handling. Keep children and pets off treated area until spray is thoroughly dry.

#### **ENVIRONMENTAL HAZARDS**

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

#### PHYSICAL OR CHEMICAL HAZARDS

Spray solutions of this product should be mixed, stored and applied only in stainless steel, aluminum, fiberglass, plastic or plastic-lines 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 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 grass and weed killer which, when absorbed by contacted foliage, is carried throughout the stems and roots to give complete kill of tough annual and perennial grasses and broadleaf weeds. This product has no herbicidal activity in the soil and will not wash or leach to affect nearby vegetation. It is formulated for "spot" application to kill individual weeds around trees, shrubs, fences, walks and in flower gardens and lawns. Yellowing and wilting occur within one week with a complete kill in 2 to four weeks. For best results, apply to actively growing plants in warm sunny weather.

#### WEEDS CONTROLLED

Bahiagrass, Barnyardgrass, Bermudagrass, Blackberries, Canada Thistle, Chickweed, Common Ragweed, Crabgrass, Dandelion, Fescues, Field Bindweed, Field Sandbur, Foxtail, Johnsongrass, Kentucky Bluegrass, Lambsquarter, Orchardgrass, Perennial Ryegrass, Poison Ivy, Poison Oak, Quackgrass, Red Clover, Shepherds busse, Smooth Bromegrass, Sowthistle, White Clover and Yellow Nutsedge

#### **HOW TO USE**

Adjust the nozzle to a coarse spray. Position sprayer tip approximately 1 to 2 feet from the weed and apply to completely cover the weed, stopping just before the spray begins to drip or run off. One application will control most listed weeds. If

certain hard-to-control weeds are not completely killed within 4 weeks, repeat application. Treated areas in lawns can be re-seeded 7 or more days after application.

#### **IMPORTANT**

This product is a nonselective weed killer which can injure or kill all vegetation contacted. AVOID SPRAY CONTACT ON DESIRABLE PLANTS. APPLY ONLY WHEN AIR IS CALM. If

Spray or drift accidentally contacts desirable vegetation, wash off immediately with water. Do not apply where rainfall is expected within 24 hours. Avoid mowing, cutting or otherwise disturbing treated vegetation for at least 7 days.

#### 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.

Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 EPA REG. NO. 53883-63 EPA Est. No. 53883-TX-002

NOTIFICATION

APR 1 0 2009