53883-286

12-19-2011



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Anne Turnbough Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507

DEC 19 2011

Subject: Notification; Per PR-Notice 98-10 Eraser EPA Reg. No. 53883-286 Date Submitted: November 22, 2011

Dear Dr. Turnbough:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 22, 2011 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact me at (703) 306-0415 or <u>davis.kable@epa.gov</u>.

Sincerely,

Kable Bo Davis Product Manager 25 Herbicide Branch Registration Division (7505P)

Please read instructions on		United States		Form App		Regist		60. Approval expires 2-28- OPP Identifier Number	
Environmental Protecti Washington, DC 20					1	Amendme Other			
		Application for	or Pestici	de - Sect	ion	1			
. Company/Product Numb			2. EPA	Product Mana	nger		3. F	Proposed Classification	
Control Solutions, Inc./ 53883 - 286			Richard Gebken			—Г	None Restricted		
4. Company/Product (Name) Control Solutions, Inc. / Eraser			PM#	PM# 10					
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 Check if this is a new address			6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No.						
			Produ	ict Name _	Carlos Carlos				
Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below.				Final printed labels in repsonse to Agency latter dated "Me Too" Application. Other - Explain below.					
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EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

White - EPA File Copy (original) Yellow - A

Yellow - Applicant Copy



CONTROL SOLUTIONS incorporated

November 22, 2011

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: Request for Notification EPA Reg. No. 53883-286 NOTIFICATION DEC 19 2011

Dear Sir or Madam:

Enclosed is a Notification to add on optional generic descriptor to EPA registration label #53883-286.

"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."

The following documents are enclosed in support of this application

- 8570-1
- 1 copy of label- highlighted and un-highlighted

Please contact me directly should you need any additional information,

Sincerely,

Anne m Turnbough

Anne Turnbough Director, Regulatory Affairs

5903 Genoa Red Bluff • Pasadena, TX 77507-1041 • www.controlsolutionsinc.com 281-892-2500 • Fax 281-892-2501 •

800-242-5562

[Optional Generic Descriptor: Weed and Grass Killer Concentrate]

### **ACTIVE INGREDIENT:**

\*Glyphosate, [N-(phosphonomethyl) glycine], in the form of its isopropylamine salt **OTHER INGREDIENTS TOTAL**41.0% 59.0% 100.0%

\*Acid equivalent or glyphosate content = 30.34%

- Concentrated for extra value
- Low odor water-based formulation
- Rainproof in hours
- Kills unwanted vegetation-existing weeds only
- Replant flowers in 1 day, new lawns in 7 days after treatment

# KEEP OUT OF REACH OF CHILDREN CAUTION

READ PRECAUTIONS AND DIRECTIONS ON [BACK] [SIDE] [INSIDE] LABEL.

NET CONTENTS: 16 oz (1 pint)(473 mL) 32 oz (1 quart)(946 mL) 128 fl oz (1 gallon)(3.7L)

EPA Reg. No. 53883-286

Manufacturer: Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507

Product of USA

EPA Est. No 53883-TX-002

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accia

NOTIFICATION

DEC 19 2011

### 1

### PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals

### CAUTION

Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

	FIRST AID
or doctor o	roduct container or label with you when calling a poison control center r going for treatment. You may also contact SafetyCall <sup>®</sup> International 8050 for emergency medical treatment information.
IF ON SKIN	<ul> <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>
IF IN EYES	<ul> <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>

### **ENVIRONMENTAL HAZARDS**

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next. 24 hours will help to ensure that wind or rain does not below or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

Eraser eliminates nearly all common weeds and grasses and unwanted vegetation. [Add water and use along fences, in driveways, sidewalks, brick and gravel walkways, next to trees and shrubs, and around buildings to control weeds and unwanted vegetation. Use Eraser for edging landscapes. Eraser is suited for lawn renovation or to prepare large sites for planting of flower beds, vegetable gardens or wildlife food plots. Eraser can also be used for large jobs such as lawn renovation and vegetable and flower garden preparation.

**Important:** This product is a non-selective herbicide that will kill all vegetation contacted. This herbicide kills unwanted plants by inhibiting the production of a substance found only in plants. It enters plants through the sprayed foliage and moves down to the roots. Avoid direct spray or drift onto desirable plants, lawn grasses, shrubs and trees. Protect desirable plants and vegetation with a piece of plastic or cardboard. If desirable plants are accidentally sprayed, wash plants with water immediately. Any Eraser not absorbed by the plant is broken down into natural materials. This product has no soil activity and thus will not affect nearby untreated plants.

Mixing Directions: For best results use 2 1/2 oz (5 Tbs) per gallon of water. One gallon of water will treat approximately 300 sq ft.

Do not mow, cut or otherwise disturb treated vegetation for at least 7 days following application.

### CONTROLS ALL TYPES OF WEEDS AND GRASSES INCLUDING:

### Annual weeds and grasses:

Annual ryegrass, annual bluegrass, barnyardgrass, beggarweed, black medic, blue medic, blue toadflax, brassbuttons, blue mustard, bromegrass, bur clover, buttercup, cheeseweed, chickweed, clover, common groundsel; common lambsquarters, common plantain, common ragweed, crabgrass, creeping beggarweed, diffuse lovegrass, dog fennel, evening primrose, false dandelion, fall panicum, fennel, fiddleneck, field pennycress, field sandbur, filaree, Florida pusley, foxtail, garden spurge, goosegrass, green foxtail, hemp sesbania, henbit, horseweed/marestail, ironweed, knotweed, lambsquarters, little bitter cress, London rocket, maiden cane, mallow, mayweed, mouseear chickweed\*, oxalis\*, Pennsylvania smartweed, pennywort, pigweed, pickly lettuce, prostrate spurge, puncture vine, purslane, redroot pigweed, sandspur, shepherdspurse, smartweed, smooth cat's ear, smooth pigweed, sowthistle, spotted spurge, sprangletop, spurges, tansy mustard, tansy ragwort, teaweed, Texas panicum, tumble mustard, velvetleaf, wild geranium\*, witchgrass, wild mustard, yellow nutgrass, yellow oxalis and many other annual grasses and weeds.

### Perennial weeds, grasses and brush:

Alder, artichoke thistle, bahiagrass, barnyardgrass, bentgrass, Bermuda grass, blackberries, bluegrass, broadleaf plantain, brownseed paspalum, buckhorn plantain, bull thistle, Canada thistle, cattail, ceanothus, centipedegrass, cherry, cocklebur, cogongrass, common mullein, common ragweed, coralbead, covote brush, creeping bentgrass, creeping Charlie, creeping lantana, curly dock, dallisgrass, dandelion, dewberry, dog fennel, elderberry, false dandelion, fescue species, field bindweed, guineagrass, hairy crabgrass, honeysuckle, horsenettle, horseradish, iceplant, Johnsongrass, Kentucky bluegrass, kikuyugrass, knapweed, knawel, kudzu, lantana, maiden cane, milkweed, mouseear chickweed\*, multflora rose, nimblewill, nutgrass (nutsedge), oak species, oldenlandia, orchardgrass, oxalis\*, pampasgrass, pennywort, perennial ryegrass, plantain, poison oak, poison ivy, poison hemlock, primrose, purple cudweed\*, purple nutsedge, quackgrass, quaking aspen, ragweed, raspberry, red clover smooth bromegrass, sourdock, sowthistle, St. Augustinegrass, sumac, tall fescue, tansy ragwort, thistle, timothy, torpedograss, trumpetcreeper, vaseygrass, Virginia creeper, white clover, whitetop, wild barley, wild blackberry, wild carrot, wild morning-glory, wild oats,, wild-sweet potato, willow, yarrow, yellow nutgrass, yellow starthistle, zoysia and many other perennial grasses, weeds, brush and sedges.

\*Annual or Perennial

### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. [Read the entire panel before using this product.

**Precautions:** 

- Keep children and pets away from treated areas until spray has dried.
- Avoid contamination of food.
- Do not contaminate water supplies.

### When to use:

Apply to actively growing weeds, preferably before the seed heads form. Completely spray the foliage of the weeds and grasses you want to kill until thoroughly wet. It's best to apply on a warm sunny day when daytime temperatures are above 60° F. Weed control is accelerated by warm sunny weather. Apply when the wind is calm. Rain or watering 2 hours after application will not wash away effectiveness. Most treated weeds usually show initial symptoms in 2-4 days and complete kill in 1-2 weeks. Hard-to-control weeds may require a second application if not completely dead in 4 weeks.

#### How to use:

This product is formulated for "spot" treatment of individual weeds and grasses or for treatment of large areas as, instructed on this label (see specific site areas below). Apply with a plastic, aluminum or stainless steel tank-type sprayer.

# Do not apply with galvanized or unlined steel sprayer, or through any irrigation system or sprinkling can.

Use a tank-type sprayer with a coarse spray nozzle for spot treatments. Use the ORTHO Dial 'n Spray to treat large areas such as for lawn renovation or to prepare sites for planting flower beds or vegetable gardens. Apply to evenly and thoroughly wet weeds and grasses.

### Apply Eraser using any of the following equipment:

- Plastic, aluminum or stainless steel tank sprayer
- ORTHO Dial 'N Spray®
- ORTHO Spray-Ette®
- A hose-end sprayer recommended for weed killers
- Hand-trigger pump sprayer

#### **Cleaning Application Equipment:**

To clean sprayer after use, triple rinse sprayer and all sprayer parts with water. Spray rinse water on bare soil or gravel. After thorough cleaning, sprayer can be used for other products.

FEEL

CELEE

LELE

Use the following table to determine the amount of **Eraser** to mix with water. Close cap tightly after use. No need to rinse cap.

1 teaspoon (tsp) 1 tablespoon (Tbs) = 3 tsp. 1 fl oz (2 Tbs)

1 fl oz (2 Tbs) 2 fl oz (4 Tbs)

	Mixing I			
Applicator	Weed Control Annuals or Seedling Weeds	Tough Weed Control Perennials or Brush or Lawn Renovation	Area to Treat	
Tank Sprayer	Use 1 <sup>1</sup> / <sub>2</sub> oz (3 Tbs) Eraser in 1 gallon of water.	Use 2 ½ oz (5 Tbs) Eraser in 1 gallon of water.	300 sq. ft. (30 ft. x 10 ft) or use for spot treatments.	
Ortho Dial 'n Spray; <i>or</i> Hose-End sprayer	Add 1 <sup>1</sup> / <sub>2</sub> oz (3 Tbs) Eraser to sprayer jar. DO NOT ADD WATER. Set Dial to 1 <sup>1</sup> / <sub>2</sub> and spray.	Add 2 <sup>1</sup> / <sub>2</sub> oz (5 Tbs) Eraser to sprayer jar. DO NOT ADD WATER. Set Dial to 2 <sup>1</sup> / <sub>2</sub> and spray.	300 sq. ft. (30 ft. x 10 ft)	
Ortho Spray-Ette; or 6 Gallon Hose- End Sprayer	Add 6 oz Eraser to sprayer jar. Fill to the 4 gallon mark and spray.	Add 10 oz Eraser to sprayer jar. Fill to the 4 gallon mark and spray.	1200 sq ft (30 ft x 40ft)	
Hand trigger sprayers 24 oz capacity	Use 2 tsp in 24 oz of water.	Use 1 Tbs in 24 oz of water.	Use for spot treatments or apply to individual weeds.	
Hand trigger sprayers 32 oz capacity	Use 2 2/3 tsp in 32 oz of water.	Use 1 1/3 Tbs in 32 oz of water.	Use for spot treatments or apply to individual weeds.	

### Where to use:

Weed control: Use near fences, in paths, patios, sidewalks, curbs and driveways, around ornamental trees, shrubs, flower beds and plantings, around buildings. Controls weeds in brick and gravel walks. Use for trimming and edging landscapes. NOT recommended for spot weed treatment in lawns, since Eraser kills all green plants, including lawn grasses. If replacing a lawn or parts of a lawn, see For lawn renovation/replacement recommendations on this label.

**Spot treatments:** Direct spray on undesirable weeds and grasses in and around flower beds, ornamental trees, fruit and nut trees, grapevines, shrubs, fences, driveways and walkways. Spray when air is calm. Prevent **Eraser** spray from contacting the feaves, green stems, or exposed roots of plants you like. Use a cardboard or plastic shield to protect desirable plants from spray or drift. **Eraser** will not move in or on the soil to untreated plants. If **Eraser** is used to control weeds around fruit or nut trees or grapevines, wait 21 days before eating the fruit or nuts.

Landscapes: For use in preparing areas for planting of ornamentals, trees, shrubs, desert landscapes, rock gardens, flower beds or similar plantings. Treated areas can be

### planted 1 day after treatment.

**Wildlife areas site preparation:** Use **Eraser** to prepare areas for planting wildlife food plots. Exotic or undesirable plants can be controlled with **Eraser** to allow for planting or recovery of native plant species. Spot treatments may be directed to selectively remove unwanted plants. Avoid spray drift to desirable plants.

**For lawn renovation/replacement:** Use **Eraser** to kill existing vegetation (weeds and grasses and the old lawn). Apply in spring or fall, when daytime temperatures are at least 60° F for best results. If the lawn is dry, water lawn every other day for 7 days before applying **Eraser**. Do not mow for 7 days before or after treatment. Use 2 1/2 fl oz per gallon of water for each 300 sq ft of area to treat.

Wait 7 days after application to prepare the soil by raking, leveling or rototilling. Rake up and remove loosened thatch or debris. Work in starter fertilizer and soil amendments, if needed. Level the soil.

Sow new seed according to directions on seed package, or install sod. Grass seed must have good contact with soil to germinate and grow. Use temporary mulch such as straw to conserve moisture. Keep area moist for 2 weeks to establish new lawn. Water as needed.

**To Control Brush or Vines:** Apply to green and actively growing brush or vines. For plants taller than 5 feet, cut them back and spray the regrowth. Fall applications to brush may delay control to the following season. A second application may be required on hard-to-control species such as blackberry, kudzu, or poison oak.

To kill vines growing up a pole, fence or mature tree trunk, cut vine to a height of 3 to 4 feet and spray thoroughly covering remaining vine. If vine is climbing a shrub or immature (green) tree trunk, to avoid damage to these plants, cut vine at base and treat as directed for stumps or spray regrowth. If spraying regrowth shield shrub and green trunk from drift with a sheet of plastic or cardboard.

Stump Treatment: Stumps can be treated to prevent regrowth. Apply Eraser when vegetation is actively growing or immediately (within 5 minutes) after being cut down.

- Cut stump close to the soil surface.
- Make 4-5 nail holes into the stump.
- Flood the stump with undiluted product.

This treatment will suppress or control many types of woody brush and trees, such as alder, bluegum eucalyptus, madrone, oak, giant reed, saltcedar, sweetgum, and tan oak.

### When to replant:

# All ornamental flowers, trees and shrubs [and the following berries, fruits, vegetables and herbs] may be planted <u>1 day</u> after application:

[Artichoke (Jerusalem), beans (all), beet greens, blackberry, blueberry, boysenberry, broccoli, brussels sprouts, cabbage (all), carrot, cauliflower, celery, chard (Swiss), chicory, collards, cranberry, currant, dewberry, elderberry, endive, gooseberry, horseradish, huckleberry, kale, kohlrabi, leek, lentils, lettuce, loganberry, mustard greens, okra, olallieberry, onion, parsley, parsnips, potato, radish, rape greens, raspberry (black and red), rhubarb, rutabaga, spinach, sweet potato, turnip and yams.]

### The following fruits, vegetables and herbs may be planted 3 days after application:

Corn, cucumber, eggplant, garlic, gourds, melons (all), peas (all), peppers (all), pumpkin, squash (summer and winter), tomatillo, tomato\* (by seed) and watercress.

\*Note: Wait 3 days before planting tomatoes from seed and 30 days for rooted tomato - transplants. For tomato transplants or vegetables not listed, wait 30 days after spraying before planting into treated soil.

**Fruit and Nut Trees, Caneberries and Grapevines:** Allow 21 days before the fruits or nuts when using **Eraser** to control weeds around fruit or nut trees, caneberries and grapevines.

### 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, 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:**

If empty - Nonrefillable container. Do not reuse or refill this container. Do not rinse unless required for recycling. 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.

**For Bulk containers: (Refillable Container)** Refill this container with pesticides 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.

### WARRANTY STATEMENT

Control Solutions, Inc. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use of application, all of which are beyond the control of Control Solutions, Inc. To the extent allowed by applicable law, Control Solutions, Inc. shall not be liable for consequential, special, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. In addition to the foregoing, no purchaser of this product (other than an end user) shall be entitled to any reimbursement for any loss suffered as a result of any suspension or cancellation of the registration for this product by the U.S. Environmental Protection Agency. Except, as expressly provided herein and to the extent consistent with applicable law, Control Solutions, Inc. makes no warranties, guarantees, or representations of any kind, either expressed or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damage resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall be damages not exceeding the purchase price paid for this product or, at Control Solutions, Inc. election, the replacement of this product.

Buyer and user assume all responsibilities for safety and use not in strict accordance with directions.

[Optional proposed text appears in brackets - the final label may include some or all of the optional text]

[Ultra formula] [Concentrated for extra value] [Concentrated and economical] [Super concentrate] [Built in measuring cap and pour spout]

[Now/New measuring cap and pour spout included]

[Easy Measure] [Easy Pour.]

[Water-based formulation]

[Low odor]

No roots.] [No weeds.] [No problem.]

[Makes up to [10] [21] [85] gallons [of spray solution] [varies with container size] [Covers up to [3,000] [6,300] [25,500] sq ft [varies with container size]

One gallon of spray solution covers 300 sq ft] [75 sq ft per qt] [55 sq ft per 24 oz]

Kills weeds and grasses] [in 1 to 2 weeks] [right down to the root]

[See results in 2-4 days]

Kills [even] the [hardiest] [toughest] of weeds and grasses]

[Multi-purpose Grass & Weed Killer]

[A general purpose broadleaf weed & grass killer]

Kills undesirable weeds and grasses]

[Kills the weed above and the root below]

[Kills [weeds & grasses] [unwanted vegetation] [right down] to the root]

[Apply using] [For application with] [Standard Tank Sprayer; BIG SHOT® Multi-purpose, sprayer; ORTHO® Dial 'n Spray®; ORTHO SPRAY-ETTE®; other ORTHO hose-end sprayer or other hose-end sprayer]

[Use for site preparation for large plantings, such as flower beds, fruit trees, ornamentals, vegetables, garden sites and to renovate or replace lawns]

[Kills many of the weeds you don't want] [Rid weeds] [Get rid of weeds] in

flowerbeds, vegetable gardens, along fences, around trees, shrubs, driveways, walkways, in and around fences, patios, paths, sidewalks and curb cracks, walkways and trails]

[Reseed or sod new lawns 7 days following treatment]

[Ornamentals can be planted or transplanted the day following treatment]

[Kills [image of] broadleaf weeds, [image of] grasses]

[Rainfast [rainproof] in hours]

[Single application controls [kills] most weeds]

[Use in or around vegetable gardens [flower beds] [trees] [shrubs]

[Kills existing weeds only] [Does not have residual soil activity]

[Kills over 100 types of weeds]

[Controls][Kills]: Annual & Perennial Weeds, Shrubs & Vines]

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