

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

March 14, 2018

Leanna Bosarge Director, Regulatory Affairs Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507

Subject: Label Amendment – Adding additional grass species Product Name: CSI 15-102 MSM RTS EPA Registration Number: 53883-391 Application Date: 02/15/2018 Decision Number: 538638

Dear Ms. Bosarge:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance

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with FIFRA section 6. If you have any questions, please contact Lisa Pahel by phone at (703) 347-0459, or via email at <u>pahel.lisa@epa.gov</u>.

Sincerely,

Info

Erik Kraft, Product Manager 24 Fungicide and Herbicide Branch Registration Division (7505P) Office of Pesticide Programs

Enclosure

[Text in brackets and italics are notes to the label editor.] [Text in brackets alone are optional marketing statements or alternative statements.] Text separated by / denotes and/or options.

# CSI 15-102 MSM RTS [ABN: Martin's<sup>®</sup> MSM Ready-to-Spray]

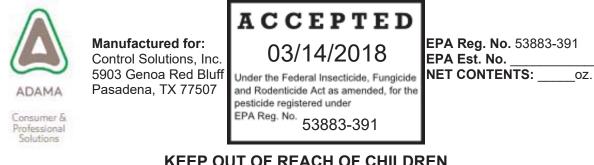
[Broadleaf Weed Killer] [Broadleaf Herbicide] [Weed Killer]

For the control of broadleaf and grassy weeds in labelled turfgrasses.

ACTIVE INGREDIENT:	
Metsulfuron-methyl*	0.25%
OTHER INGREDIENTS:	<u>99.75%</u>
TOTAL:	

\*Contains 0.0045 lbs. Metsulfuron-methyl per quart.

Users should:



# KEEP OUT OF REACH OF CHILDREN

[Alternate text – all or in part: See side/back panel(s) for Precautionary Statements, Directions for Use and Storage and Disposal.]

## SHAKE WELL BEFORE USING

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® (866) 897-8050 for emergency medical treatment information.

# USER SAFETY RECOMMENDATIONS

- Wash hands thoroughly before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove clothing immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

## ENVIRONMENTAL HAZARDS

To protect the environment, do not allow product 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 blow or wash product off the treatment area.

This herbicide is injurious to plants at low concentrations. Non-target plants may be adversely affected from drift and runoff.

Metsulfuron methyl is known to leach through soil into groundwater under certain conditions as a result of label use. This chemical may leach into groundwater if used in areas where soils are permeable, particularly where the water table is shallow.

This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having high potential for reaching surface water via runoff for weeks after application. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential loading of metsulfuron methyl from runoff water and sediment. Runoff of this product will be greatly reduced by avoiding applications when rainfall or irrigation is expected to occur within 48 hours.

#### PHYSICAL CHEMICAL HAZARDS

Do not mix or allow coming in contact with water, ammonium phosphate or oxidizing agents. Hazardous chemical reaction may occur.

#### DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

READ ALL DIRECTIONS COMPLETELY BEFORE USE.

**NON-TARGET ORGANISMS:** This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated area. Protect the forage and habitat of non-target organisms by minimizing spray drift.

Do not apply this product in a way that will contact any persons or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets to enter the treated area until sprays have dried.

For use on St. Augustinegrass (including Floratam), bermudagrass, zoysiagrass, seashore paspalum and buffalograss. [May be used on [tall fescue][,] [Kentucky bluegrass][,][fine fescues][,][and] [Centipede] if temporary discoloration can be tolerated.]

#### HOW AND WHEN TO APPLY

- Apply after the third mowing [of the season/year]. [Earlier application may cause lawn injury.]
- Apply when grass and weeds are actively growing [in spring, summer, or fall]
- May be applied to a wet or dry lawn.
- Mow tall grass a day or two before application.
- [For severe weed problems, a second treatment may be required 2 months after the first.]
- [Apply in the fall [(before October 15)] to control winter weeds such as henbit, common chickweed, evening primrose and lawn burweed.]
- One [32 oz.] [quart] bottle covers 10,000 square feet in 10 minutes.
- Bottle must be shaken prior to use if allowed to sit for 24 hours or more.
- Take precautions to minimize spray drift.

#### Restrictions

- DO NOT APPLY DURING WINTER DORMANCY PERIOD. Wait until after the third mowing of the season to apply.
- Do not use on bahiagrass, ryegrass (annual and perennial) and blends that contain ryegrass.
- Do not apply on or under the branch spread area of trees, shrubs, bedding plants, flowers or garden plants.

- Do not apply to an area more than two times per year.
- Do not apply to newly seeded lawns until after the new grass has been mowed at least three times.
- Do not plant sprigs/sod for one month, or sow new grass seed for two months following application of this product.
- Do not apply more than 32 fl. oz. of CSI 15-102 MSM RTS (0.0045 lbs. Metsulfuron-methyl) per 10,000 ft<sup>2</sup> in a single application or more than 64 fl. oz. of CSI 15-102 MSM RTS (0.009 lbs. Metsulfuron-methyl) per 10,000 ft<sup>2</sup> per year.
- Do not make applications less than 30 days apart.

#### Seeding/Sprigging

• May be applied after sprigging/sodding a new St. Augustinegrass, bermudagrass, or zoysiagrass lawn to prevent competition from germinating weeds. Water the new sprigs, then make the application of this product.

Amount of CSI 15-102 MSM RTS	Lawn Area (Square Feet)
4 fl. oz.	1,250
8 fl. oz.	2,500
16 fl. oz.	5,000
32 fl. oz.	10,000

#### [What to Expect]

[Weeds in treated areas will stop growing 1 – 2 days after application.] [Affected weeds will gradually die and disappear within 3 – 4 weeks after application.] [Grass/Lawn will become greener in 4 – 6 days after application.]

#### Weeds Controlled

- [For severe weed problems, a second treatment may be required 2 months after the first.]
- [Apply in the fall [(before October 15)] to control winter weeds such as henbit, common chickweed, evening primrose, and lawn burweed.]

[Product name] Controls		
annual sowthistle	cudweed	mustard
aster	dandelion	parsley-piert
black medic	dollarweed (pennywort)	Pensacola bahiagrass
broadleaf plantain	eclipta	perennial ryegrass
buckhorn plantain	English daisy	pigweed
California burclover	evening primrose	pineapple-weed
Carolina geranium	Florida betony	prostrate knotweed
catsear	Florida pusley	Puncturevine
chicory	ground ivy	purple deadnettle
common chickweed	hairy bittercress	red clover
common groundsel	henbit	shepherd's-purse
common mallow	hop clover	ppurge
common purslane	horseweed	white clover
common yarrow	khakiweed	wild carrot
corn speedwell	lambsquarters	wild garlic
creeping woodsorrel	lawn burweed (spurweed)	yellow woodsorrel (Oxalis)
crown vetch	mouseear chickweed	

Suppresses			
Argentine bahiagrass	Canada thistle	Field bindweed	Virginia buttonweed

2 month control		
broadleaf plantain	California burclover	dollarweed (pennywort)
buckhorn plantain	dandelion	white clover

3 month control		
dollarweed (pennywort)	dandelion	white clover

#### [OPTIONAL SPRAY NOZZLE IMAGE]

One quart (32 fl. ozs.) of this product will treat 10,000 sq. ft. of listed grasses.

#### Restrictions

- **DO NOT** apply one quart of this product to an area less than 10,000 sq. ft.
- **DO NOT** apply this product to the same area more than twice per year.

Using the Ready-to-Spray Nozzle, apply this product following the below procedures:

- 1. Shake container well before using.
- 2. Connect a garden hose to the Ready-to-Spray nozzle. Make sure that the dial nozzle is in the "OFF" position with the safety tab in the valve notch.
- 3. Turn on water at faucet. Extend hose to the farthest area to be treated and work back toward the faucet so you don't come in contact with the treated area.
- 4. To begin spraying, point nozzle toward treatment side and:
  - a. Bend back the safety tab [located at the right of the [option to insert color] dial] with your thumb.
  - b. Hold while turning the [*option to insert color*] dial clockwise quickly until it stops. Water will automatically mix with this product.
- 5. Spray until wet to control the weeds listed on this label. Walk at a steady pace while spraying using an even sweeping motion.
- 6. To STOP spraying, quickly turn the dial counter clockwise until it stops and the safety tab engages into the notch on the valve. Turn water OFF at faucet. To relieve pressure before removing nozzle from the hose, over treated area, bend the safety tab back and turn dial "ON" until water stops spraying.
- 7. To store unused product, make sure the dial is in the "OFF" position with the safety tab in the valve notch. Place in cool area, away from heat, sunlight or open flame. Prior to next use, shake bottle well.

Read the 'HOW AND WHEN TO APPLY' section of this label for additional application instructions.

# STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a cool, dry area away from heat or open flame.

**PESTICIDE DISPOSAL:** Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Do not puncture or incinerate! Empty container by using the product in accordance with the label directions. **If empty:** Offer empty container for recycling, if available, or place in trash, if allowed by state and local regulations. **If partly full:** Contact your local solid waste agency for disposal instructions.

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

#### LIMITATION OF WARRANTY AND LIABILITY

Read the entire direction for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES, and LIMITATIONS OF LIABILITY.** 

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risk associated with the 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 or application, all of which are beyond the control of Control Solutions, Inc. All such risks shall be assumed by the user or buyer to the extent consistent with applicable law.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Control Solutions, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Control Solutions, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Control Solutions, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Control Solutions, Inc. election, the replacement of product.

[Martin's<sup>®</sup> is a registered trademark of Control Solutions, Inc.]

#### [OPTIONAL MARKETING STATEMENTS:]

- Ready-to-Spray
- Easy-to-use
- No measuring required
- No mixing required
- Won't harm lawns
- Rainfast in 4 hours
- One bottle covers 10,000 square feet in 10 minutes.
- Kills/Controls/Suppresses listed weeds
- Controls [or suppresses] [insert one or more weeds from weed list]
- Kills listed weeds/ [weed] seedlings you see and those/others you don't
- [Product name] Kills the weeds you see and the ones you don't
- [Product name] [Weed control / Weed killer] kills weeds to the roots
- [Weed control] enters [the plant/weed] through the leaves and the roots
- Works in/See it working in one to two weeks
- Exclusive formula
- Weed control made easy
- Penetrates to the root [zone/area] to take out /kill the whole weed
- Controls/Kills [the] listed weed(s) / [insert one or more weeds from weed list] down to the root
- Controls/Kills/Clears out [listed weed(s)/]/common [broadleaf] [southern] listed weeds
- Effective weed control for mixed/major southern lawn(s)/grass [types]
- Kills weeds NOT the grass
- Kills 2,4-D resistant weeds

- For use on St. Augustinegrass (including Floratam), bermudagrass, zoysiagrass, seashore paspalum and buffalograss.
- [May be used on [tall fescue][,] [Kentucky bluegrass][fine fescues][,][and][Centipede] if temporary discoloration can be tolerated.]