

PM 23

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
62719-149

9/16/99

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SEP 16 1999

Mr. Steve A. McMaster
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Dear Mr. McMaster:

SUBJECT: 8-Month Response to the Oryzalin RED
Turf and Ornamental Fertilizer contains Balan* 0.575% + Surflan* 0.575%
EPA Registration Number: 62719-149
Your Resubmission (Revised Labeling) Dated September 7, 1999

The revised labeling for the subject product, referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable, provided you make the following change.

1. In the rate table for ornamentals on page 5, reduce the "Total Amount Allowed Per Year (lb/acre)" from "2088" to "1565" when the product is applied to container grown and field grown ornamentals at the 522 lb/acre rate (equivalent to 3 lb ai/acre). According to the RED, a maximum of 9 lbs. oryzalin (1565 lbs of product) may be applied per acre per year when container grown and field grown ornamentals are treated at the 3 lb/acre application rate.

A stamped copy of the labeling is enclosed for your records. Please submit one copy of your final printed labeling incorporating this change before you release the product for shipment.

EPA has determined that you have fulfilled the labeling and product specific data requirements of the oryzalin RED. However, we cannot reregister this product at this time for the following reason:

- The subject product is registered for use on turfgrass, a use for which the Agency does not have sufficient information to make a reregistration eligibility decision. Once the required data (foliar dislodgeable residues/guideline 132-1a; soil dislodgeable


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CONCURRENCES

SYMBOL ▶	7505C							
SURNAME ▶	S. Stanton							
DATE ▶	Sep 16, 1999							

residues/guideline 132-1b; estimation of dermal exposure/guideline 133-3; and estimation of inhalation exposure/guideline 133-4) have been reviewed by the Agency, EPA will make a reregistration eligibility decision for the turfgrass use.

Sincerely yours,



Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

Turf and Ornamental Fertilizer Contains Balan* 0.575% + Surflan* 0.575%

EPA Reg. No. 62719-149

Registration Notes:

Current label text based on EPA-accepted final printed labeling dated 07/21/94 which incorporated EPA-accepted copy date 02/24/87 and EPA-accepted WPS revisions dated February 17, 1994 (CA-accepted copy dated 09/07/94).

The following changes are being submitted in Response to EPA correspondence dated January 13, 1999. The label for this product has been amended in accordance with the Federal Register Notice dated 11/06/98 for oryzalin and the Oryzalin RED dated 01/27/95.

Acute Toxicity Category by Route of Exposure for Turf and Ornamental Fertilizer Contains Balan* 0.575% + Surflan* 0.575%:

Route of Exposure	Toxicity Category
Oral LD50	III
Dermal LD50	IV
Dermal Irritation	IV
Ocular Irritation	III
Inhalation	IV
Dermal Sensitization	Sensitizer

Changes by Amendment Per RED Requirements:

- 1. Precautionary Statements (in accordance with EPA letter dated Aug 17, 1999):** (1) revised statement of hazard and precautionary measures text in accordance with acute toxicity data; (2) revised PPE; (3) added "User Safety Recommendations" section; and (4) added "toxic to fish" statement to Environmental Hazards section.
- 2. Directions for Use:** (1) added prohibition on aerial application; (2) added prohibition against grazing or feeding of forage from treated areas; (3) added post-application reentry restriction; and (4) revised label format and added application rate limitations (rates, minimum time between applications, and total allowable use rate per year) in accordance with EPA letter dated Aug 17, 1999.

Other

- 3. Restored DAS warranty statements to label.**

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Turf and Ornamental Fertilizer Contains Balan* 0.575% + Surflan* 0.575%

A granular fertilizer containing Balan and Surflan for the preemergence control of crabgrass, foxtail, goosegrass, *Poa annua* and other annual weed grasses in established turfgrasses and ornamentals.

Active Ingredients:

benefin: N-butyl-N-ethyl-a,a,a-trifluoro-2,6-dinitro-p-toluidine	0.575%
oryzalin: 3,5-dinitro-N ⁴ ,N ⁴ -dipropylsulfanilamide	0.575%
Inert Ingredients	98.850%
Total	100.000%

Contains 0.575 pound active ingredient per 50 pound bag.

Guaranteed Analysis	
Total Nitrogen (N)	24.0%
Available Phosphoric Acid (P ₂ O ₅)	6.0%
Soluble Potash ((K ₂ O)	12.0%

Keep Out of Reach of Children
CAUTION PRECAUCION

See side/back panel for additional precautionary statements.

Notice: Read the entire label. Use only according to label directions. Before buying this product, read Limited Warranty and Disclaimer Section elsewhere on this label.

EPA Reg. No. 62719-149

EPA Est. _____ (subregistrant)

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Dow AgroSciences LLC • Indianapolis, Indiana 46268 USA

Herbicide
Net Weight - 50 lb

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 16 1999

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
62719-149

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION PRECAUCION

Causes Moderate Eye Irritation • Harmful If Swallowed • May Cause Skin Allergies to Develop
Avoid contact with skin, eyes or clothing.

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.
- Remove clothing immediately if pesticide gets inside.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

First Aid

If in Eyes: 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. Call a poison control center or doctor for treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have a person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

Environmental Hazards

This product is toxic to fish. 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 contaminate water when disposing of equipment washwaters.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read all directions carefully before applying.

Not for use on plants 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 interior plantscapes, ornamental gardens or parks, or on golf courses or lawns and grounds.

Storage and Disposal

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

Storage: Store in original container only. In case of leak or spill, contain material and dispose of waste.

Pesticide Disposal: Wastes resulting from the use of this product which cannot be disposed of according to label instructions must be disposed of according to applicable Federal, State, or local procedures.

Bag Disposal: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Metal Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other approved State and local procedures.

Plastic Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or dispose of in a sanitary landfill, or by incineration if allowed by State and local authorities.

General Information

Dow AgroSciences' Turf Fertilizer Contains Balan* and Surflan* can be used as a selective preemergence herbicide for the control of most annual grasses and certain broadleaf weeds in:

Established Warm Season Turf

- Bahiagrass
- Bermudagrass
- Centipedegrass
- St. Augustinegrass
- Tall Fescue
- Zoysiagrass

Container Grown Ornamentals

Landscape Ornamentals

Ground Covers

General Use Precautions and Restrictions

Do not graze or feed forage from treated areas to livestock.

Keep all persons, children and pets out of the treated area until dusts have settled.

Do not aerially apply this product.

This product is recommended to control the following weed species:

Annual Grasses Controlled

Summer Annuals

Barnyardgrass (watergrass)

Crabgrass

(Large crabgrass)

(Smooth crabgrass)

Crowfootgrass

Foxtails

(Bottlegrass)

(Bristlegrass)

(Giant foxtail)

(Green foxtail)

(Pigeongrass)

(Robust foxtail)

(Yellow foxtail)

Goosegrass

(Silver crabgrass)

Johnsongrass

(from seed only)

Lovegrass, little †

Oat, wild*

Ryegrass, annual

Sandbur, field

† Controlled only at ornamental rates.

Annual Broadleaf Weeds Controlled

Summer Annuals

Carpetweed

Knotweed, prostrate

Purslane, common

Winter Annuals

Chickweed, common

Henbit

Annual Broadleaf Weeds Partially Controlled

Carrot, wild

Fleabane, dwarf

Groundsel, common

Mustard, Indiana
Spurge, prostrate
Woodsorrel, yellow

Approved Uses

Established Lawns and Golf Courses

This product should be applied one to two weeks prior to the anticipated germination of the target annual weeds and grasses at an application rate of 260 pounds of product per acre (6 pounds per 1000 sq ft). Apply using a properly calibrated granular fertilizer spreader that will uniformly distribute the product over the target area. Avoid skips and excessive overlaps, as poor control of turf or turfgrass injury may occur. Optimum weed control performance will be obtained if treated areas are irrigated soon after application. This product will not harm most nearby established ornamentals.

Use Precautions and Restrictions for Turf

Do not reapply for at least 90 days or apply more than 18 lb/1000 sq ft per year.

Do not reseed treated areas for a minimum of 12 weeks following treatment.

Do not apply this product to golf course putting greens, dichondra, or newly sprigged areas of bermudagrass, St. Augustinegrass, centipedegrass, or zoysiagrass.

Any cultural practices that disturb the soil, such as aerification and verticutting, should be done prior to application.

Ornamentals

The granular fertilizer containing Balan and Surflan is a preemergence, surface applied herbicide for the control of most annual grasses and certain broadleaf weeds.

Use Precautions and Restrictions for Ornamentals

Apply only to established plantings. Rooted liners should be established in containers two weeks prior to treatment or crop injury may occur.

Do not apply in ornamental plantings where the likelihood of runoff onto lawn areas containing dichondra or cool season turfgrass species exist as severe injury or death may occur. Poor weed control may result if directions are not followed. Over application may result in crop injury or excessive soil residue.

Plant only ornamental species listed on this label into soil treated the previous season with the granular fertilizer containing Balan or Surflan or injury may occur.

Soil Preparation

This product will not control established weeds. Areas to be treated should be free of established weeds or controlled with postemergence herbicides. Weed residues, prunings and trash should be thoroughly mixed into the soil or removed prior to treatment. The soil should be in good tilth and free of clods at the time of application.

Application Equipment

Apply evenly over the area. Both drop type and rotary type spreaders may be used. Avoid the use of spreaders that may apply the material in narrow concentrated bands. For best results, use equipment designed to apply granular herbicides and insecticides. Calibrate application equipment prior to use according to the manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly.

Activation and Cultivation

This product will remain stable on the soil surface; however, rainfall or irrigation is needed to move the chemical into the soil. If weeds begin to emerge due to lack of rainfall or irrigation, shallow cultivate (1 to 2 inches) to destroy existing weeds and place the chemical in the weed germination zone. Shallow cultivation (1 to 2 inches) will not reduce herbicidal effectiveness.

Ornamental Plants

This product is recommended for use on the following species. All species on the following list may be treated when field grown; those species marked with a dagger (†) may also be treated when container grown. Species not marked with a dagger should not be treated if container grown.

Common Name	Scientific Name
Bamboo, Heavenly	<i>Nandina domestica</i>
Bottlebrush	<i>Callistemon</i> spp.
Boxwood, Japanese	<i>Buxus microphylla</i>
Capeweed, African	<i>Arctotheca calendula</i>
Daisy, Trailing African	<i>Osteospermum fruticosum</i>
Fescue, Blue	<i>Festuca ovina</i>
Firethorn, Scarlet †	<i>Pyracantha coccinea</i>
Gazania	<i>Gazania</i> spp.
ice-plant, Largeleaf	<i>Mesembryanthemum edule</i>
Ice-plant, Red Trailing	<i>Lampranthus spectabilis</i>
Ivy, Algerian	<i>Hedera canariensis</i>
Ivy, English	<i>Hedera helix</i>
Juniper	<i>Juniperus</i> spp.
Lily-of-the-Nile †	<i>Agapanthus africanus</i>
Oleander †	<i>Nerium oleander</i>
Olive	<i>Olea europaea</i>
Peppertree, California	<i>Schinus molle</i>
Photinia	<i>Photinia</i> spp.
Raphiolepis	<i>Raphiolepis</i> spp.
St. Johnswort	<i>Hypericum</i> spp.

Precaution

Ice-Plant: When establishing unrooted Ice-plant on coarse soils in landscape plantings, use only the 348 pound rate or crop injury may occur. After the Ice-plant is well established, a second application may be made.

Broadcast Application Rates

Apply the granular fertilizer containing Balan and Surflan prior to the germination of annual weeds. For preemergence control, apply 348-522 pounds per acre. Use the higher application rate when control of weeds is desired for a longer period, 6-8 months.

For application to small areas, determine the area to be treated in sq ft and calculate the amount required based on the rate per 1000 sq ft. For example if the area to be treated was 600 sq ft, the amount of product required is $600 \div 1000 \times 8 \text{ lb}/1000 \text{ sq ft} = 4.8 \text{ lb}$.

Labeled Use Site	Desired Length of Control	Broadcast Application Rate		Minimum Time Between Applications (months)	Total Amount Allowed Per Year (lb/acre)
		(lb/acre)	(lb/1000 sq ft)		
Landscape Ornamentals	3 - 4 months	348	8	2	1392
	6 - 8 months	522	12	4	2088
Container Grown and Field Grown Ornamentals	3 - 4 months	348	8	3	1392
	6 - 8 months	522	12	3	2088

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the "Warranty Disclaimer" above and this "Limitation of Remedies" cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller is authorized to vary or exceed the terms of the "Warranty Disclaimer" or this "Limitation of Remedies" in any manner.

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EPA-accepted ___/___/___