

62719-149

3-27-2003

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

MAR 27 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Steve A. McMaster
Dow AgroSciences
9330 Zionsville Road
Indianapolis, IN 46268-1054

Dear Mr. McMaster:

Subject: Revised Label
Turf and Ornamental Fertilizer Contains Balan 0.57% + Surflan 0.575%
EPA Registration No 62719-149
Your Submission Dated March 6, 2003

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you:


1. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:

- Delete the heading "General Use...". This term is an implied safety claim which is prohibited by 40 CFR Part 156.10(a)(5). Delete the heading "Approved Uses". This heading implies an endorsement by this Agency which is prohibited 40 CFR Part 156.10(a)(5).

2. Submit one (1) copy of your final printed labeling before you release the product for shipment. A stamped copy of the labeling is enclosed for your records.

If you have any questions concerning this letter, please contact Mr. James Stone at 703-305-7391.

Sincerely yours,


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

Enclosure

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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

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See side/back panel for additional precautionary statements.

Notice: Read the entire label. Use only according to label directions. **Before buying using this product, read Limited-Warranty Disclaimer, Inherent Risks of Use, and Disclaimer-Section Limitation of Remedies elsewhere on this label. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-149

EPA Est. _____

*Trademark of Dow AgroSciences LLC
Dow AgroSciences LLC Indianapolis, Indiana 46268 USA

Herbicide

Net Weight - 50 lb

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

MAR 27 2003

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

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Precautionary Statements

Hazards to Humans and Domestic Animals**CAUTION — PRECAUCION**

Causes Moderate Eye Irritation • Harmful If Swallowed • Prolonged or Frequently Repeated Skin Contact May Cause Skin Allergies to Develop Allergic Reactions In Some Individuals

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

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 eye. 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. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

This product is toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or 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.

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Storage and Disposal

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

Pesticide 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~~ may be disposed of according to applicable Federal, State, or local procedures on site or at an approved waste disposal facility.

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 procedures approved by State and local procedures authorities.

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

General Information

Dow AgroSciences' Turf and Ornamental Fertilizer Contains Balan* 0.575% + and Surflan* 0.575% 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.

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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.

Winter Annuals

bluegrass annual

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~~¹ to ~~two~~² weeks prior to the anticipated germination of the target annual weeds and grasses at an application rate of 260 ~~lb~~^{lb} pounds of product per acre (6 ~~lb~~^{lb} 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 weed and grass 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/ per 1000 sq ft per year.
- Do not reseed treated areas for a minimum of 12 weeks following treatment.

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- 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~~ 2 weeks prior to treatment or crop injury may occur.
- Do not apply in ornamental plantings ~~where~~ if the likelihood of runoff onto lawn areas containing dichondra or cool season turfgrass species exists 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~~ in 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.

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Common Name

bamboo, heavenly
 bottlebrush
 boxwood, Japanese
 capeweed, African
 daisy, trailing African
 fescue, blue
 firethorn, scarlet †
 gazania
 ice-plant, largeleaf ††
 ice-plant, red trailing ††
 ivy, algerian
 ivy, English
 juniper
 Lily-of-the-Nile †
 oleander †
 olive
 peppertree, California
 photinia
 raphiolepis
 St. Johnswort

Scientific Name

Nandina domestica
Callistemon spp.
Buxus microphylla
Arctotheca calendula
Osteospermum fruticosum
Festuca ovina
Pyracantha coccinea
Gazania spp.
Mesembryanthemum edule
Lampranthus spectabilis
Hedera canariensis
Hedera helix
Juniperus spp.
Agapanthus africanus
Nerium oleander
Olea europaea
Schinus molle
Photinia spp.
Raphiolepis spp.
Hypericum spp.

Precaution

Ice-Plant: †† When establishing unrooted ice-plant on coarse soils in landscape plantings, use only the 348 pound/lb 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- to 522 pounds/lb per acre. Use the higher application rate when control of weeds is desired for a longer period, 6- to 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 (months)	Broadcast Application Rate		Minimum Time Between Applications (months)	Total Amount Allowed Per Year (lb/acre)
		(lb/acre)	(lb/1000 sq ft)		
landscape	3 - 4 months	348	8	2	1392
ornamentals	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	1565

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buver or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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

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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," Inherent Risks of Use, ~~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.

*Trademark of Dow AgroSciences LLC
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