



62719-178

11-26-2001

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

NOV 26 2001

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

Dear Mr. McMaster:

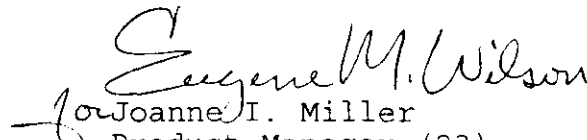
Subject: Gallery® Turf Fertilizer  
EPA Registration No. 62719-178  
Application and Your Letter Dated November 7, 2001,  
Request To Amend Registration by Revising First Aid  
Statements in Compliance with PR Notice 2001-1; and the  
Terms and Conditions of Use Section

The proposed labeling amendments have been reviewed and found acceptable under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provided that you:

- o Submit one (1) copy of the final printed label prior to your shipment of this pesticide product under the enclosed revised stamped label.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(e). Your release for shipment under this labeling constitutes acceptance of this condition. A stamped copy of the label is enclosed for your records.

Sincerely yours,

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

Enclosure

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(Product Label)

# Gallery\* Turf Fertilizer

[Editors note: Supplemental distributor label may include fertility and customer service information sections within this label.]

A turf fertilizer containing Gallery, a selective preemergence herbicide for control of certain broadleaf weeds and suppression of annual grasses in home lawns.

Active Ingredient:

isoxaben: N-[3-(1-ethyl-1-methylpropyl)-  
5-isoxazolyl]-2,6-dimethoxybenzamide  
and isomers .....0.38%

Inert Ingredients .....99.62%

Total Ingredients .....100.00%

Contains 0.09 pounds active ingredient per 25 pound bag.

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated**

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

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[Editor's note: Bag size and calculated amount of active ingredient per bag provided by supplemental distributor.]

[Editor's note: Supplemental distributor will add fertilizer analysis and derivation statement for fertilizer carrier used.]

Guaranteed Fertilizer Analysis	
Total Nitrogen (N) .....	X.X%
X.X% Nitrate Nitrogen	
X.X% Water Soluble Nitrogen	
X.X% Water Insoluble Nitrogen	
Available Phosphoric Acid (P <sub>2</sub> O <sub>5</sub> ) .....	X.X%
Soluble Potash (K <sub>2</sub> O) .....	X.X%

[Editor's note: Supplemental distributor should include the source of all primary nutrients or secondary nutrients, or both, and micronutrients.]

**Keep Out Of Reach Of Children**

## CAUTION

See back or container/side panel for additional precautionary statements.

EPA Reg. No. 62719-178

EPA Est. No. \_\_\_\_\_

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Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A. (not licensed)

## Herbicide

**Net Weight - XX Pounds/XX.X kg**

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## Precautionary Statements

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### Hazards to Humans and Domestic Animals

**Causes Eye Irritation • Harmful If Swallowed, Inhaled Or Absorbed Through The Skin**

**Avoid breathing dust and contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.**

### 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 person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

**If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

**If on skin or clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

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

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift or inadvertent application to areas adjacent to treated turfgrasses may result in reduced germination or emergence of nontarget plants. Do not contaminate water when disposing of equipment washwaters.

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## Directions For Use

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

Read all directions carefully before applying this product.

**Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.**

### Storage and Disposal

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

**Storage:** Store in original container. Protect stored product from moisture. In case of leak or spill, contain material and dispose as waste.

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

**Container Disposal:** Professional - 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. Homeowner - Securely wrap original container in several layers of newspaper and discard in trash.

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## General Information

This turf fertilizer product contains Gallery\*, a preemergence herbicide for control of certain broadleaf weeds and suppression of annual grasses in established turfgrasses. Apply in late summer to early fall, or in early spring, prior to emergence of target weeds.

## General Use Precautions

Gallery Turf Fertilizer does not control established weeds. Existing weeds should be controlled with postemergence herbicides. To insure optimal fertilizer and herbicidal response, water treated areas as soon as possible after application. A single rainfall or sprinkler irrigation of 0.5 inch or more is required to activate this product.

Apply Gallery Turf Fertilizer only on established turf. Apply to newly seeded turf (including overseeded turf) only after seedlings are established (three leaf stage and tillering) and well rooted. Do not overseed established turf sooner than 60 days following an application of Gallery Turf Fertilizer.

Do not apply Gallery Turf Fertilizer to non-turf areas such as flower beds or gardens.

Do not allow "drift" from rotary-type applicators to reach such areas. Gallery prevents seed emergence and may injure bedding plants.

Do not apply Gallery Turf Fertilizer to dichondra.

Do not apply Gallery Turf Fertilizer to golf course putting greens.

Users who wish to use Gallery Turf Fertilizer on turfgrass species not recommended on this label may determine the suitability for such uses by treating a small area at a recommended rate. Prior to treating a larger area, the treatment should be observed for any sign of herbicidal injury for 30 to 60 days to determine if the treatment is safe to the target turf species. **The user assumes responsibility for any crop damage or other liability resulting from use of this product on turf species not recommended on this label.**

## Gallery Turf Fertilizer Is Recommended For Use On The Following Turfgrass Species:

### Common Name

### Scientific Name

#### Established Cool Season Grasses

Bentgrass, colonial	<i>Agrostis tenuis</i>
Bentgrass, creeping	<i>Arostis stolonifera</i>
Bluegrass, Kentucky	<i>Poa pratensis</i>
Fescue, chewings	<i>Festuca rubra var. commutata</i>
Fescue, creeping red	<i>Festuca rubra</i>
Fescue, sheep	<i>Festuca ovina</i>
Fescue, tall	<i>Festuca arundinaceae</i>
Ryegrass, perennial	<i>Lolium perenne</i>

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### Established Warm Season Grasses

Bahiagrass	<i>Paspalum notatum</i> var. <i>Saurae parodi</i>
Bermudagrass	<i>Cynodon dactylon</i>
Centipedegrass	<i>Eremochloa ophiuroides</i>
Fescue, tall	<i>Festuca arundinaceae</i>
St. Augustinegrass	<i>Stenotaphrum secundatum</i>
Zoysiagrass	<i>Zoysia japonica</i>
Zoysiagrass	<i>Zoysia tenuifolia</i>

## Application

### Equipment And Application Techniques

Apply Gallery Turf Fertilizer using a drop or rotary-type spreader designed to apply granular fertilizer. Calibrate application equipment prior to use according to manufacturer's directions. Check frequently to be sure equipment is operating properly and distributing uniformly. Avoid use of spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control or crop injury may occur. More uniform application may be achieved by spreading half of the required amount of product over the area and then applying the remaining half in swaths at right angles to the first. A splash board mounted below the release point of drop-type spreaders can improve the uniformity of product distribution.

### Broadcast Application Rates

Apply Gallery Turf Fertilizer at a broadcast rate of 4.6 to 5.7 pounds per 1,000 square feet (200 to 250 pounds per acre). A minimum rate of 4.6 pounds per 1,000 sq ft (200 pounds per acre) is recommended for optimum results.

### Weeds Controlled

Weeds controlled by Gallery Turf Fertilizer applied prior to weed germination at 4.6 to 5.7 pounds per 1,000 sq ft (200 to 250 pounds per acre).

<u>Common Name</u>	<u>Scientific Name</u>
Burweed, lawn	<i>Soliva Pterosperma</i>
Buttercup	<i>Ranunculus</i> spp.
Celery, wild	<i>Apium leptophyllum</i>
Chickweed, common	<i>Stellaria media</i>
Chickweed, mouseear	<i>Cerastium vulgatum</i>
Foalsparsely	<i>Aethusa cynapium</i>
Geranium, Carolina	<i>Geranium carolinianum</i>
Henbit	<i>Lamium amplexicaule</i>
Knotweed, prostrate	<i>Polygonum aviculare</i>
Mallow, little	<i>Malva parviflora</i>
Parsley - piert	<i>Alchemilla arvensis</i>
Pennywort, lawn	<i>Hydrocotyle sibthorpioides</i>
Pineappleweed	<i>Matricaria matricarioides</i>
Speedwell, thymeleaf	<i>Veronica serpyllifolia</i>
Spurge, prostrate	<i>Euphorbia humistrata</i>
Spurge, spotted	<i>Euphorbia maculata</i>
Spurry, corn	<i>Spergula arvensis</i>
Woodsorrel, creeping	<i>Oxalis corniculata</i>
Woodsorrel, yellow	<i>Oxalis stricta</i>

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Weeds partially controlled by a single application; or, controlled by repeat applications of Gallery Turf Fertilizer applied prior to weed germination at 4.6 to 5.7 pounds per 1,000 sq ft (200 to 250 pounds per acre).

<u>Common Name</u>	<u>Scientific Name</u>
Clover, spp. <sup>1</sup>	<i>Trifolium spp.</i>
Clover, white <sup>1</sup>	<i>Trifolium repens</i>
Dandelion <sup>1</sup>	<i>Taraxacum officinale</i>
Medic, black	<i>Medicago lupulina</i>
Plantain, broadleaf	<i>Plantago major</i>
Plantain, buckhorn	<i>Plantago lanceolata</i>
Plantago, slender	<i>Plantago elongata</i>

<sup>1</sup>From seed only

Weeds suppressed or partially controlled by Gallery Turf Fertilizer applied prior to weed germination at 4.6 to 5.7 pounds per 1,000 sq ft (200 to 250 pounds per acre).

<u>Common Name</u>	<u>Scientific Name</u>
Bluegrass, annual	<i>Poa annua</i>
Crabgrass	<i>Digitaria supp.</i>
Ryegrass, annual (Italian)	<i>Lolium multiflorum</i>

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### **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 buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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### **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.

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### **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.

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### **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.

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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 and 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 or 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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