

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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PM 23 62719-193

11-19-99

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

NOV 19 1999

Dear Mr. McMaster:

SUBJECT: Label Amendment
 Turf Fertilizer - Contains Gallery Plus Surflan
 EPA Registration No. 62719-193
 Your Resubmission (Revised Labeling)
 Dated October 11, 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. A stamped copy of the labeling is enclosed for your records. Please submit one copy of your final printed labeling 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/guidelines 132-1a; soil dislodgeable residues/guidelines 132-b; 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

CONCURRENCES							
SYMBOL ▶	7505C						
SURNAME ▶	Marjan						
DATE	11/19/99						

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Turf Fertilizer - Contains Gallery* plus Surflan*

EPA Reg. No. 62719-193

Registration Notes:

Current label text based on EPA-accepted copy dated March 26, 1992, and EPA-accepted copy dated February 17, 1994 adding an exclusionary statement to remove this product from the scope of the Worker Protection Standard.

Additional label changes in response to EPA correspondence dated Sept. 14, 1999:

1. **Signal Word:** Revised back to CAUTION based on acute toxicity review dated January 14, 1997.
2. **Hazards to Humans and Domestic Animals:** Revised in accordance with EPA acute toxicity review.
3. **Occupational Use Requirements:** Added PPE for applicators and other handlers, however, the added PPE is based on the Nov. 6, 1998, FR Notice for Oryzalin (pages 59993-59994).
4. **First Aid:** Revised first aid in accordance with Cat III acute toxicity for ocular and dermal irritation and new CLI-based First Aid statements.
5. **Agricultural Use Requirements:** The uses of this product are not within the scope of the Worker Protection Standard and the label contains a WPS exclusionary statement (see PR Notice 93-11).
6. **Maximum Use Rate:** Maximum annual use rate of 700 lb of product per year containing 0.86% oryzalin is correct (6 lb/acre a.i. oryzalin divided by 0.0086 = 698 lb/acre divided by 43.56 = 16 lb/1000 sq ft).

The following changes were 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 of Turf Fertilizer - Contains Gallery* plus Surflan* based on EPA review dated January 23, 1997:

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

Changes by Amendment Per RED Requirements:

1. **Precautionary Statements:** (1) revised statement of hazard and precautionary measures text in accordance with acute toxicity data; (2) revised PPE in accordance with RED requirements; (3) 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) added application rate limitations (rates, minimum time between applications, and total allowable use rate per year).
3. Restored DAS warranty statements to product label.

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ACCEPTED
with COMMENTS
In EPA Letter Dated
NOV 19 1999

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

62719-193

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Turf Fertilizer - Contains Gallery* plus Surflan*

A balanced turf fertilizer containing Gallery and Surflan, selective preemergence herbicides for control of certain broadleaf weeds and annual grasses in established warm season perennial turfgrasses.

Active Ingredients:

isoxaben: N-[3-(1-ethyl-1-methylpropyl)-5-isoxazolyl]- 2,6-dimethoxybenzamide and isomers	0.29%
oryzalin: 3,5-dinitro-N ⁴ ,N ⁴ -dipropylsulfanilamide	0.86%
Inert Ingredients	98.85%
Total	100.00%

GUARANTEED FERTILIZER ANALYSIS

Total Nitrogen	18.0%
Available Phosphoric Acid (P ₂ O ₅)	5.0%
Soluble Potash (K ₂ O)	9.0%

Contains 0.2875 pounds active ingredient per 25 pound bag.

Keep Out of Reach of Children

CAUTION

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

Notice: Read the entire label. Use only according to label directions. Before buying this product, read Warranty Disclaimer and Limitation of Remedies Sections elsewhere on this label.

Do Not Ship or Store with Food, Feeds, Drugs, or Clothing.

EPA Reg. No. 62719-193

EPA Est. No. _____

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Dow AgroSciences LLC • Indianapolis, Indiana U.S.A.

Herbicide

Net Contents - 25 Pounds

Precautionary Statements

Hazards to Humans and Domestic Animals**Keep Out of Reach of Children****CAUTION****Causes Moderate Eye Irritation • Harmful If Absorbed Through The Skin**

Avoid contact with eyes, skin or clothing. Wear long-sleeved shirt and long pants, shoes plus socks, and waterproof gloves when handling. Wash thoroughly with soap and water after handling.

Personal Protective Equipment for Handlers:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves
- Shoes plus socks

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product. Do not reuse them. 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. Call a poison control center or doctor for treatment advice.

If on skin: 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.

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. 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.

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 this product.

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: 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.

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General Information

This turf fertilizer product contains Gallery* and Surflan* preemergence herbicides for control of certain broadleaf weeds and annual grasses in established warm season turfgrasses. Apply in late summer to early fall, approximately 3 weeks prior to the expected germination of winter annual weeds, or in early spring, 3 weeks prior to germination of weeds which emerge in spring or early summer.

This product will 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.

General Use Precautions and Restrictions

- **Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.**
- **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.**
- **Minimum Time between Applications:** Except as recommended in specific use instructions, the minimum time between applications is 90 days.
- **Maximum Use Rate:** Do not apply more than a total of 698 lb of this product per acre (16 lb per 1000 sq ft) per year.
- **Do not apply to non-turf areas such as flower beds or gardens.** Take precautions to prevent inadvertent application from rotary-type applicators to such areas. Herbicides in this product prevent seed emergence and may injure bedding plants.
- This product may injure turf that is weakened due to severe winter weather or is not well established. Apply only to healthy established warm season turfgrasses.
- Do not apply this product in the spring and summer to tall fescue turfgrass seeded the previous fall.
- Do not apply in the spring to Bermudagrass that has been overseeded with winter annual grasses since thinning may occur.
- Do not apply to newly sprigged or hydromulched areas of Bermudagrass, St. Augustinegrass, centipedegrass or zoysiagrass until turf is well established.
- Do not apply to dichondra.
- Do not apply to golf course putting greens.
- Any cultural practices that disturb the soil, such as aerification or verticutting should be done prior to application of this product.
- Do not overdose or overlap during application in such a way as to apply in excess of labeled rates as turf injury may occur.
- Users who wish to use this product 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 PLANT DAMAGE OR OTHER LIABILITY RESULTING FROM USE OF GALLERY ON TURF SPECIES NOT RECOMMENDED ON THIS LABEL.**

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This Product is Recommended for Use on the Following Established Warm-Season Perennial Turfgrass Species:

Common Name	Scientific Name
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 Instructions

Application Equipment and Application Techniques

Apply this product 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 product uniformly. Avoid use of spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control or turf 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 Rate

Apply at a broadcast rate of 233 pounds per acre (5.3 pounds per 1000 square feet).

- **Minimum Time between Applications:** Except as recommended in specific use instructions, the minimum time between applications is 90 days.
- **Maximum Use Rate:** Do not apply more than a total of 698 lb of this product per acre (16 lb per 1000 sq ft) per year.

Weeds Controlled

Summer Annual weeds Controlled by a Single Application:

Common Name	Scientific Name
Barnyardgrass	<i>Echinochloa crus-galli</i>
Burweed, lawn	<i>Soliva pterosperma</i>
Carpetweed	<i>Mollugo verticillata</i>
Celery, wild	<i>Apium leptophyllum</i>
Crabgrass	<i>Digitaria spp.</i>
(Large crabgrass)	
(Smooth crabgrass)	
Crowfootgrass	<i>Dactyloctenium aegyptium</i>
Foxtails	<i>Setaria spp.</i>
(Bottlegrass)	
(Bristlegrass)	
(Giant foxtail)	
(Green foxtail)	
(Pigeongrass)	
(Robust foxtail)	
(Yellow foxtail)	
Goosegrass	<i>Eleusine indica</i>
Johnsongrass	<i>Sorghum halepense</i>
(seedling only)	
Knotweed, prostrate	<i>Polygonum aviculare</i>
Kochia	<i>Kochia scoparia</i>
Lambsquarters, common	<i>Chenopodium album</i>
Mallow, little	<i>Malva parviflora</i>
Pennywort, lawn	<i>Hydrocotyle sibthorpioides</i>
Pigweeds	<i>Amaranthus spp.</i>
Pineappleweed	<i>Matricaria matricarioides</i>

Purslane, common	<i>Portulaca oleracea</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>

Winter Annual Weeds Controlled by a Single Application:

Common Name	Scientific Name
Buttercup	<i>Ranunculus spp.</i>
Bluegrass, annual	<i>Poa annua</i>
Chickweed, common	<i>Stellaria media</i>
Chickweed, mouseear	<i>Cerastium vulgatum</i>
Foolsparsley	<i>Aethusa cynapium</i>
Geranium, Carolina	<i>Geranium carolinianum</i>
Henbit	<i>Lamium amplexicaule</i>
Parsley - piert	<i>Alchemilla arvensis</i>
Ryegrass, annual	<i>Lolium multiflorum</i>
Speedwell, thymeleaf	<i>Veronica serpyllifolia</i>

Weeds partially controlled by a single application; or, controlled by repeat applications:

Common Name	Scientific Name
Clover spp. ¹	<i>Trifolium spp.</i>
Clover, white ¹	<i>Trifolium repens</i>
Dandelion ¹	<i>Taraxacum officinale</i>
Groundsel, common	<i>Senecio vulgaris</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>

¹From seed only

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.

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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 ___/___/___

