

62719-262

03/11/2009

1/15



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

John J. Jachetta, Ph.D  
Regulatory Manager  
Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268

MAR 11 2009

RE: Notification of Minor Label Change per PRN 98-10  
EPA Registration Number: 62719-262  
Date of Submission: January 22, 2009

Dear Dr. Jachetta:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 22, 2009, for the product, Turf Fertilizer Contains Confront. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences LLC/62719-262	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences LLC/Turf Fertilizer Contains Confront	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar to the product in composition and labeling to: EPA Reg. No. <u>MAR 11 2009</u> Product Name _____	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Metal Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name John J. Jachetta, Ph.D.	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4686 (fax: 317-337-4649)
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received  (Stamped)
2. Signature 	3. Title Regulatory Manager	
4. Typed Name John J. Jachetta, Ph.D. (jjjachetta@dow.com)	5. Date January 22, 2009	





**other waterproof material. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.**

### 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.

### 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 on skin or clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call 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, 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.

Clopyralid is a chemical which can travel (seep or leach) through soil and under certain conditions contaminate ground water which may be used for irrigation or drinking purposes. Users are advised not to apply clopyralid where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an over limestone bedrock, severely fractured surfaces, and substrates which could allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

### (Storage and Disposal for rigid containers 5 gal or less)

#### Storage and Disposal

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

**Pesticide Storage:** Store in original container in a clean, dry area away from extremes of heat and cold and out of direct sunlight.

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

**Container Handling:** Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

### (Storage and Disposal for nonrigid containers any size)

#### Storage and Disposal

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

**Pesticide Storage:** Store in original container in a clean, dry area away from extremes of heat and cold

3/15

and out of direct sunlight.

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

**Container Handling:** Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**(Storage and Disposal for refillable rigid containers greater than 5 gal)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a clean, dry area away from extremes of heat and cold and out of direct sunlight.

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

**Container Handling:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**(Storage and Disposal for nonrefillable rigid containers larger than 5 gal)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a clean, dry area away from extremes of heat and cold and out of direct sunlight.

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

**Container Handling:** Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**Refer to label booklet for Directions for Use.**

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and 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 1-800-992-5934.



8/15

(Label booklet cover):

# Turf Fertilizer Contains Confront®

## Herbicide

To be applied only under the direct supervision of licensed pesticide applicators responsible for turf weed control programs.

- Selectively controls annual and perennial broadleaf weeds
- Provides a feeding of fertilizer

Covers up to XX,000 sq ft (XXX' x XX')  
and/or

This bag covers XX,000 sq ft

### Active Ingredients:

triclopyr: 3,5,6 trichloro-2-pyridinyloxyacetic acid, triethylamine salt.....	0.50%
clopyralid: 3,6-dichloro-2-pyridinyloxyacetic acid, triethylamine salt .....	0.18%
Other Ingredients .....	99.32%
Total.....	100.00%

### Acid Equivalent:

triclopyr	-	0.36%
clopyralid	-	0.12%

### Guaranteed Analysis

Total nitrogen (N).....	XX%
X.X% ammoniacal nitrogen	
XX.X% urea, methylene ureas nitrogen	
X.X% water insoluble nitrogen	
Available phosphoric acid (P <sub>2</sub> O <sub>5</sub> ).....	X%
Soluble potash (K <sub>2</sub> O) .....	X%

Derived from:

### Keep Out Of Reach Of Children

## WARNING

Refer to inside of label booklet for additional precautionary information including Directions for Use.

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of Directions for Use. 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.





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(Page 1 through end):

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals****WARNING****Causes Substantial But Temporary Eye Injury • Harmful If Absorbed Through The Skin**

Do not get in eyes or on clothing. Avoid contact with skin. Wear long-sleeved shirt and long pants, socks and shoes, goggles or face shield and chemical resistant gloves made of rubber or other waterproof material. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

**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.

**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 on skin or clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call 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, 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.

Clopyralid is a chemical which can travel (seep or leach) through soil and under certain conditions contaminate ground water which may be used for irrigation or drinking purposes. Users are advised not to apply clopyralid where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an over limestone bedrock, severely fractured surfaces, and substrates which could allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

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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 for Use before applying.

**Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a clean, dry area away from extremes of heat and cold and out of direct sunlight.

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

**Nonrefillable rigid containers 5 gallons or less:**



12/15

bluegrass, Kentucky	<i>Poa pratensis</i>
fescue, chewings	<i>Festuca rubra var. commutata</i>
fescue, creeping red	<i>Festuca rubra</i>
fescues, sheeps	<i>Festuca ovina</i>
fescue, tall	<i>Festuca arundinaceae</i>
ryegrass, perennial	<i>Lolium perenne</i>

**Established Warm Season Turfgrass<sup>1</sup>**

bahiagrass (Argentine or Pensacola)	<i>Paspalum spp.</i>
buffalograss	<i>Buchloe dactyloides</i>
centipedegrass	<i>Eremochloa ophiuroides</i>
common bermudagrass	<i>Cynodon dactylon</i>
fescue, tall (growing in warm season area)	<i>Festuca arundinaceae</i>
zoysiagrass	<i>Zoysia japonica</i>
zoysiagrass	<i>Zoysia tenuifolia</i>

<sup>1</sup>Do not treat warm season turfgrasses with Turf Fertilizer Contains Confront when mowing height is less than 1/2 inch.

Turf Fertilizer Contains Confront may discolor and/or stunt turf that is not well-established or is stressed or weakened due to unfavorable climatic conditions, temperature extremes, drought, nematodes, or other factors which damage or weaken turf. Apply Turf Fertilizer Contains Confront only to healthy, well-established turf that has a well-anchored root system.

Common bermudagrass, centipedegrass, zoysiagrass, and bahiagrass may be temporarily discolored by Turf Fertilizer Contains Confront.

**Application 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.**

In **California, Oregon and Washington**, turfgrass and lawn uses are restricted to golf courses only.

**Do not** use on residential turf. Turfgrass and lawn uses are restricted to non-residential sites.

Apply this product only as specified on this label.

**Application Restrictions:** Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

**Entry Restrictions:** Do not enter or allow others to enter the treated area until dusts have settled.

**Do not** apply to exposed roots of shallow rooted trees and shrubs and allow to contact exposed suckers or injury may occur.

**Do not** apply Turf Fertilizer Contains Confront directly to, or otherwise permit it to come into direct contact with, cotton, grapes, tobacco, vegetables, flowers, fruit or ornamental trees, or other nontarget broadleaf plants.

**Do not** reseed until 4 weeks after application.

**Do not** use Turf Fertilizer Contains Confront on golf course putting greens and tees.

**Do not** send grass clippings to a compost facility.

**Do not** collect grass clippings for mulch or compost.

Applicator must give notice to landowners/property managers to not use grass clippings for composting.

**Do not** apply on ditches used to transport irrigation water.

**Do not** contaminate water used for irrigation or domestic purposes.

**Do not** apply where runoff or irrigation water may flow onto susceptible crops as injury may result.

**Do not** contaminate feed or foodstuffs.

**Do not** graze treated areas. Do not feed clippings to livestock.

**Do not** apply when weather conditions favor drift from target areas. Drift or runoff may adversely affect nontarget plants.

**Do not** apply at greater than recommended rates, especially under the branch spread (dripline) of trees.

**Do not** seed, sod, or sprig after application. Delay until no sooner than 4 weeks after application.

**Do not** apply Turf Fertilizer Contains Confront to bentgrass; hybrid bermudagrass varieties such as tifway, tifdwarf, and tifgreen; St. Augustinegrass; and ground covers such as lippia.

On bahiagrass and centipedegrass, do not apply before mid-March or until after the second mowing of the year. In the fall, do not treat centipedegrass after the first of October or bahiagrass after the first November.

**[Editor's note: Supplemental distributor will add one of the following statements as appropriate if their product is registered in the state of Florida.]**

- Florida Applications: Do not exceed [2] [3] applications per year on bahiagrass in the north.
- Florida Applications: Do not exceed [2] [3] [4] applications per year on bahiagrass in [central Florida] [the south].
- Florida Applications: Do not exceed [3] [4] [5] applications per year on bermudagrass in the north.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on bermudagrass in central Florida.
- Florida Applications: Do not exceed [5] [6] [7] applications per year on bermudagrass in the south.
- Florida Applications: Do not exceed [1] [2] applications per year on centipedegrass in the north.
- Florida Applications: Do not exceed [2] [3] applications per year on centipedegrass in [central Florida] [the south].
- Florida Applications: Do not exceed [3] [4] [5] applications per year on zoysiagrass in the north.
- Florida Applications: Do not exceed [3] [4] [5] [6] applications per year on zoysiagrass in central Florida.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on zoysiagrass in the south.
- Florida Applications: For application to sports turf (non-agricultural land planted exclusively for golf courses, parks and athletic fields), follow "SL191, 'Recommendations for N, P, K and Mg for Golf Course & Athletic Field Fertilization Base on Mehlich I Extractant'" available at <http://edis.ifas.ufl.edu/SS404>, or "BMP's for Enhancement of Environmental Quality on Florida's Golf Courses" available at <http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/glfbmp07.pdf>.
- Florida Applications: For application to urban turf (non-agricultural land planted in closely mowed, managed grasses except golf courses, parks and athletic fields), follow "Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries" available at [http://www.dep.state.fl.us/central/Home/MeetingsTraining/FLGreen/BMP\\_Book\\_final.pdf](http://www.dep.state.fl.us/central/Home/MeetingsTraining/FLGreen/BMP_Book_final.pdf).

#### **Treatment of Turfgrass Species Not Listed on the Confront Fertilizer Label**

Users who wish to use Turf Fertilizer Contains Confront 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 treatment of larger areas, the treated area should be observed for any sign of herbicidal injury during 30 days of normal growing conditions to determine if the treatment is safe to the target species. The user assumes the responsibility for any plant damage or other liability resulting from the use of Turf Fertilizer Contains Confront on species not recommended on this label.

#### **Application Directions**

Make application using equipment that will ensure uniform coverage. Application should be made when weeds are actively growing. Good soil moisture conditions should be present before application to achieve optimal results. Application under drought conditions may provide less than desirable results. Broadleaf weed species germinate at different times. Only emerged weeds present at time of application are controlled.

14/15

Additional applications should not be made less than 4 weeks apart to minimize grass injury. Newly seeded turf should be mowed 4 times before being treated.

### Suggested Spreader Settings

To provide proper distribution, calibrate spreader before application.

34.21 lb treats 11,000 ft at the normal rate (0.9 lb N/M) 0.65 lb ai/A  
34.21 lb treats 9,529 ft at the heavy rate (1.04 lb N/M) 0.75 lb ai/A

<u>Spreader</u>	<u>Ground Speed</u>	<u>Width of Coverage</u>	<u>Spreader Settings</u> (lb product/acre)	
			<u>Normal Rate</u> <b>135.5</b>	<u>Heavy Rate</u> <b>156.4</b>
Scotts Drop Type	3 mph	overlap wheels	X	X
Gandy	3 mph	overlap wheels	X	X
Scotts Rotaries				
R-7 <sup>1</sup> , R-7X <sup>1</sup>	3 mph	X feet	X	X
R-8 (cone X)	3 mph	X feet	X	X
Lely models				
(see below)	4.5 mph	XX feet	X	X
Vicon (Model 02)	4.5 mph	XX feet	X	X
Vicon (Model 03)	4.5 mph	XX feet	X	X

<sup>1</sup>For the R-7X model, use with adjustable pattern slide 1/4 closed.

Lely models WTR, WFR, HR, and 1250. PTO at 450 rpm.

### Weeds Controlled

Apply Turf Fertilizer Contains Confront to moist or dry foliage at the normal rate (0.65 lb ai/A) to control the following weeds:

black medic	hawkweed
bristly hawksbeard	hop clover
broadleaf plantain	narrow leaf plantain (buckhorn)
catsear (coast dandelion)	red clover
common dandelion	white clover
false dandelion	

**Note:** Moist foliage application will provide quicker results. For best herbicide effect when applying to dry foliage, apply when good soil moisture conditions are present.

Apply Turf Fertilizer Contains Confront to moist foliage at the heavy rate (0.75 lb ai/A) to control the following weeds.

burdock	lespedeza
Canada thistle	matchweed
coffee weed	mouseear chickweed
common chickweed	musk thistle
common cocklebur	old world diamond flower
common ragweed	poison ivy
common vetch	prostrate spurge
common yellow woodsorrel	roundleaf mallow
creeping beggarweed	sheep sorrel

