

62719-585

07/17/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Rafael Herrera  
Product Registration  
Dow AgroScience LLC  
9330 Zionsville Road  
Indianapolis, IN 46268

JUL 17 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request General Label Change (General Use Precautions and Florida Use  
Precautions)  
EPA Reg. No. 62719-585  
Application Dated June 22, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 06/22/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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 call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



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/62719-585	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences LLC/Penoxsulam FERT 0.03% Southern	PM# 23	
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)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>NOTIFICATION</u> Product Name <u>JUL 17 2009</u>	

### 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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> 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 Rafael Herrera	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4672 (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  <b>(Stamped)</b>
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Rafael Herrera (rlherrera@dow.com)	5. Date June 22, 2009	

Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268-1054



308/2E  
June 22, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U. S. Environmental Protection Agency  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

PENOXSULAM FERT 0.03% SOUTHERN (A.I. PENOXSULAM)  
EPA REGISTRATION NUMBER: 62719-585  
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Enclosed please find labeling for the notification action of Penoxsulam FERT 0.03% Southern herbicide. The following change has been made by notification:

1. General Use Precautions and Restrictions: In Sub Label B Residential Uses, added "Florida Applications: It is recommended to follow the Florida Green Industries BMP's at [http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP\\_Book\\_final.pdf](http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP_Book_final.pdf)."

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.

**Contents of Submission**

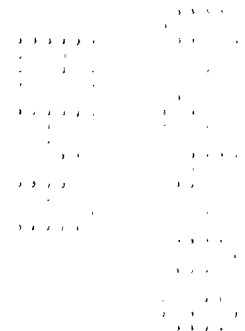
- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Penoxsulam FERT 0.03% Southern (E9A/Penoxsulam FERT 0.03% Southern/MSTR Notif/06-22-09) (27 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655 or Paula McKinnies, Registration Assistant for this product, at (317) 337-4679.

Sincerely,

Rafael Herrera  
Regulatory Leader  
(317) 337-4672  
(317) 337-4649 (FAX)

Enclosures







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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.

### Engineering Controls

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

### 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may 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. Do not contaminate water when disposing of equipment washwater or rinsate.

### Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

#### (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 a cool dry place in original container.

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

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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.

#### (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 a cool dry place in original container.

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

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

**(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 a cool dry place in original container.

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

**Container Reuse:** 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.

**(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 a cool dry place in original container.

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

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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.

**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 the 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. 62719-585

EPA Est. \_\_\_\_\_

**Produced for**  
**Dow AgroSciences LLC**  
 9330 Zionsville Road  
 Indianapolis, IN 46268





(Label booklet cover):

# Penoxsulam FERT 0.03% Southern

## Herbicide

**For postemergence control of annual and perennial broadleaf weeds in established turfgrass, including residential lawns, golf courses, parks, sports fields, sod farms and around commercial buildings and other recreational and commercial turfgrass areas**

**Covers up to XX,000 sq ft (XXX' x XX')**

and/or

**This bag covers XX,000 sq ft**

**Active Ingredient:**

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide ..... 0.03%

Other Ingredients ..... 99.97%

Total ..... 100.00%

[Editor's note: Bag size 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) .....	XX%
Available Phosphate (P <sub>2</sub> O <sub>5</sub> ) .....	XX%
Soluble Potash (K <sub>2</sub> O) .....	XX%

### Keep Out of Reach of Children

## CAUTION

#### Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

**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 elsewhere on the 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. 62719-585

EPA Est. \_\_\_\_\_

**Produced for  
Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268**

**Net Weight \_\_\_\_\_**

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(Page 1 through end)

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals****CAUTION****Causes Moderate Eye Irritation**

**Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.**

**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.

**Engineering Controls**

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

**User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

**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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may 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. Do not contaminate water when disposing of equipment washwater or rinsate.

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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 carefully before applying.

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. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

**Agricultural Use Requirements**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests,

nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

### Non-Agricultural Use Requirements

The requirements of this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

**Entry Restrictions for Non-WPS Uses:** Keep unprotected persons out of treated areas until dusts have settled.

### Storage and Disposal

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

**Pesticide Storage:** Store in a cool dry place in original container.

**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:

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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.

#### Nonrefillable nonrigid containers:

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

#### Refillable rigid containers larger than 5 gal:

**Container Reuse:** 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.

**Nonrefillable rigid containers larger than 5 gal:**

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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.

**General Information**

Penoxsulam FERT 0.03% Southern herbicide provides postemergence control of annual, biennial and perennial broadleaf weeds in established turfgrass, including residential lawns, golf courses, parks, sports fields, sod farms and around commercial buildings and other recreational and commercial turfgrass areas.

**General Use Precautions and Restrictions**

- Do not apply Penoxsulam FERT 0.03% Southern on dichondra, carpetgrass, bahiagrass, or to golf course putting greens or tees, or turfgrass containing desirable clovers.
- Do not apply Penoxsulam FERT 0.03% Southern directly to, or otherwise permit Penoxsulam FERT 0.03% Southern to come into contact with, flowers, ornamental shrubs or trees, or other desirable broadleaf plants, as serious plant injury may occur.
- Do not apply to centipedegrass during the period of winter dormancy. Grass should be green and actively growing at application.
- The active ingredient in this product may leave residues in treated grass clippings which could be harmful to some plants and trees. Do not collect treated grass clippings for use as mulch around plants. The applicator must notify in writing the appropriate residences/individuals of this precaution when this product is applied by a lawn service/commercial applicator.
- To minimize the potential for turfgrass injury, allow four weeks between applications.
- Avoid unnecessary disturbances, including watering and mowing, for approximately 24 hours after application.
- Use Penoxsulam FERT 0.03% Southern on solid (monoculture) stands of perennial ryegrass or tall fescue at a maximum rate of 75 lb (0.02 lb ai penoxsulam) per acre. Some yellowing of these turfgrasses may occur within two weeks of application. Any discoloration is transitory and will dissipate under adequate growing conditions.
- Apply Penoxsulam FERT 0.03% Southern to newly seeded or sprigged turfgrass only after the third mowing or after the turfgrass seedlings have developed an adequate secondary root system. Reseeding is not recommended for at least three to four weeks after application.
- Do not apply more than 200 lb of Penoxsulam FERT 0.03% Southern (0.06 lb ai penoxsulam) per acre per application.
- Do not apply more than 300 lb of Penoxsulam FERT 0.03% Southern (0.09 lb ai penoxsulam) per acre per year.

**[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 [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.

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- Florida Applications: Do not exceed [2] [3] applications per year on centipedegrass in [central Florida] [the south].
- Florida Applications: Do not exceed [2] [3] [4] applications per year on St. Augustinegrass in the north.
- Florida Applications: Do not exceed [2] [3] [4] [5] applications per year on St. Augustinegrass in central Florida.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on St. Augustinegrass in 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 on Turfgrass Species Not Listed on the Label for Penoxsulam FERT 0.03% Southern**

Users who wish to use Penoxsulam FERT 0.03% Southern on turfgrass species not listed on this label may determine the suitability for use by treating a small area at a specified 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 target turfgrass species is tolerant. Applications should not be made to turfgrass under stress. The user assumes responsibility for any plant damage or other liability resulting from use of Penoxsulam FERT 0.03% Southern on turfgrass species not listed below on this label.

**Penoxsulam FERT 0.03% Southern is recommended for use on the following established turfgrass species** (numbers in parentheses (-) refer to footnotes below):

#### **Established Cool Season Turfgrass (1)**

<b>Common Name</b>	<b>Scientific Name</b>
annual bluegrass	<i>Poa annua</i>
bentgrass	<i>Agrostis</i> species
bluegrass, Kentucky	<i>Poa pratensis</i>
fescue, chewing	<i>Festuca rubra</i> var. <i>commutata</i>
fescue, creeping red	<i>Festuca rubra</i>
fescue, sheeps	<i>Festuca ovina</i>
fescue, tall (2)	<i>Festuca arundinaceae</i>
ryegrass, perennial (2)	<i>Lolium perenne</i>

#### **Established Warm Season Turfgrass (3)**

<b>Common Name</b>	<b>Scientific Name</b>
bermudagrass (common or hybrid)	<i>Cynodon dactylon</i>
centipedegrass (4)	<i>Eremochloa ophiuroides</i>
fescue, tall (growing in warm season areas) (2)	<i>Festuca arundinaceae</i>
kikuyugrass	<i>Pennisetum clandestinum</i>
seashore paspalum	<i>Paspalum vaginatum</i>
St. Augustinegrass	<i>Stenotaphrum secundatum</i>
zoysiagrass	<i>Zoysia japonica</i>
zoysiagrass	<i>Zoysia tenuifolia</i>

1. Use no more than 150 lb of Penoxsulam FERT 0.03% Southern (0.045 lb ai penoxsulam) per acre per application.
2. Use Penoxsulam FERT 0.03% Southern on these species at a maximum rate of 75 lb (0.02 lb ai penoxsulam) per acre per application and only if some injury can be tolerated. A slight yellowing of turfgrass may occur within two weeks of application. The discoloration is transient and is generally gone within four weeks of treatment under adequate growing conditions.
3. Use no more than 200 lb of Penoxsulam FERT 0.03% Southern (0.06 lb ai penoxsulam) per acre per application.
4. Do not apply to centipedegrass during the period of winter dormancy. Grass should be green and actively growing at application.

### Weeds Controlled or Suppressed

Generally, application rates at the lower end of the rate range will be satisfactory for young, succulent growth of sensitive weed species. For less sensitive species and under conditions where control is more difficult (plant stress conditions such as drought or extreme temperatures, dense weed stands and/or larger weeds), the higher rate within the rate range or repeat applications will be needed. Weeds growing in the absence of competition from other vegetation generally require higher rates or repeat applications to obtain satisfactory control or suppression.

Weeds Controlled or Suppressed		Rate	
		lb/acre	lb/1000 sq ft
burdock burnweed, American buttercup, hairy chickweed, common chickweed, mouseear clover, hop clover, red clover, white cocklebur, common coffeeweed common vetch creeping beggarweed curly dock dandelion, common dollarweed dwarf beggarweed English lawn daisy false dandelion Florida betony goldenrod hawkweed henbit ivy, ground	lambsquarters lespedeza, common matchweed medic, black parsley-piert plantain, broadleaf plantain, buckhorn purslane, common ragweed, common round leaf mallow sheep sorrel shepherd's purse smartweed speedwell, common spotted catsear spurge, spotted spurweed Virginia buttonweed <sup>1</sup> Virginia pepperweed wild violet woodsorrel, creeping woodsorrel, yellow	75 - 200	1.7 - 4.6
kyllinga, annual and green (suppression only) <sup>1</sup>	nutsedge, purple and yellow (suppression only) <sup>1</sup>	150 - 200	3.4 - 4.6

<sup>1</sup>Re-treatment may be necessary

### Application Directions

Apply Penoxsulam FERT 0.03% Southern using a drop or rotary-type spreader designed to apply granules. 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. Do not use spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control

or turfgrass 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.

To optimize performance, mow the turfgrass two to three days before applying Penoxsulam FERT 0.03% Southern. If the turfgrass is under moisture stress, a thorough sprinkler irrigation of at least 1/2 inch may be needed at least one to two days before application. For optimal results, apply Penoxsulam FERT 0.03% Southern in the morning when dew is present. If necessary, sprinkler irrigate with less than 1/4 inch of water just prior to application to maximize particle adherence to leaf surfaces. Avoid watering of treated area for 24 hours following application. Avoid making applications if rainfall is expected within 24 hours after treatment.

#### Application Techniques for Applying Penoxsulam FERT 0.03% Southern

- When using a drop-type spreader, a splashboard mounted under the hopper will provide more even granule distribution.
- A chain fastened to the side of the spreader and allowed to drag on the soil surface can be used to mark the edge of the treated swath and help prevent skips or overlaps.
- For treating smaller areas, a hand held or push-type rotary applicator such as a whirlybird or cyclone unit is recommended. For hand held units, walk and turn the crank at a constant rate of speed.
- A shaker-type applicator made from a small container with holes punched in the bottom is recommended for small, difficult to treat areas. Carefully measure the amount of product needed to avoid over application.

#### Spreader Settings as a Guide for Calibration

**Note:** These settings are provided as a suggested starting point in calibrating each individual spreader. Since no two spreaders are alike, these settings are not intended to be used as absolute recommendations by Dow AgroSciences or the spreader manufacturer.

Spreader	Settings for Spreader		
	Rate of Penoxsulam FERT 0.03% Southern		
	75 lb/acre	150 lb/acre	200 lb/acre
XX	XX	XX	XX

#### Rates and Timing of Application

Apply 75 to 200 lb of Penoxsulam FERT 0.03% Southern per acre ( 1.7 to 4.6 lb per 1000 sq ft) per application to established turfgrass. Possible re-treatment in approximately 30 days may be necessary if turfgrass is heavily infested with weeds or if adverse low moisture conditions prevail and weeds are in a state of poor growth. Do not exceed 300 lb of Penoxsulam FERT 0.03% Southern per acre (6.8 lb per 1000 sq ft) per year because damage to turfgrass may occur.

**Note:** When applying to warm season turfgrass under conditions of inadequate moisture, high temperature and high humidity, over-application may cause minor transitory discoloration. It is recommended to reduce application rates by 50% during hot, dry conditions to avoid possible dehydration or browning of grasses.

[Editor's note: Supplemental distributor will select the appropriate bag size and present only the rate information provided for that bag size on product labeling.]

#### Broadcast Rates for Penoxsulam FERT 0.03% Southern

Bag Size	Rate		Treated Area	
	lb/acre	lb/1000 sq ft	acre	sq ft
15	75	1.7	0.20	8,700
	150	3.4	0.10	4,400
	200	4.6	0.08	3,500



16	75	1.7	0.21	9,200
	150	3.4	0.11	4,800
	200	4.6	0.08	3,500
17	75	1.7	0.23	10,000
	150	3.4	0.11	4,800
	200	4.6	0.09	3,900
18	75	1.7	0.24	10,500
	150	3.4	0.12	5,200
	200	4.6	0.09	3,900
20	75	1.7	0.27	11,800
	150	3.4	0.13	5,700
	200	4.6	0.10	4,400
30	75	1.7	0.40	17,400
	150	3.4	0.20	8,700
	200	4.6	0.15	6,500
40	75	1.7	0.53	23,000
	150	3.4	0.27	11,800
	200	4.6	0.20	8,700
45	75	1.7	0.60	26,000
	150	3.4	0.30	13,000
	200	4.6	0.23	10,000
50	75	1.7	0.67	29,000
	150	3.4	0.33	14,400
	200	4.6	0.25	10,900

Best weed control results are obtained when Penoxsulam FERT 0.03% Southern is applied to small, actively growing weeds in the spring or early fall. Extreme growing conditions such as drought or near freezing temperatures prior to, at, or following time of application may reduce weed control. Broadleaf weed species germinate at different times.

This product may also be applied to newly established warm season turfgrass. Delay treatments four weeks after sodding, sprigging or plugging.

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### Terms and Conditions of Use

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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 Limitation of Remedies.

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### Warranty Disclaimer

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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

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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 temperatures, 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. To the extent permitted by law, all such risks shall be assumed by buyer.

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### **Limitation of Remedies**

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To the extent permitted by law, 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.

To the extent permitted by law, 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. To the extent permitted by law, in no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and 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.

EPA accepted 10/6/08

19/31

**[Sub Label B: Residential Uses]**

(Base label):

# **Penoxsulam FERT 0.03% Southern**

## **Herbicide**

**For postemergence control of annual and perennial broadleaf weeds in established home lawns and other recreational turfgrass areas.**

**In the state of Florida: Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn/garden, and sweep any product that lands on the driveway, sidewalk, or street, back onto your lawn/garden.**

\_\_\_\_\_ lb covers up to \_\_\_\_\_ sq ft [of turfgrass]

**Controls [tough] weeds [such as clover] [dandelion] [dollarweed] [henbit] [ground ivy] [plantain] [chickweed] [sedges] [Florida betony] [lespedeza]**

and/or

**Apply at any time [spring, summer, fall]**

and/or

**Use for a [beautiful] [weed-free] lawn**

and/or

**Easy to use**

and/or

**[Just] One application kills weeds missed by competitive brands [and fertilizes into summer]**

and/or

**Better weed control [and fertilizer] than other leading brands**

and/or

**Extended time release feeding of nitrogen lasts into summer**

and/or

**Effective weed control leads to greener, thicker lawns**

and/or

**Apply [anytime] when weeds are actively growing**

and/or

**All the fertilizer nutrients your lawns needs for spring**

and/or

**Feeds [greens] [strengthens] [thickens] your lawn for up to 3 months – longer than leading competitive brands**

and/or

**Apply once for the whole season**

and/or

**Feeds [and strengthens] root systems without burning your lawn**

and/or

**Fertilize once for the whole season – Feeds [and greens] with slow release fertilizer for up to 3 months**

and/or

**Fertilizers to fill in bare spots [and provide plush green lawns]**

and/or

**Kills weeds [and fertilizes the lawn]**

and/or

**Fertilizes to provide rich color [and vigorous growth]**

and/or

- Effective weed control – prevents weeds all season long**  
and/or
- Season-long weed killer [and fertilizer]**  
and/or
- Controls weeds longer**  
and/or
- Fertilizes longer**  
and/or
- Kills tough existing weeds [and controls new weeds] for 3 months**  
and/or
- For use on cool and warm season turfgrass**  
and/or
- Can be applied to newly established warm season grass**  
and/or
- [Just] One application kills weeds**  
and/or
- Better weed control than other brands**  
and/or
- Contains the latest technology in weed control**  
and/or
- Can be used on newly planted grass**  
and/or
- Does not contain atrazine**  
and/or
- Atrazine-free dollarweed control**

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide .....	0.03%
Other Ingredients .....	99.97%
Total .....	100.00%

[Editor's note: Bag size provided by supplemental distributor.]

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

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

**Keep Out of Reach of Children**

# CAUTION

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## Precautionary Statements

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### Hazards to Humans and Domestic Animals

**Causes Moderate Eye Irritation**

21/31

**Avoid contact with eyes or clothing. Wear long-sleeved shirt, long pants, and shoes plus socks. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.**

**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.

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

**Environmental Hazards**

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent runoff to water bodies or drainage systems.

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool dry place in original container.

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

**Refer to inside of 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 the 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. 62719-585

EPA Est. \_\_\_\_\_

**Produced for  
Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268**

**Net Weight** \_\_\_\_\_

(Label booklet cover):

# Penoxsulam FERT 0.03% Southern

## Herbicide

**For postemergence control of annual and perennial broadleaf weeds in established home lawns and other recreational turfgrass areas.**

**In the state of Florida: Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn/garden, and sweep any product that lands on the driveway, sidewalk, or street, back onto your lawn/garden.**

\_\_\_\_\_ lb covers up to \_\_\_\_\_ sq ft [of turfgrass]

**Controls [tough] weeds [such as clover] [dandelion] [dollarweed] [henbit] [ground ivy] [plantain] [chickweed] [sedges] [Florida betony] [lespedeza]**

and/or

**Apply at any time [spring, summer, fall]**

and/or

**Use for a [beautiful] [weed-free] lawn**

and/or

**Easy to use**

and/or

**[Just] One application kills weeds missed by competitive brands [and fertilizes into summer]**

and/or

**Better weed control [and fertilizer] than other leading brands**

and/or

**Extended time release feeding of nitrogen lasts into summer**

and/or

**Effective weed control leads to greener, thicker lawns**

and/or

**Apply [anytime] when weeds are actively growing**

and/or

**All the fertilizer nutrients your lawns needs for spring**

and/or

**Feeds [greens] [strengthens] [thickens] your lawn for up to 3 months – longer than leading competitive brands**

and/or

**Apply once for the whole season**

and/or

**Feeds [and strengthens] root systems without burning your lawn**

and/or

**Fertilize once for the whole season – Feeds [and greens] with slow release fertilizer for up to 3 months**

and/or

**Fertilizers to fill in bare spots [and provide plush green lawns]**

and/or

**Kills weeds [and fertilizes the lawn]**

and/or

**Fertilizes to provide rich color [and vigorous growth]**

and/or

**Effective weed control – prevents weeds all season long**

and/or

**Season-long weed killer [and fertilizer]**

and/or

**Controls weeds longer**

and/or

**Fertilizes longer**

and/or

**Kills tough existing weeds [and controls new weeds] for 3 months**

and/or

**For use on cool and warm season turfgrass**

and/or

**Can be applied to newly established warm season grass**

and/or

**[Just] One application kills weeds**

and/or

**Better weed control than other brands**

and/or

**Contains the latest technology in weed control**

and/or

**Can be used on newly planted grass**

and/or

**Does not contain atrazine**

and/or

**Atrazine-free dollarweed control**

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide ..... 0.03%

Other Ingredients ..... 99.97%

Total ..... 100.00%

[Editor's note: Bag size 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) .....	XX%
Available Phosphoric Acid (P <sub>2</sub> O <sub>5</sub> ) .....	XX%
Soluble Potash (K <sub>2</sub> O) .....	XX%

**Keep Out of Reach of Children**

**CAUTION**

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 elsewhere on the 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.

24/31

EPA Reg. No. 62719-585

EPA Est. \_\_\_\_\_

**Produced for**  
**Dow AgroSciences LLC**  
**9330 Zionsville Road**  
**Indianapolis, IN 46268**

**Net Weight** \_\_\_\_\_



25/31

(Page 1 through end)

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals****CAUTION****Causes Moderate Eye Irritation**

**Avoid contact with eyes or clothing. Wear long-sleeved shirt, long pants, and shoes plus socks. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.**

**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.

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

**Environmental Hazards**

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent runoff to water bodies or drainage systems.

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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 carefully before applying.

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool dry place in original container.

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

**How This Product Works**

Penoxsulam FERT 0.03% Southern herbicide provides postemergence control of annual, biennial and perennial broadleaf weeds in established home lawns and other recreational turfgrass areas.

**General Use Precautions and Restrictions**

- Do not apply Penoxsulam FERT 0.03% Southern on dichondra, carpetgrass, bahiagrass, or to turfgrass containing desirable clovers.
- Do not apply Penoxsulam FERT 0.03% Southern directly to, or otherwise permit Penoxsulam FERT 0.03% Southern to come into contact with, flowers, ornamental shrubs or trees, or other desirable broadleaf plants, as serious plant injury may occur.
- Do not apply to centipedegrass during the period of winter dormancy. Grass should be green and actively growing at the time of application.
- The active ingredient in this product may leave residues in treated grass clippings which could be harmful to some plants and trees. Do not collect treated grass clippings for use as mulch around plants.

The applicator must notify in writing the appropriate residences/individuals of this precaution when this product is applied by a lawn service/commercial applicator.

- To minimize the potential for turfgrass injury, allow four weeks between applications.
- Avoid unnecessary disturbances, including watering and mowing, for approximately 24 hours after application.
- Use Penoxsulam FERT 0.03% Southern on solid (monoculture) stands of perennial ryegrass or tall fescue at a maximum rate of 1.7 lb per 1000 sq ft. Some yellowing of these turfgrasses may occur within two weeks of application. Any discoloration is temporary and will dissipate under adequate growing conditions.
- Apply Penoxsulam FERT 0.03% Southern to newly seeded or sprigged turfgrass only after the third mowing or after the turfgrass seedlings have developed an adequate secondary root system. Reseeding is not recommended for at least three to four weeks after application.
- Do not apply more than 4.6 lb of Penoxsulam FERT 0.03% Southern per 1000 sq ft per application.
- Do not apply more than 6.9 lb of Penoxsulam FERT 0.03% Southern per 1000 sq ft per year.

**[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 [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 [2] [3] [4] applications per year on St. Augustinegrass in the north.
- Florida Applications: Do not exceed [2] [3] [4] [5] applications per year on St. Augustinegrass in central Florida.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on St. Augustinegrass in 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: It is recommended to follow the Florida Green Industries BMP's at [http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP\\_Book\\_final.pdf](http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP_Book_final.pdf).

**Treatment on Turfgrass Species Not Listed on the Label for Penoxsulam FERT 0.3 % Southern**

Users who wish to use Penoxsulam FERT 0.03% Southern on turfgrass species not listed on this label may determine the suitability for use by treating a small area at a specified 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 target turfgrass species is tolerant. Applications should not be made to turfgrass under stress. The user assumes responsibility for any plant damage or other liability resulting from use of Penoxsulam FERT 0.03% Southern on turfgrass species not listed below on this label.

**Penoxsulam FERT 0.03% Southern is recommended for use on the following established turfgrass species** (numbers in parentheses (-) refer to footnotes below):

- |  |   |
|--|---|
| <b>Established Cool Season Turfgrass (1)</b> | <b>Established Warm Season Turfgrass (3)</b>    |
| annual bluegrass                             | bermudagrass (common or hybrid)                 |
| bentgrass                                    | centipedegrass (4)                              |
| bluegrass, Kentucky                          | fescue, tall (growing in warm season areas) (2) |
| fescue, chewing                              | kikuyugrass                                     |
| fescue, creeping red                         | seashore paspalum                               |
| fescue, sheeps                               | St. Augustinegrass                              |
| fescue, tall (2)                             | zoysiagrass                                     |
| ryegrass, perennial (2)                      |   |

1. Use no more than 3.2 lb of Penoxsulam FERT 0.03% Southern per 1000 sq ft per application.

2. Use Penoxsulam FERT 0.03% Southern on these species at a maximum rate of 1.7 lb per 1000 sq ft per application and only if some injury can be tolerated. A slight yellowing of turfgrass may occur within two weeks of application. The discoloration is temporary and is generally gone within four weeks of treatment under adequate growing conditions.
3. Use no more than 4.6 lb of Penoxsulam FERT 0.03% Southern per 1000 sq ft per application.
4. Do not apply to centipedegrass during the period of winter dormancy. Grass should be green and actively growing at the time of application.

**Weeds Controlled or Suppressed**

Generally, application rates at the lower end of the rate range will be satisfactory for young, succulent growth of sensitive weed species. For less sensitive species and under conditions where control is more difficult (plant stress conditions such as drought or extreme temperatures, dense weed stands and/or larger weeds), the higher rate within the rate range or repeat applications will be needed. Weeds growing in the absence of competition from other vegetation generally require higher rates or repeat applications to obtain satisfactory control or suppression.

Weeds Controlled or Suppressed		Rate
		lb/1000 sq ft
burdock burnweed, American buttercup, hairy chickweed, common chickweed, mouseear clover, hop clover, red clover, white cocklebur, common coffeeweed common vetch creeping beggarweed curly dock dandelion, common dollarweed dwarf beggarweed English lawn daisy false dandelion Florida betony goldenrod hawkweed henbit ivy, ground	lambsquarters lespedeza, common matchweed medic, black parsley-piert plantain, broadleaf plantain, buckhorn purslane, common ragweed, common round leaf mallow sheep sorrel shepherd's purse smartweed speedwell, common spotted catsear spurge, spotted spurweed Virginia buttonweed <sup>1</sup> Virginia pepperweed wild violet woodsorrel, creeping woodsorrel, yellow	[Editor's note: Supplemental distributor to choose rate or rate range based upon setting(s) chosen from spreader settings table below.]
kyllinga, annual and green (suppression only)	nutsedge, purple and yellow (suppression only) <sup>1</sup>	

<sup>1</sup>Re-treatment may be necessary

**How to Apply**

Apply Penoxsulam FERT 0.03% Southern using a drop or rotary-type spreader designed to apply granules. Calibrate application equipment prior to use according to manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly. Do not use spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control or turfgrass 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.

To optimize product performance mow the turfgrass two to three days before applying Penoxsulam FERT 0.03% Southern. If the turfgrass is under moisture stress, a thorough sprinkler irrigation of at least 1/2 inch may be needed at least one to two days before application. For optimal results, apply Penoxsulam FERT 0.03% Southern in the morning when dew is present. If necessary, sprinkler irrigate with less than 1/4 inch of water just prior to application to maximize particle adherence to leaf surfaces. Avoid watering of treated area for 24 hours following application. Avoid making applications if rainfall is expected within 24 hours after treatment.

**Application Techniques for Applying Penoxsulam FERT 0.03% Southern**

- When using a drop-type spreader, a splashboard mounted under the hopper will provide more even granule distribution.
- A chain fastened to the side of the spreader and allowed to drag on the soil surface can be used to mark the edge of the treated swath and help prevent skips or overlaps.
- For treating smaller areas, a hand held or push-type rotary applicator such as a whirlybird or cyclone unit is recommended. For hand held units, walk and turn the crank at a constant rate of speed.
- A shaker-type applicator made from a small container with holes punched in the bottom is recommended for small, difficult to treat areas. Carefully measure the amount of product needed to avoid over application.

**Spreader Settings as a Guide for Calibration**

**Note:** These settings are provided as a suggested starting point in calibrating each individual spreader. Since no two spreaders are alike, these settings are not intended to be used as absolute recommendations by Dow AgroSciences or the spreader manufacturer.

Spreader	Settings for Spreader		
	Rate of Penoxsulam FERT 0.03% Southern		
	1.7 lb/1000 sq ft	3.4 lb/1000 sq ft	4.6 lb/1000 sq ft
XX	XX	XX	XX

**How Much to Apply**

Apply Penoxsulam FERT 0.03% Southern to established turfgrass. Possible re-treatment in approximately 30 days may be necessary if turfgrass is heavily overrun with weeds or if adverse low moisture conditions prevail and weeds are in a state of poor growth. Do not exceed specified rates because damage to turfgrass may occur. Do not make more than two applications per season.

**Note:** When applying to warm season turfgrass under conditions of inadequate moisture, high temperature and high humidity, over-application may cause minor temporary discoloration. It is recommended to reduce application rates by 50% during hot, dry conditions to avoid possible dehydration or browning of turfgrass.

[Editor's note: Supplemental distributor will select the appropriate bag size and present only the rate information provided for that bag size on product labeling.]

**Broadcast Rates for Penoxsulam FERT 0.03% Southern**

Bag Size	Rate	Treated Area
lb	lb/1000 sq ft	sq ft
15	1.7	8,700
	3.4	4,400
	4.6	3,500
16	1.7	9,200
	3.4	4,800
	4.6	3,500

17	1.7	10,000
	3.4	4,800
	4.6	3,900
18	1.7	10,500
	3.4	5,200
	4.6	3,900
20	1.7	11,800
	3.4	5,700
	4.6	4,400
30	1.7	17,400
	3.4	8,700
	4.6	6,500
40	1.7	23,000
	3.4	11,800
	4.6	8,700
45	1.7	26,000
	3.4	13,000
	4.6	10,000
50	1.7	29,000
	3.4	14,400
	4.6	10,900

**When to Apply**

Best weed control results are obtained when Penoxsulam FERT 0.03% Southern is applied to small, actively growing weeds in the spring or early fall. Extreme growing conditions such as drought or near freezing temperatures prior to, at, or following time of application may reduce weed control. Broadleaf weed species germinate at different times.

This product may also be applied to newly established warm season turfgrass. Delay treatments four weeks after sodding, sprigging or plugging.

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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 Limitation 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 temperatures, 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. To the extent permitted by law, all such risks shall be assumed by buyer.

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**Limitation of Remedies**

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To the extent permitted by law, 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.

To the extent permitted by law, 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. To the extent permitted by law, in no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and 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.

EPA accepted 10/6/08

**Appendix I**

Examples of fertilizer grades with nutrient contents expressed as the percentages of N, P<sub>2</sub>O<sub>5</sub> and K<sub>2</sub>O include but are not limited to the following:

8-3-3	19-3-6	24-4-8	25-5-5	26-3-10	27-3-6	30-3-3
13-3-6	19-6-8	25-3-3	26-3-3	26-4-4	27-4-6	31-3-8
16-4-8	21-0-18	25-4-8	26-3-6	26-4-6	28-0-4	32-4-8
17-2-11	22-3-3					

The fertilizer grade guaranteed analysis may contain macronutrients and micronutrients. The nutrient contents expressed will vary among states and the analyses will differ between supplemental registrations. The guaranteed analysis of a 26-3-10 fertilizer grade is presented as follows:

**Guaranteed Fertilizer Analysis**

Total nitrogen (N).....	26%
1.9% ammoniacal nitrogen	
24.1% urea nitrogen	
Available phosphate (P <sub>2</sub> O <sub>3</sub> ) .....	3%
Soluble potash (K <sub>2</sub> O) .....	10%

**NOTIFICATION**

JUL 17 2009