

66222-146

4/24/2009

10f9



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Christie Hitchcock
Makhteshim Agan of North America, Inc
4515 Falls of Neuse Rd, Suite 300
Raleigh, NC 27609

APR 24 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated April 3, 2009 for:

EPA Registration 66222-146 MSM Turf Herbicide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

2009

	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 66222-146	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MSM Turf Herbicide	PM# <u>25</u> Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <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. _____ NOTIFICATION _____ Product Name _____ APR 24 2009	

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.

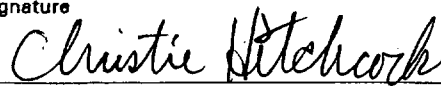
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs or less; more than 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		
			<input checked="" type="checkbox"/> Other Self-adhesive		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Christie Hitchcock	Title Regulatory Specialist	Telephone No. (Include Area Code) 919-256-9342
Certification 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 Specialist	
4. Typed Name Christie Hitchcock	5. Date 04-03-09	

3099



April 3, 2009

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington DC 20460

Re: MSM Turf Herbicide, EPA Reg. No. 66222-146
Notification per 2007-4

To Whom It May Concern:

We are notifying the Agency of a label update as allowed in PR Notice 2007-4. We are correcting the Container Handling language used on the notification of 08-06-08, which mistakenly had the language for a solid product. MSM Turf is a liquid product and the language has been corrected on this notification. This notification dated 04-03-09 supersedes the notification dated 08-06-08.

In support of this submission, the following documents are attached:

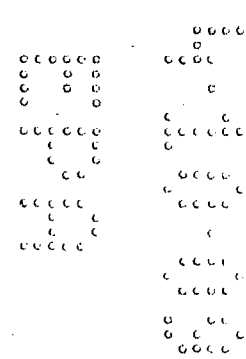
- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock
Registration Specialist

Enclosures



4099

MSM Turf Herbicide (FOR TURF USES ONLY)

ACTIVE INGREDIENT:	% BY WT.
Metsulfuron Methyl	
Methyl 2-[[[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-amino]carbonyl]amino]sulfonyl]benzoate	60.0%
INERT INGREDIENTS:	40.0%
TOTAL:	100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

NOTIFICATION

APR 24 2009

Manufactured for:
Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

EPA Reg. No.: 66222-146

EPA Est. No.: XXXXXXXXXX

Net Contents: ___ OZ

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> • 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:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact PROSAR at 1-800-308-5391 for emergency medical treatment information.</p>	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, and clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
 - Shoes and socks
 - chemical-resistant gloves category A such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber.
- 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 CONTROL STATEMENTS:

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.

IMPORTANT: When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "Applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown.

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.

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 apply where runoff water may flow during periods of intense rainfall or to water-saturated soils, as off-target movement and injury may occur. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply this product through any type of irrigation system.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

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 4 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, shoes, socks and chemical-resistant gloves category A such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in 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. Do not enter treated areas without protective clothing until sprays have dried.

MSM Turf Herbicide is for use on Ornamental Turf, such as Lawns, Parks, Cemeteries, and Golf Courses (Fairways, Aprons, Tees and Roughs). This product may also be used on Sod Farms.

State Specific Restrictions:

The state of Arizona has not approved this product for use on agricultural sites. Do not use this product on uses considered by the Arizona statutes to be agricultural uses.

Controls the following perennial and annual weedy grasses:

- | | | |
|------------|---------|----------|
| Bahiagrass | Foxtail | Ryegrass |
|------------|---------|----------|

Controls the following broadleaf (dicot) weeds:

- | | | |
|-------------------|------------------------|--------------|
| Annual sowthistle | Henbit | |
| Aster | Hoary cress (whitetop) | |
| Bittercress | Kochia | cccc |
| Blue mustard | Lambsquarters | cccccc cccc |
| Buckhorn | Miners lettuce | ccccc |
| Bur buttercup | Pennsylvania smartweed | cccccc ccccc |
| Canada thistle | Plantain | cccc |
| Chicory | Prickly lettuce | cccccc |
| Clover (white) | Prostrate knotweed | cccccc |
| Common chickweed | Redroot pigweed | cccccc |

60f9

Controls the following broadleaf (dicot) weeds: (continued)

Common groundsel	Redstem filaree
Common mullein	Shepherdspurse
Common purslane	Smallseed flaxweed
Common sunflower	Smooth pigweed
Common yarrow	Spurge (prostrate)
Conical catchfly	Sweet clover
Cow cockle	Tansy mustard
Crown vetch	Treacle mustard
Curly dock	Tumble mustard
Dandelion	Virginia buttonweed
Dogfennel	Wild carrot
False chamomile	Wild celery
Fiddleneck tarweed	Wild lettuce
Field pennycress	Wild mustard
Flixweed	Wild onion
Goldenrod	Woodsorrel (oxalis)

For use only on Kentucky Bluegrass, Fine Fescue, Bermudagrass and St. Augustinegrass turf areas.

USE PRECAUTIONS

Use lowest rates for minimum chlorosis of the turf.

Do not apply MSM Turf Herbicide to turf under stress from drought, insects, disease, cold temperatures, high temperatures of above 85° F on cool season grasses, or poor fertility as injury may result.

Do not apply to turf less than 1 year old.

Do not use on Bahiagrass where it is the desired turf, as severe injury may result.

Do not plant ornamentals such as shrubs and trees in treated areas for at least 1 year after the last application, or bedding plants for at least 2 years.

The state of Arizona has not approved this product for use on sod farms (an agricultural use). This product may not be used in Arizona for any other uses considered by the Arizona statutes to be agricultural uses.

IMPORTANT

Addition of a nonionic surfactant of at least 80% active ingredient at 0.25 percent by volume (1 qt./100 gal.) provides maximum performance, but may temporarily increase chlorosis of the turf.

When an adjuvant is to be used with this product, Makhteshim Agan of North America, Inc. suggests the use of a Chemical Producers and Distributors Association certified adjuvant.

Allow one week between the application of MSM Turf Herbicide and other pesticide products. (This guideline can be relaxed where severe insect or disease attack requires immediate treatment).

DO NOT USE ON FOOD OR FEED CROPS. Injury to or loss of desirable trees or other plants may result from failure to observe the following: Do not apply MSM Turf Herbicide (except as recommended) or drain or flush equipment on or near desirable trees or other plants, or on areas where their roots may extend or in locations where the chemical may be washed or moved into contact with their roots.

When overseeding, wait 2 months (8 weeks) after application. Do not apply to any body of water, including streams, irrigation water or wells. Do not apply where runoff water may flow onto agricultural land, as injury to crops may result.

Do not allow spray drift onto adjacent crops or other desirable plants or trees as injury may occur.

Follow these practices to minimize drift:

- Stop spraying if wind speed becomes excessive. Spray drift can occur at wind speeds less than 10 mph. If sensitive plants are downwind, extreme caution must be used. Do not spray if winds are gusty.
- High temperatures, drought and low relative humidity increase the possibility of harmful spray drift. Caution must be used when these conditions are present and sensitive plants are nearby.
- Use large droplet size sprays to minimize drift.
- Use spray pressures of 35 psi or less when applying this product.

HOW TO USE

Use spray volumes of 20 to 80 gal./acre and pressures of 25 to 35 psi at the following rates of MSM Turf Herbicide from the weeds listed below:

0.125 TO 0.25 OZ. PRODUCT/ACRE

Ryegrass (greens)

0.25 TO 0.33 OZ. PRODUCT/ACRE

- | | |
|---------------------|-------------------|
| Bittercress | Field pennycress |
| Blue mustard | Ground ivy (Fall) |
| Bur buttercup | Parsley-piert |
| Chickweed | Prostrate spurge |
| Chicory | Redstem filaree |
| Clover (white) | Spurweed |
| Creeping beggarweed | Wild carrot |
| Dandelion | |

0.33 TO 0.5 OZ. PRODUCT/ACRE

- | | |
|----------------------|---------------------|
| Annual sowthistle | Ryegrass (fairways) |
| Aster | Seedling dogfennel |
| Carolina geranium | Shepherdspurse |
| Common yarrow | Smooth pigweed |
| Crown vetch | Smallseed falseflax |
| Florida betony | Sweet clover |
| Ground ivy (Spring*) | Tansy mustard |
| Henbit | Treacle mustard |
| Lambsquarters | Tumble mustard |
| Lespedeza | Wild celery |
| Miners lettuce | Wild garlic |
| Plantain | Wild lettuce |
| Prickly lettuce | Wild onion |
| Ragweed | Woodsorrel (oxalis) |
| Redroot pigweed | |

0.25 TO 0.75 OZ. PRODUCT/ACRE

Bahiagrass*

0.5 TO 1 OZ. PRODUCT/ACRE

- | | |
|-------------------|------------------------|
| Brazil pusley | Florida pusley |
| Buckhorn plantain | Foxtail |
| Canada thistle** | Hoary cress (whitetop) |
| Curly dock | Kochia |
| Common groundsel | Pennsylvania smartweed |
| Common purslane | Plantain |
| Common sunflower | Prostrate knotweed |
| Crabgrass | Sida (southern) |
| Dogfennel | Virginia buttonweed*** |
| Dollarweed* | Wild mustard |

* A repeat application may be required in 4 to 6 weeks.

** Suppression only involving a visual reduction in competition compared to an untreated area.

*** Controls seedling Virginia buttonweed. Suppression only of more mature plants. Repeat application may be required in 4 to 6 weeks.

The required amount of MSM Turf Herbicide should be added when the spray tank is half full of water and, with agitator running, add the proper amount of product. Finish adding the required amount of water. Continuous agitation is required to keep the product in suspension.

Spray preparations of this product may degrade in acid solutions if not used in 24 hours; it is stable in alkaline solutions. Thoroughly re-agitate before using.

Tank mixes with other registered herbicides should be tested for compatibility before full scale mixing. Use mechanical or bypass agitation to thoroughly mix the spray suspension. It is not necessary to premix this product with water in a separate container prior to adding it to the spray tank. This product should always be added to the tank first, before any other herbicides or adjuvants.

Kentucky Bluegrass and Fine Fescue: Apply 0.25 to 0.5 oz. of MSM Turf Herbicide per acre for control of the listed weeds. Do not exceed a total of 0.5 oz. per acre within a 9-month period.

St. Augustinegrass, Bermudagrass and Zoysiagrass (Meyers and Emerald): Apply 0.25 to 1.0 oz. of MSM Turf Herbicide per acre for weed control. Some chlorosis or stunting of the turfgrass may occur following application.

Bahiagrass Control: For the selective control of Bahiagrass in Bermudagrass turf, use 0.25 to 0.75 oz. of MSM Turf Herbicide per acre. Use the higher rates of the range on Argentine, Common and Paraguayan Bahiagrass. Apply a repeat treatment in 4 to 6 weeks if necessary. Some chlorosis or stunting of the Bermudagrass may occur following the application.

Centipedegrass: Apply 0.25 to 0.5 oz. of this product per acre for weed control. Some chlorosis or stunting of the turfgrass may occur following the application.

IMPORTANT: Addition of a nonionic surfactant of at least 80% active ingredient at 0.25 percent by volume (1 qt./100 gal.) provides maximum performance, but may temporarily increase chlorosis of the turf.

Allow one week between the application of MSM Turf Herbicide and other pesticide products. (This guideline can be relaxed where a severe insect or disease attack requires immediate treatment.)

RECOMMENDED SPRAYER CLEANUP

Immediately after spraying, thoroughly remove all traces of MSM Turf Herbicide from mixing and spray equipment as follows:

- 1) Drain tank, rinse interior surface of tank, then flush tank, boom and hoses with clean water for a minimum of 5 minutes.
- 2) Fill the tank with clean water, then add an ammonia cleaning solution. Use one gallon ammonia (containing 3% active) per 100 gallons of water. Turn on sprayer long enough to flush through boom, hoses and nozzles. Stop spraying, but keep agitator working in the tank for 15 minutes, then drain.
- 3) Repeat Step 2.
- 4) Repeat Step 1.
- 5) Nozzles and screens should then be removed and cleaned separately. To remove traces of cleaning solution, rinse the tank thoroughly with clean water and flush through hoses and boom.
- 6) Flush boom and hoses with clean water for 5 minutes just prior to using the sprayer for the first time after the MSM Turf Herbicide application.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Do not store near open containers of fertilizers, seeds, or other pesticides. Do not contaminate water, food or feed by storage or disposal.

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

CONTAINER HANDLING:

Nonrefillable Container (flexible-bag-all weights): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or reconditioning; or puncture and dispose of in a sanitary landfill, by incineration, or by burning, if allowed by State and local authorities. If burned, stay out of smoke.

Nonrefillable Container (rigid-fifty lbs. or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container 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 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. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or by burning, if allowed by State and local authorities. If burned, stay out of smoke.

Nonrefillable Container (rigid-greater than fifty lbs.): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container 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

