

69204-1

05-07-2010

1/4



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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Stacy S Hartis  
Topaz Turf Corp  
C/O Adams Technology Systems  
5145 Forest Run Trace – Suite B  
Alpharetta, GA 30022-4504

MAY 7 2010

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 February 9, 2010 for:

**EPA Registration 69204-1                      TK-10**

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,

A decorative horizontal line with a slight curve, used as a placeholder for a signature.

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



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 **Amendment**  
 Other

OPP Identifier Number  
 298670

**Application for Pesticide - Section I**

1. Company/Product Number 69204-1	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TK-10	PM# PM-25	
5. Name and Address of Applicant (Include ZIP Code) Topaz Turf Corp c/o Adams Technology Systems 5145 Forest Run Trace - Suite B Alpharetta GA 30022-4504 <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. _____ Product Name _____	

**Section - II**

Amendment - Explain below.  Final printed labels in response to Agency letter dated \_\_\_\_\_

Resubmission in response to Agency letter dated \_\_\_\_\_  "Me Too" Application.

Notification - Explain below.  Other - Explain below.

**NOTIFICATION**  
MAY - 7 2010

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

\*This Notification is consistent with the guidance in PR Notice 2007-4 and the 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 USC Sec. 1001 to willfully make any false statement 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:

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	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input 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  
 Label  Container

4. Size(s) Retail Container  
1 oz - 5 gals

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product  
 Lithograph  Paper glued  Stenciled  Other \_\_\_\_\_

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Stacy S Hartis	Title Agent	Telephone No. (Include Area Code) 770-751-1073
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**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 both under applicable law.

2. Signature 	3. Title Agent	6. Date Application Received (Stamped)
4. Typed Name Stacy S Hartis	5. Date 02/09/2010	

# ADAMS TECHNOLOGY SYSTEMS

5145 FOREST RUN TRACE - SUITE B • ALPHARETTA GA 30022-4504  
(770) 751-1073 • FAX (770) 751-1173  
E-MAIL: AdamsTech@att.net

February 9, 2010

Mr. Jim Tompkins, PM-25  
Document Processing Desk (AMEND)  
U.S. EPA - Office of Pesticide Programs - 7505C/P  
Ariel Rios Bldg.  
1200 Pennsylvania Avenue, NW  
Washington DC 20460

**RE: TK-10  
EPA Reg. No. 69204-1**

**Subject: Label Amendment PR Notice 2007-4**

Dear Mr. Tompkins:

On behalf of our client, **Topaz Turf**, we are submitting an application for Amendment to update the label to comply with PR Notice 2007-4. Enclosed you will find:

- 1. EPA Application for Pesticide (EPA Form 8570-1)
- 2. Two (2) copy of the revised label.

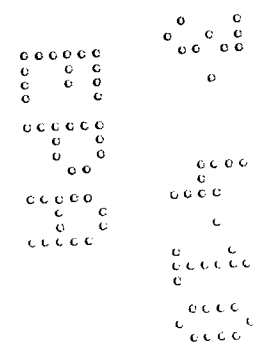
We are specifically requesting that we receive an EPA Stamped Accepted Label so that our files may be updated to reflect this current amended label.

Should you have any questions, please do not hesitate to contact me. I may be reached in our North Carolina office at E-mail: [ATS-NC@nc.rr.com](mailto:ATS-NC@nc.rr.com) or (919) 848-8872.

Sincerely,  
**ADAMS TECHNOLOGY SYSTEMS**



Stacy S. Hartis  
Senior Regulatory Affairs Specialist



#### FIRST AID

Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center (NPIC) 1-800-858-7378 for emergency medical treatment information.

**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.

**IF SWALLOWED:** Call a poison control center or doctor immediately for treatment advice. Do not give any liquid to person. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person. **IF ON SKIN OR CLOTHING:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. **IF INHALED:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. **NOTE TO PHYSICIAN:** If swallowed, lavage stomach, taking care to avoid aspiration of stomach contents into lungs.

#### PRECAUTIONARY STATEMENTS

##### Hazards to Humans and Domestic Animals

**WARNING:** Causes substantial but temporary eye injury. Do not get in eyes. Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin or clothing. Avoid breathing vapor or spray mist. Wear safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

##### PERSONAL PROTECTIVE EQUIPMENT (PPE)

- Applicators and other handlers must wear chemical resistant gloves made of waterproof materials, long sleeved shirt and pants, protective eyewear, shoes and socks.
- Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### USER SAFETY RECOMMENDATIONS

- User should wash hands before eating, drinking, chewing gum, using tobacco or the toilet.
- User should remove gloves immediately if pesticide gets inside.
- User should remove gloves immediately after handling this product.
- Wash the outside of gloves before removing.

#### 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 disposing of equipment washwaters or rinsate. Do not use on slopes or in areas where runoff is likely to occur (apply only to level surfaces). Do not contaminate water used for irrigation and domestic purposes. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply this product only as specified on the label.

#### PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill, or store near heat or open flame.

#### GENERAL INFORMATION

For total weed control on certain areas around the home, the business or workplace where no plant growth is desired, use as specified in label directions. Controls bindweed, common mullein and other hard-to-kill weeds. **Prevents plant growth for up to one year.**

This product is a nonselective product intended for use after dilution with water, or an appropriate oil, or other approved carrier. For best results, apply to bare ground or when weed growth is just starting. Weeds taller than 4-6 inches should be hoed before treatment or it may be necessary to make a second application. A second application may be necessary to control deep rooted perennial weeds. Use for bare ground vegetation control in driveways, brick walks, paths, patios, parking areas, play areas, along fences and curbs, around buildings and under graveled pathways where plant growth has come through these surfaces.

**Important: Read the entire Directions for Use and the Conditions of Sale and Warranty before using this product.**

# TK-10

## Liquid Vegetation Killer

### FOR TOTAL VEGETATION CONTROL

#### ACTIVE INGREDIENT:

Prometon: 2,4-bis (isopropylamino)-6-methoxy-s-triazine ..... 3.75%

INERT INGREDIENTS\*: ..... 96.25%

TOTAL: 100.00%

\* Contains Petroleum Distillates

Contains 3.75% Prometon Per Gallon

### KEEP OUT OF REACH OF CHILDREN

## WARNING

See side panel for additional precautionary statements.

NET CONTENTS: 5 GALLONS (18.93 L)

EPA Reg No. 69204-1

EPA Est. 69204-NY-1

**Important: Read the entire Directions for Use and the Conditions of Sale and Warranty before using this product.**

MANUFACTURED BY

## TOPAZ TURF CORP.

130 CORPORATE DRIVE • HOLTSVILLE, NY 11742

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not enter or allow others or pets to enter the treated area until sprays have dried. Do not allow people or pets to touch treated plants until the sprays have dried. 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.

Do not allow dust to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals. Apply only when wind speed is not more than 10 mph. For sprays, apply largest size droplets possible.

For control of annual and susceptible perennial weeds such as downy brome grass, oatgrass, quackgrass, puncturevine, goldenrod and plantain. To cover 100 square feet, add 10-16 fluid ounces by use of a sprinkling can or other watering or spraying device in sufficient water to get good coverage of the area (e.g. 2 1/2 gallons in sprinkling can). For control of hard-to-kill perennial broadleaf and grass weeds such as bindweed and johnsongrass, as well as the biennials common mullein and wild carrot, use 16-21 1/2 fluid ounces in sufficient water to get good coverage. Different grades of mineral oils, diesel fuel, petroleum-based oil, fuel oil or kerosene may be substituted for water. When using sprinkling can, triple rinse and pour rinsate on area treated once application is completed. Mix only the quantity needed and use immediately. Do not store dilute solution once container is opened. To minimize lateral movement, sprinkle lightly with a watering can or similar sprinkler device immediately after application.

**PRECAUTIONS:** (1) Apply when air is calm to avoid the possibility of drift onto desired plants or grass. (2) Keep away from the roots of desirable plants and trees. (3) Use only in areas where complete control of all vegetation is desired. (4) This product should not be used on cultivated areas, on ground that is to be cultivated, in greenhouses or near the drip line of trees or shrubs. (5) Do not use on slopes or in areas where runoff is likely to occur (apply only to level surfaces). (6) Avoid using where adjacent desirable trees, shrubs, or plants may be injured from leaching of the chemical through the soil. (7) Keep children and animals off treated areas until these areas are dry.

#### STORAGE AND DISPOSAL

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

**Pesticide Storage:** Store in a cool, dry place (inaccessible to children and pets) away from heat or open flame. **Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**Container Disposal: 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.

#### Conditions of Sale and Warranty

The Directions for Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Topaz Turf Corp. or the Seller. All such risks shall be assumed by the Buyer. Topaz Turf Corp. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks referred to above. Topaz Turf Corp. makes no other express or implied warranty of Fitness of Merchantability or any other express or implied warranty. In no case shall Topaz Turf Corp. or the Seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. Topaz Turf Corp. and the Seller offer this product, and the Buyer and user accept it, subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of Topaz Turf Corp.

ESL090507 REV050310