

70506-51

5/14/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms. Rebecca A. Clemmer  
Regulatory Manager  
United Phosphorus, Inc.  
630 Freedom Business Center, Suite 402  
King of Prussia, PA 19406

MAY 14 2009

RE: Notifications to Update Three (3) Labels for the Company and Emergency Contact  
information and Warranty Statements  
EPA Registration Number: 70506-51  
EPA Registration Number: 70506-52  
EPA Registration Number: 70506-55  
Date of Submission: March 17, 2009

Dear Mrs. Clemmer:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated for the product, March 17, 2009, for the products, Turf Fertilizer Contains Surflan 1.0%, Turf Fertilizer with Surflan 0.75% and Turf Fertilizer Contains Gallery plus Surflan. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

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

Sincerely,


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

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

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Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 5-31-98

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

**Application for Pesticide - Section I**

1. Company/Product Number 70506-51	2. EPA Product Manager J. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) United Phosphorus, Inc/Turf Fertilizer Contains Surflan 1.0%	PM # 23	
5. Name and Address of Applicant (Include ZIP Code) United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406  <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 <u>MAY 14 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.)


Update company contact information and warranty.

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:					
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	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
<b>*Certification must be submitted</b>		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of label directions <input type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product	
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 Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Rebecca A. Clemmer		Title Regulatory Manager	
		Telephone No. (Include Area Code) 610-491-2828	
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law		6. Date Application Received (Stamped)	
2. Signature 		3. Title Regulatory Manager	
4. Typed Name Rebecca A. Clemmer		5. Date March 17, 2009	



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**United Phosphorus, Inc.**

630 Freedom Business Center  
Suite 402  
King of Prussia, PA 19406  
(610) 491-2828 (phone)  
(610) 491-2810 (fax)

Rebecca A. Clemmer  
Regulatory Manager

March 17, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (H7504P)  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave., N.W.  
Washington, D.C., 20460

Re: Notification of Updates to Three Labels

To Whom It May Concern:

Enclosed please find the information in support of a Notification to the labels for:

Turf Fertilizer Contains Surflan 1.0%, EPA Reg. No. 70506-51  
Turf Fertilizer Contains Surflan 0.75%, EPA Reg. No. 70506-52  
Turf Fertilizer Contains Gallery plus Surflan, EPA Reg. No. 70506-55

We have updated the company and emergency contact information, and the warranty statement.  
In support, enclosed please find the following items for each product:

- EPA Form 8570-1
- One copy of each label, marked to show changes.

Please contact me if you have any questions.

Very truly yours,

Rebecca A. Clemmer  
rebecca.clemmer@uniphos.com

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## Turf Fertilizer - Contains Surflan® 1.0%

A balanced turf fertilizer containing Surflan, a selective preemergence herbicide for control of certain broadleaf weeds and most annual grasses in established southern turfgrass. For use on the following established southern turfgrasses:

Bahiagrass	Bermudagrass
Centipedegrass	St. Augustinegrass
Tall Fescue	Zoysiagrass

**Active Ingredient:**

oryzalin: 3,5-dinitro-N <sup>4</sup> ,N <sup>4</sup> -	
dipropylsulfanilamide .....	1%
Inert Ingredients .....	99%
Total Ingredients .....	100%

### NOTIFICATION

MAY 14 2009

Contains 0.5 lb of active ingredient per 50 lb bag

Guaranteed Fertilizer Analysis	
Total Nitrogen (N) .....	18%
Available Phosphoric Acid (P <sub>2</sub> O <sub>5</sub> ) .....	5%
Soluble Potash (K <sub>2</sub> O) .....	9%

**Keep Out of Reach of Children**

## CAUTION

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

**Notice:** Read the entire label. Use only according to label directions. Before buying this product, read the Conditions of Sale and Limitation of Warranty and Liability elsewhere on this label.

For emergency medical assistance, call the national Pesticide Information Center 1-800-858-7378. For chemical emergency: spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

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

EPA Reg. No. 70506-51  
EPA Est. No.

United Phosphorus, Inc.  
630 Freedom Business Center  
King of Prussia, PA 19406 • www.upi-usa.com

**Herbicide**

**Net Weight - \_\_\_\_\_ lb**

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### Precautionary Statements

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Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

## CAUTION

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing immediately if pesticide gets inside.

### Environmental Hazards

This product is toxic to fish. 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 washwaters. Cover and incorporate spills.

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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 carefully before applying.

### Storage and Disposal

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

**Pesticide Storage:** Store in original container. Protect stored product from moisture. In case of leak or spill, contain material and dispose as waste.

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

**Container Disposal:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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### General Information

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This balanced turf fertilizer product contains Surflan, a selective preemergence herbicide for control of certain broadleaf weeds and most annual grasses in established southern turfgrass. This product is recommended on the following established southern turfgrass species:

Bahiagrass	Bermudagrass	Centipedegrass
St. Augustinegrass	Tall Fescue	Zoysiagrass

This product may be used on home lawns, lawns of apartment and condominium complexes, cemeteries, parks, golf courses, athletic fields, and other recreational areas.

### General Use Precautions and Restrictions

- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.
- Do not graze or feed forage from treated areas to livestock.
- Do not aerially apply this product.
- This product does not control established weeds. Existing weeds may be controlled with postemergence herbicides.
- This product must be watered in as soon as possible after application to dissolve the granules. A single rainfall or irrigation of 1/2 inches or more is required after product application. Except for those people involved in the watering, do not enter or allow people (or pets) to enter the treated areas until the watering is complete and the grass is dry.

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- Surflan may injure turf that is in a weakened condition due to winter climatic conditions or is not well established. Apply only to healthy established southern turf.
- Do not apply this product in the spring and summer to tall fescue turfgrass seeded the previous fall.
- Do not apply in the spring to Bermudagrass which has been overseeded with winter annual grasses since thinning will occur.
- Do not use on newly sprigged or hydromulched areas of Bermudagrass, St. Augustinegrass, Centipedegrass or Zoysiagrass until turf is well established.
- Do not apply to bentgrass or golf course putting greens.
- Do not apply to dichondra turf.
- Any cultural practices that disturb the soil, such as aerification or verticutting, should be done prior to application of this product.
- Do not overdose or overlap in such a way as to overdose because turf injury may occur.
- **Minimum Time Between Applications:** Except as recommended in specific use instructions, the minimum time between applications is 90 days.
- **Maximum Use Rate:** Do not apply more than a total of 600 lb per acre (200 lb per 14,500 sq ft) per year.

**Reseeding Treated Areas:** Delay reseeding for 90 to 120 days after application. Seeding results may be improved by increasing the seeding rate and use of precision planting equipment. Employ cultural practices optimum for seed germination and establishment.

## **Weeds Controlled**

### **Summer Annual Weeds**

#### **Grass Weeds**

barnyardgrass

crabgrass

(large crabgrass)

(smooth crabgrass)

crowfootgrass

foxtails

(bottlegrass)

(bristlegrass)

(giant foxtail)

(green foxtail)

(pigeongrass)

(robust foxtail)

(yellow foxtail)

goosegrass

(silver crabgrass)

johnsongrass (seedling only)

ryegrass, annual (Italian)

sandbur, field

#### **Broadleaf Weeds**

carpetweed

knotweed, prostrate

purslane, common

## Winter Annual Weeds

### Grass Weeds

bluegrass, annual  
henbit

### Broadleaf Weeds

chickweed, common

### Weeds Suppressed or Partially Controlled:

groundsel, common  
spurge, prostrate  
woodsorrel, yellow

## Application Instructions

### When to Apply

Apply only to healthy established turf 1 to 2 weeks prior to expected germination time of target weed species. Annual weeds germinate from fall through early summer with peak germination occurring in fall and after spring warm-up. For optimum control, application should be timed to occur just before periods of peak germination. If applied too early or too late, erratic weed control will result. Refer to the following "Application Timing Chart" to determine ideal times for different weed germination periods.

### Application Timing Chart

JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
////////	////////	-----	-----	-----	-----	-----	-----1.	////////	////////	////////	////////
2.////	////////	////////	////---	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	---3.	////////	////////	-----	-----	-----	-----	-----	-----

1. Fall application to control annual bluegrass and winter annuals.
2. Winter/early spring application to control crabgrass and other grasses and broadleaf weeds germinating in late winter and early spring.
3. Late spring/early summer application to control goosegrass and other late germinating annual grasses and broadleaf weeds.

## Annual Bluegrass and Winter Annual Weed Control

For control of annual bluegrass (*Poa annua*) and winter annual broadleaf weeds and grasses which begin to germinate in the fall.

### Application Rates and Timing

Apply in late summer or early fall just prior to the expected germination period for annual bluegrass and winter annual weeds at a rate of 50 pounds per 14,500 sq ft of turf area (1.5 pounds active ingredient per acre). See No. 1 in "Application Timing Chart" section, above.

For extended weed control or where germination is expected to occur into mid winter, a second application at a rate of 50 pounds per 14,500 sq ft can be made 8 to 10 weeks after the initial application.

## Spring Annual Weed Control

For control of weeds which germinate in late winter or early spring.

### Application Rates and Timing

Apply from January through mid April prior to the onset of conditions favorable for weed germination. Apply at a rate of 50 pounds per 11,000 sq ft (2.0 pounds active ingredient per acre). See No. 2 in "Application Timing Chart" section above.

**For Extended Weed Control:** See section on "Spilt Applications For Extended Weed Control". Use a split application where fescue is the dominant turfgrass species.

### **Summer Annual Weed Control**

**Late spring and early summer annual weed control in southern turfgrasses.**

Although classified as a summer annual grass, goosegrass normally germinates 4 to 6 weeks later than crabgrass. Foxtails and other summer annual grass species, certain broadleaf weeds such as prostrate and spotted spurge also germinate "late". For best results in controlling late germinating summer annuals, applications may be made up to 4 weeks later than for early germinating summer annuals. See No. 3 in "Application Timing Chart" section above.

#### **Application Rates and Timing**

Apply in late spring or early summer to control summer annual weeds or late germinating summer annual species, respectively. Apply at a rate of 50 pounds per 11,000 sq ft of turf area (2 pounds active ingredient per acre) 1 to 2 weeks before the expected time of weed seed germination.

### **Split Applications for Extended Weed Control**

**For control of annual grasses and broadleaf weeds which germinate over an extended period of time and prevention of injury to sensitive turfgrass species.**

A split application is desirable when the initial application is made well in advance of weed germination and **where weed control is desired for a longer period of time - 6 to 8 months**. It is specially recommended where tall fescue is the dominant turfgrass species.

#### **Application Rates and Timing**

Apply at a rate of 50 pounds per 14,500 sq ft of turf area (1.5 pounds active ingredient per acre). Make a second application at the same rate (50 pounds per 14,500 sq ft) 8 to 10 weeks after the initial application.

### **Equipment and Application Techniques**

Apply this product using a drop or rotary-type spreader designed to apply granular fertilizer. Calibrate application equipment prior to use according to equipment manufacturer's directions. Check frequently to be sure equipment is operating properly and distributing uniformly. Avoid use of spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control or crop injury may occur. More uniform application may be achieved by spreading half of the required amount of product over the area and then applying the remaining half in swaths at right angles to the first. A splash board mounted below the release point of drop-type spreaders can improve the uniformity of product distribution.

#### **IMPORTANT INFORMATION READ BEFORE USING PRODUCT**

##### **CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.



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The Directions for Use of this product reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UNITED PHOSPHORUS, INC. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.**

To the extent consistent with applicable law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

United Phosphorus, Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of United Phosphorus, Inc.

Surflan is a registered trademark of United Phosphorus, Inc.

EPA-Accepted 12/21/05

**NOTIFICATION**

MAY 14 2009