

70506-51

12/18/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 18 2009

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

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated October 14, 2009 for:

EPA Registration 70506-51 Turf Fertilizer Contains Surflan 1%

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10, and finds that the label change(s) requested falls within the scope of PRN 2007-4 and 98-10. 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 call 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

Please read instructions on reverse before completing form

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

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
	<input type="checkbox"/> Amendment	
	<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 Surfian 1%	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 _____	

Section - II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION DEC 1 8 2009
<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 and 2001-5 and company information updates. This notification is consistent with the guidance in PRN 2007-4 and 2001-5 and the requirements of EPA's regulations at 40CFR§§156.10, 156.140, 156.144, 156.146, 156.156. No other changes have been made to the labeling or the CSF 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 sections above, 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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*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 lb		5. Location of label directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph <input checked="" 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.)			6. Date Application Received (Stamped)
Name Rebecca A. Clemmer	Title Regulatory Manager	Telephone No. (Include Area Code) 610-491-2828	
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		2. Signature 	
3. Title Regulatory Manager	4. Typed Name Rebecca A. Clemmer	5. Date Oct. 14, 2009	

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 ⁴ ,N ⁴ -dipropylsulfanilamide	1%
Inert-Other Ingredients	99%
Total Ingredients	100%

NOTIFICATION
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Contains 0.5 lb of active ingredient per 50 lb bag

Guaranteed Fertilizer Analysis	
Total Nitrogen (N)	18%
Available Phosphoric Acid (P ₂ O ₅)	5%
Soluble Potash (K ₂ 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 Rocky Mountain Poison Control Center at 1-866-673-6671. 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

Precautionary Statements

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.

Directions for Use

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: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or 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.

General Information

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.
- 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 "Split 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.

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.

Rev. 10/14/09