

70506-107

3/19/2010

1 of 14



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

MAR 19 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4, 98-10 and 2001-5

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, 98-10 and 2001-5 and dated January 13, 2010 for:

EPA Registration 70506-107

PoaConstrictor

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4, 98-10, and 2001-5 and finds that the label change(s) requested falls within the scope of PRN 2007-4, 98-10 and 2001-5. 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,


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

20114

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 70506-107	2. EPA Product Manager Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) United Phosphorus, Inc/PoaConstrictor Herbicide	PM # 25	
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 MAR 19 2010
<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 PR 98-10 and PR 2001-5. This notification is consistent with the guidance in PRN 2007-4 and PRN 98-10 and the requirements of EPA's regulations at 40CFR§152.46, 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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container			4. Size(s) Retail Container 2.5 gallons, 250 gallons		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 type="checkbox"/> Lithograph	<input type="checkbox"/> Other _____	
			<input checked="" type="checkbox"/> Paper glued		
			<input type="checkbox"/> Stenciled		

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
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 Manager	
4. Typed Name Rebecca A. Clemmer	5. Date March 4, 2010	

30A14



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

January 13, 2010

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: Notifications – multiple products

To Whom It May Concern:

United Phosphorus is submitting multiple labels with Notifications. See the list below.

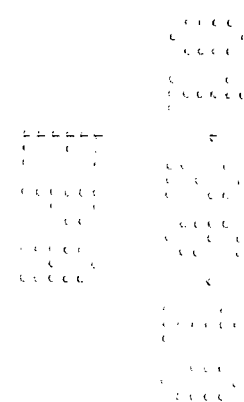
Surflan AS MUP	70506-48	PR 2007-4; PR 98-10
Metri Tech	70506-62	PR 2007-4; PR 98-10
Etho Tech	70506-105	PR 2007-4; PR 98-10
Oryzalin Technical	70506-41	PR 2007-4
PoaConstrictor	70506-107	PR 2007-4; PR 98-10; PR 2001-5
Bifenthrin Technical	70506-18	PR 2007-4; PR 98-10

For each product, enclosed please find: one copy of the label marked to show changes, and EPA Form 8570-1.

Please contact me if you have any questions.

Very truly yours,

Rebecca A. Clemmer
rebecca.clemmer@uniphos.com



40 of 14

GROUP	16	HERBICIDE
-------	----	-----------

POA CONSTRUCTOR

Herbicide

NOTIFICATION

NOT FOR USE ON COMMERCIAL SOD FARMS IN ARIZONA
SUSPENSION CONCENTRATE HERBICIDE

MAR 19 2010

Selective Herbicide For Use By Professional Applicators On Ornamental Turf Only

ACTIVE INGREDIENTS:

Ethofumesate: (2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate)* 42%

OTHER INGREDIENTS: 58%

TOTAL: 100%

*This product contains 4 lbs. active ingredient per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

For 24-Hour Emergency Contact, call CHEMTREC (1-800-424-9300)

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • 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 inhaled:	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for further treatment advice.
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.
HOT LINE NUMBER	
<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 <u>The Rocky Mountain Poison Control Center</u> at 1-800-424-9300/66-673-6671 for emergency medical treatment information.</p>	

United Phosphorus, Inc.
630 Freedom Business Center
King of Prussia, PA 19406

EPA Reg. No. 70506-107
EPA Est. No. 37429-GA-1

Net Contents: 2.5 Gallons

1-800-438-6071 • www.upi-usa.com

5014

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
CAUTION

Harmful if swallowed or inhaled. Avoid breathing vapor or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes and 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 Statement

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.
- Remove clothing immediately, if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below mean high water mark. Do not apply when wind conditions may cause spray drift from the application site. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not graze livestock on treated turf. Do not feed treated grass clippings to livestock. Read entire Use Precautions, Directions for Use, and Warranty Disclaimer before using this product.

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 in your State responsible for pesticide regulation.

SHAKE CONTAINER WELL BEFORE USING

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 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
- Shoes and socks
- Chemical-resistant gloves made of any waterproof material

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.

Keep unprotected persons out of treated area until sprays have dried.

GENERAL INFORMATION

POACONSTRICATOR is a herbicide intended for use on ornamental turf such as golf courses, sod farms, parks, cemeteries and homeowner or commercial lawns, and after overseeding specific grasses. It may be used on established perennial ryegrass, Kentucky bluegrass, creeping bentgrass, turf-type tall fescue, St. Augustinegrass, and dormant bermudagrass for the control and/or suppression of the annual grasses and broadleaf weeds listed in the tables below. POACONSTRICATOR is for professional use only. .

POACONSTRICATOR has both preemergent and early (two-leaf stage) postemergent activity and works best in programs emphasizing both approaches. POACONSTRICATOR application is most effective on healthy, vigorously growing turf.

WEED SPECIES CONTROLLED

PREEMERGENCE

Annual Grasses

- Barnyardgrass (*Echinochloa crus-galli*)
- Bluegrass, annual (*Poa annua*)
- Canarygrass (*Phalaris canariensis*)
- Crabgrass, large (*Digitaria sanguinalis*)
- Crabgrass, smooth (*Digitaria ischaemum*)
- Foxtail, green (*Setaria viridis*)
- Foxtail, yellow (*Setaria glauca*)

Annual Broadleaves

- Burclover (*Medicago* sp.)
- Chickweed, common (*Stellaria media*)
- Purslane, common (*Portulaca oleracea*)
- Pigweed, redroot (*Amaranthus retroflexus*)

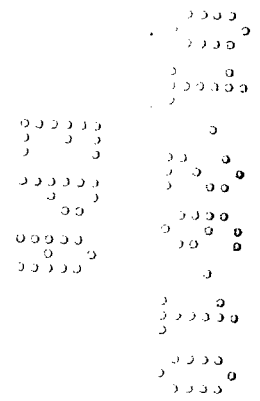
POACONSTRICATOR will also reduce competition from:

- Nutsedge, purple (*Cyperus rotundus*)
- Nutsedge, yellow (*Cyperus esculentus*)

POSTEMERGENCE

Annual Grasses

- Bluegrass, annual (*Poa annua*)



70914

Annual Broadleaves

- Chickweed, common (*Stellaria media*)
- Clover, white (*Trifolium repens*)

PREEMERGENCE/EARLY POSTEMERGENCE

Annual Grasses

- Crabgrass, large (*Digitaria sanguinalis*)
- Crabgrass, smooth (*Digitaria ischaemum*)

USE PRECAUTIONS

- POACONSTRUCTOR is not intended for use by homeowners and should be applied to homeowner lawns by licensed or certified applicators.
- **DO NOT OVERAPPLY POACONSTRUCTOR.** Follow the instructions in this label or damage to non-target turf may result.
- Spray overlap can cause turf injury due to over application. Use of a spray colorant or indicator is recommended so that spray overlap can be avoided.
- Do not apply with hand-held or flood jet nozzles because treatments may not be uniform.
- Do not apply this product through any type of irrigation system.
- When using POACONSTRUCTOR, overseed to prevent stand thinning as a result of loss of annual bluegrass loss. Use the rate of POACONSTRUCTOR recommended for the overseeded species when overseeding. In mixed stands of established turfgrasses, use the rate recommended for the *least* tolerant species.
- Delay application of POACONSTRUCTOR at least 8 weeks after application of a Plant Growth Regulator, although a POACONSTRUCTOR program may be initiated on creeping bentgrass 3 weeks after a single application of PRIMO* has been applied.
- Do not apply POACONSTRUCTOR to putting greens.
- Do not apply POACONSTRUCTOR to zoysiagrass and hard or fine fescue to avoid serious injury.

Spray Equipment, Application, and Precautions

Use standard, low-pressure (20 to 50 psi) spray equipment to apply POACONSTRUCTOR. Calibrate spray equipment prior to use and frequently check the equipment during application. Use a spray indicator to aid in even application. Prior to and after applying POACONSTRUCTOR, thoroughly clean and rinse the spray tank and line.

Varietal Tolerance

Ethofumesate (the active ingredient in POACONSTRUCTOR) has been used on the following turfgrass cultivars. However, POACONSTRUCTOR can be used on other cultivars. Prior to large-scale use of POACONSTRUCTOR on cultivars other than listed below, test a small area for tolerance.

- **CREEPING BENTGRASS**—The following cultivars have shown good to excellent tolerance to POACONSTRUCTOR: Carmen, Cobra, Highland, Lopez, Mariner, National, Penncross, Providence, Putter, Southshore, SR1020, and Viper.

Injury has been occasionally noted on Emerald, Penneagle, and Penlinks cultivars,

POACONSTRUCTOR may cause serious injury to Cohansey, Colonial, south German varieties, Egmont, Bardot, Tracenta, Allure, Astoria, and SR7100.

- **DORMANT BERMUDAGRASS**—Tifgreen, Tidwarf and Common bermudagrass are more susceptible to POACONSTRUCTOR than hybrid bermudagrass.

KENTUCKY BLUEGRASS—Adelphi, American, Aspen, Asset, Challenger, Classic, Emundi, Huntsville, Georgetown, Glade, Haga, Julic, Liberty, Merit, Midnight, Monopoly, Mystic, Parade, Rugby, Sydspport, Touchdown. NOTE: DO NOT APPLY to Explorer, Limousine, Northstar, RAIN I and Total Eclipse.

- **PERENNIAL RYEGRASS**—Acclaim, Blazer, Dasker, Derby, Elka, Fiesta, Goalie, Hunter, Linn, Loretta, Manhattan II, Palmer, Pennfine, Regal, Yorktown
- **ST. AUGUSTINEGRASS**—Raleigh
- **TURF-TYPE FALL FESCUE**—America, Arid, Mustang

General Recommendations

- For fall control of annual bluegrass, begin applications of POACONSTRUCTOR during the period of maximum weed germination and end as close to the first killing freeze as possible.
- Spring applications should be made during the period of maximum weed germination. Consult your weed science specialist or university extension service for the recommended application timing in your area. Spring applications are most effective following fall applications.

SEE CHART BELOW FOR USE RATES AND TIMINGS AND READ TEXT BELOW FOR SPECIFIC RECOMMENDATIONS FOR EACH TYPE OF GRASS.

Recommended Rates and Timings

Turf Type	Primary Targets	Application Timing	Use Rate ¹			Application Interval (Days)	Overseeding Safety Interval ³ (Weeks After Treatment)	Application Safety Interval ⁴ (Weeks After Emergence)
			Oz/Acre	Oz/1000 Sq. Ft.	# of Apps			
Creeping Bentgrass	Annual Bluegrass	Fall	24	9/16	2-3	21-28	4	4
		Spring ²	24	9/16	1-2	21-28		
Kentucky Bluegrass	Annual Bluegrass	Fall	24	9/16	2-3	21-28	6	8
Ryegrass	Annual Bluegrass	Fall	32-64	¾ - 1½	2-3	21-28	1-2	1-2
		Spring ²			1-2	21-28		
St. Augustinegrass (Est. Turf)	Bermudagrass Suppression	Spring	48-64	1 1/8 – 2¼	2-3	21-28	NA	NA
Turf-Type Tall Fescue	Annual Bluegrass	Fall	24-48	¾ - 1½	2-3	21-28	0	2-3
Overseeded (ryegrass) Bermudagrass:								
Dormant Bermudagrass	Annual Bluegrass	Fall	24-64	9/16 – 1½	2-3	21-28	NA	NA
Nondormant Bermudagrass	Annual Bluegrass	Fall	32-36	¾ - 7/8	2	21-28	NA	NA

NA - Not applicable.

¹Apply POACONSTRUCTOR in 20 to 60 gallons of water per acre or 1 to 3 gallons of water per 1000 sq. ft.

²Only make spring applications after previous fall treatments.

³After the last treatment of POACONSTRUCTOR, the interval provided applies to overseeding of the specific grass on same type of grass to which POACONSTRUCTOR was applied.

POACONSTRUCTOR may be applied to specific grass following seed emergence after the recommended time interval.

RECOMMENDATIONS FOR SPECIFIC GRASS TYPES

COOL SEASON TURFGRASSES

Creeping Bentgrass

POACONSTRUCTOR may be applied to bentgrass as long as the turf is at a length typically found on fairways (or longer). When applying to bentgrass, use the following guidelines.

- Avoid using POACONSTRICTOR in areas that are heavily shaded and / or poorly drained.
- Creeping bentgrass tolerance to POACONSTRICTOR may be improved by tank mixing POACONSTRICTOR with nitrogen fertilizer (controlled release or soluble) at a rate of 0.1 to 0.25 lb N per 10,000 ft². This may also improve creeping bentgrass conversion in the areas treated.
- Control of annual bluegrass is best achieved by making two applications of POACONSTRICTOR; one in the fall followed by one in the spring.
- POACONSTRICTOR works best in the spring if applied after creeping bentgrass has resumed active growth and is fully green.

When overseeding with creeping bentgrass, use the following guidelines:

- After applying POACONSTRICTOR, wait a minimum of 3 – 4 weeks before overseeding with bentgrass.
- When an area has been renovated or overseeded with bentgrass, do not apply POACONSTRICTOR until 3 – 4 weeks after seedling emergence.

Kentucky Bluegrass

- Delay application of POACONSTRICTOR to bluegrass until at least 8 weeks after emergence.
- Bluegrass overseeded with ryegrass may be treated with POACONSTRICTOR 1 – 2 weeks after ryegrass emergence.

When overseeding with Kentucky Bluegrass use the following guidelines:

- Wait at least six weeks after the last POACONSTRICTOR application before reseeding with Kentucky bluegrass.
- Note that sod quality during the spring may be diminished following fall applications of POACONSTRICTOR. Alternatives to fall application of POACONSTRICTOR include seeding with dormant bluegrass in the late fall or to delay reseeding until the spring.

Perennial Ryegrass

Control of annual bluegrass in perennial ryegrass is easiest when it is newly emerged, and application of POACONSTRICTOR is made during the primary period of annual bluegrass germination (and up to 30 days after annual bluegrass emergence) in the fall and/or spring. Consult your local Extension Service or university weed specialist for the date(s) that annual bluegrass germinates in your area.

- For best results, apply POACONSTRICTOR in both the fall and spring.
- Application in the fall or spring will also reduce competition from selected broadleaf weeds and crabgrass.

When overseeding with perennial ryegrass, use the following guidelines:

- Wait 1 – 2 weeks (or until the seedlings are approximately 1” tall) before applying POACONSTRICTOR to the seeded area.
- To the extent possible, thatch should be removed from the area being seeded as it can diminish the effectiveness of the POACONSTRICTOR treatment.
- Do not apply mulch or straw to the seeded areas until after POACONSTRICTOR has been applied.

Turf-Type Tall Fescue

Make POACONSTRICTOR applications to turf-type tall fescue in the fall. If overseeding with turf-type tall fescue, application of POACONSTRICTOR may be done at the same time as seeding.

WARM SEASON TURFGRASSES

St. Augustinegrass (Established Turf)

POACONSTRUCTOR suppresses the development of actively growing Bermudagrass in established St. Augustine sod. Apply POACONSTRUCTOR Herbicide to St. Augustinegrass in the spring and early summer to suppress bermudagrass and Bermudagrass seedhead formation and/or for control of annual bluegrass.

Notes regarding applications to St. Augustinegrass:

- **Do not** treat St. Augustinegrass in the first six months after germination.
- **Do not** treat St. Augustinegrass that is under stress or injury to the turf may result.
- Temporary stunting and minor discoloration of St. Augustinegrass may occur after application. If the St. Augustinegrass shows signs of severe yellowing or stunting, discontinue applications.

Use the following guidelines when applying POACONSTRUCTOR to St. Augustinegrass:

- Begin POACONSTRUCTOR applications when Bermudagrass first breaks dormancy in the spring. Application timing is critical to achieve optimum results and will vary depending on location and temperature.
- For best results, make multiple applications of POACONSTRUCTOR with the second application being made 21 – 28 days after the first application.
- A third application made 21 – 28 days after the second application may be necessary for maximum suppression of bermudagrass or annual bluegrass.
- To improve suppression, each application of POACONSTRUCTOR may be tank-mixed with (Atrazine at up to 2 lb ai/A for first application and 0.75 lb - 1 lb ai/A triazine for second or third application).

Overseeded Dormant Bermudagrass

Notes regarding applications to Bermudagrass:

- **Do not make** more than two applications of POACONSTRUCTOR when treating nondormant bermudagrass. Treatment to turf that is not fully dormant may cause early injury and/or delayed spring green-up.
- Application of POACONSTRUCTOR to bermudagrass that is stressed due to shade, poorly drained soils, and high traffic may result in increased turf injury. Avoid use of POACONSTRUCTOR or use lower rates under these conditions.

Use the following guidelines when applying POACONSTRUCTOR to Bermudagrass:

- To control annual bluegrass, make applications of POACONSTRUCTOR in late fall (ideally 1 – 2 weeks after emergence of overseeded perennial ryegrass) on overseeded bermudagrass.
- When POACONSTRUCTOR is applied in late November or early December, applications of 32 - 36 oz. per acre have shown acceptable control of annual bluegrass with minimum injury to nondormant (or predormant) bermudagrass. If lower rates are used, reduced annual bluegrass control should be expected. If higher rates are used, increased injury to Bermudagrass may occur.
- One or two supplemental applications made through the winter (at 21 - 28 day intervals) may assist in controlling annual bluegrass.
- POACONSTRUCTOR should not be applied to Bermudagrass in the 4 weeks prior to breaking winter dormancy. Applications made to Bermudagrass in the 4 weeks prior to breaking dormancy may temporarily delay the normal start of active growth.

When overseeding bermudagrass, use the following guidelines:

- Common bermudagrass in fairways or roughs may be more susceptible to herbicide injury than hybrid bermudagrass.

- When making applications to nondormant bermudagrass, POACONSTRUCTOR should be kept within areas that are overseeded so that the ryegrass will mask any early injury or late transition in the spring that may occur.
- Using a higher than normal seeding rate may be desirable in order to minimize the appearance of thin turf.

POACONSTRUCTOR Mixtures with Fertilizers

POACONSTRUCTOR Impregnation on Dry Bulk Fertilizers

POACONSTRUCTOR may be impregnated on many dry bulk fertilizers (See "1" below.) and applied for the control of labeled grasses and broadleaf weeds. All POACONSTRUCTOR label and supplementary literature instructions and precautions regarding rates per acre, soil type, application, and other directions must be followed. All individual State regulations relating to dry bulk fertilizer blending, registration, labeling and application are the responsibility of the individual and/or company selling the POACONSTRUCTOR fertilizer mixtures. A minimum of 200 pounds and a maximum of 700 pounds of approved fertilizer ingredients impregnated with the appropriate amount of POACONSTRUCTOR must be applied per acre. For impregnating the pesticide on dry fertilizers, use a closed rotary drum type mixer equipped with suitable spraying equipment. The spray nozzles should be positioned inside of the mixer to provide uniform spray coverage of the tumbling fertilizer. The POACONSTRUCTOR should be sprayed uniformly onto the fertilizer using a fine spray pattern.

The physical properties of fertilizers vary, particularly in liquid absorptive capacity. When absorptivity is sufficient, simple spray impregnation of the fertilizer with POACONSTRUCTOR provides a satisfactory dry mixture. If the absorptivity is not adequate, use of a highly absorptive powder is required to provide a dry, free-flowing mixture. Microcel E (Johns-Manville Products Corporation) is the recommended absorbent powder. It should be added separately and uniformly to the prepared pesticide/fertilizer mixture in a quantity that is sufficient to provide a suitably free-flowing mixture. Generally, less than 2% by weight of Microcel E is required.

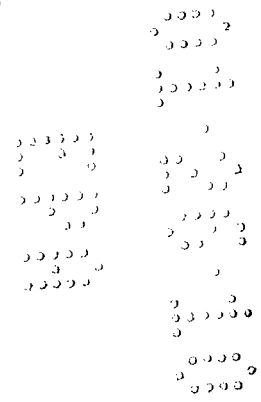
The amount of POACONSTRUCTOR actually required in the formulation of specific fertilizer mixtures should be calibrated carefully for each production operation. This is necessary to ensure that the amount of POACONSTRUCTOR actually contained in the fertilizer mixture applied to the soil represents the correct dosage rate.

Bulk fertilizers impregnated with POACONSTRUCTOR should be applied immediately, NOT STORED.

1. Approved dry fertilizer ingredients for use with POACONSTRUCTOR

POACONSTRUCTOR Impregnation on Dry Bulk Fertilizers

	N	P	K
Ammonium nitrate	34	0	0
Ammonium sulfate	21	0	0
Ammonium phosphate-sulfate	16	20	0
Diammonium phosphate	18	46	0
Monammonium phosphate	11	56	0
Potassium chloride	0	0	60
Potassium sulfate	0	0	52
Single superphosphate	0	20	0
Triple superphosphate	0	46	0
Urea	45	0	0



POACONSTRUCTOR Physical Data	
Density	1.14 g/cm ³
Pounds/gallon	9.50
Flashpoint	Non-combustible

POACONSTRUCTOR with Liquid Fertilizer

The following procedure is suggested for evaluation of physical compatibility of POACONSTRUCTOR Herbicide in mixtures with liquid fertilizers for spray tank applications.

Material Required

1. POACONSTRUCTOR - components of tank sizes if intended for use
2. Liquid fertilizer to be used
3. Adjuvant for fertilizer tank mix: Compex* or E-Z Mix**
4. Two (or more) one quart, wide mouth containers with lids or stoppers
5. Measuring spoons (25 ml pipette or graduated cylinder provides more accurate measurement)
6. Measuring cup, 8 fl. oz. (237 ml)

*Compex, Kalo Laboratories, Inc., Kansas City, MO

**E-Z Mix, United Agri-Products, Greeley, CO

Procedure

1. Pour one pint (473 ml) of the liquid fertilizer into each of the quart containers.
2. Add adjuvant(s) to one or more of the containers and mix; follow label directions of adjuvant.
3. Add the POACONSTRUCTOR and tank mix components to the containers (see rate table below).
4. Close the containers with lids or stoppers and mix contents by inverting the containers ten times.
5. Inspect the surface and body of mixture:
 - a. immediately after mixing,
 - b. after allowing mixtures to stand quietly for 30 minutes,
 - c. immediately after mixing again (invert the containers ten more times).

If uniform mixture does not occur, the spray tank mixture should not be used. If any of the mixtures remain uniform for 30 minutes, that mixture may be used in spray tank applications. Should any of the mixtures separate after 30 minutes but remix readily into a uniform mixture with inversion of the container, the mixture may be used provided that the adequate agitation is maintained in the spray tank. If a POACONSTRUCTOR + fertilizer mixture utilizing an adjuvant is satisfactory, but the one without adjuvant is not, be sure to use the adjuvant in the spray tank at the rate recommended on the label which was used in the test.

If non-dispersible oil, sludge, or clumps of solids form in the mixtures, those combinations should not be used for spray tank application.

**Rate Table for POACONSTRUCTOR
Mixtures with Liquid Fertilizers**

Gal. of Liquid Fertilizer to be applied per acre	ml or tsp of POACONSTRUCTOR to be added to 1 pint of fertilizer	
	ml	tsp
20	17.6	3.6
30	12.0	2.4
40	9.0	1.9
50	7.1	1.5
60	6.0	1.2

*Based on field rate of 3.0 lb. ai/acre (3/4 gal/acre) in the fertilizer volumes indicated. Adjust amount of POACONSTRUCTOR added proportionately to correspond with intended field use rate recommended on POACONSTRUCTOR label. Add the proportionate amount of tank mix component.

STORAGE AND DISPOSAL

Storage: Protect POACONSTRUCTOR from freezing temperatures.

Pesticide Disposal: Do not contaminate water, food, or feed by storage or disposal. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of

Federal law. If these wastes cannot be disposed 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. Clean container promptly after emptying.

[Containers less than 5 gallons] 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 ¼ 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. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

[For containers larger than 5 gallons] Triple rinse or pressure rinse as follows:

Triple rinse: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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: 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 flow begins to drip.

Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities

Container Disposal: Triple-rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

DO NOT REUSE EMPTY CONTAINER

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 Limitations of Remedies.~~

WARRANTY DISCLAIMER

~~AgValue Etho, LLC 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. AgValue Etho, LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.~~

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 AgValue Etho, LLC or the seller. All such risks shall be assumed by buyer.~~

LIMITATION OF REMEDIES

~~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 AgValue Etho, LLC'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~~

~~AgValue Etho, LLC shall not be liable for losses or damages resulting from handling or use of this product unless AgValue Etho, LLC is promptly notified of such loss or damage in writing. In no case shall AgValue Etho, LLC be liable for consequential, incidental or special damages or losses.~~

~~The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of AgValue Etho, LLC or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner. Buyer accepts this product subject to the foregoing limitations of warranty and of liability.~~

~~AgValue Etho, LLC of Visalia, California 93291~~

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.

3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3
3 3 3 3 3