

538-33

03/27/2009

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAR 27 2009

Janelle Restum
The Scotts Company
14111 Scottslawn Rd.
Marysville, OH 43041

Dear Ms. Restum:

Subject: Label Amendment for RED: 2,4-D
Scotts Proturf 36-0-0 Fertilizer Plus Dicot Weed Control
EPA Registration Number 538-33

The product referred to above is in compliance with 2,4-D RED and is amended under the RED provided that you:

1. Under Hazards to Humans and Domestic Animals, add the statement "Wear long sleeved shirt, long pants, shoes and socks." Also under this section, delete the statement "Wash hands and exposed skin with soap and water after handling."

2. Per the RED, the PPE section must be revised to read:

"Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves."

Note: Eyewear is not required but may remain on the label.

3. Per the 2,4-D RED label table, the text in **bold type** below must be added to the following User Safety Requirements:

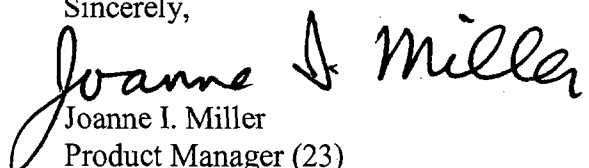
"...If no such instructions for washables **exist**, use detergent and hot water..."

4. The text in bold type must be added to the User Safety Recommendation text currently on the label:

"User should remove clothing/**PPE** immediately if pesticide gets inside."

5. The text "except as noted on appropriate labels" must be deleted from the second sentence of the Environmental Hazards section.
6. Per the Dicamba RED, the early entry PPE must be revised to read:
 - Coveralls worn over shirt-sleeve shirt and short pants,
 - Chemical-resistant footwear plus socks,
 - Chemical-resistant gloves made of any waterproof material,
 - Chemical-resistant headgear for overhead exposure,
 - Protective eyewear."
7. Per the RED, the text "Do not allow people (other than the applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried or dusts have settled" appearing in the Non-Agricultural Use Requirements box must be revised to read "Do not enter or allow people (or pets) to enter the treated area until dusts have settled."
8. The homeowner storage and disposal text appearing on Page 2 of the label must be deleted for this occupational use product.
9. The homeowner storage and disposal text appearing on Page 2 of the label must be deleted for this occupational use product. Also, under Storage and Disposal, change the first bullet to "Pesticide Storage".
10. Please note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.
11. Add the following statements to the labeling: Use of this product in certain portions of California, Oregon and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, C01-0132C, (W.D. WA). For further information, please refer to EPA Web Site: <http://www.epa.gov/espp>.

One copy of the label stamped "Accepted with Comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Tracy White by phone at (703) 308-0042 or via email at white.tracy@epa.gov.

Sincerely,

 Joanne I. Miller
 Product Manager (23)
 Herbicide Branch
 Registration Division (7505P)

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EPA 538-33

FRONT:

Scotts ProTurf 36-0-0 Fertilizer Plus Dicot Weed Control

EPA Reg No 538-33

(Scotts®)
ProTurf®
BRAND

XX-XX-XX
Fertilizer Plus
Dicot Weed
Control III

- provides postemergence dicot weed control
- provides controlled release nitrogen feeding

Net Weight XX.XX lb. (XX.XX kg)

KEEP OUT OF REACH OF CHILDREN
CAUTION
PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash hands and exposed skin with soap and water after handling.

First Aid

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye.

Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling poison control center or doctor, or going for treatment.

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Personal Protective Equipment

Applicators and other handlers must wear protective eyewear, waterproof gloves, long-sleeved shirt, long pants, socks and shoes.

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. After each day of use, clothing or PPE must not be reused until it has been cleaned.

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 the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Engineering Controls Statements:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handlers PPE requirements may be reduced or modified in the WPS.

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

Storage and Disposal

STORAGE: Reseal opened bag by folding top down and securing.

DISPOSAL: If Empty: Do not reuse this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

ACTIVE INGREDIENT:

2,4-Dichlorophenoxyacetic acid	1.37 %
Dicamba: 3,6-dichloro-o-anisic acid	0.45 %

OTHER INGREDIENTS:.....	98.18%
Total	100.00 %

ACCEPTED
with COMMENTS
in EPA Letter Dated

MAR 27 2009

Under the Federal Insecticide,
Fungicide, and Herbicide Act
as amended, for the pesticide
registered under EPA Reg. No.

538-33

EPA Reg No 538-33

EPA Est 538-OH-1

Scotts ProTurf 36-0-0 Fertilizer Plus Dicot Weed Control XX-X-X

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Guaranteed Analysis

Total nitrogen (N).....	XX %
XX % ammoniacal nitrogen	
XX % urea, methylene ureas nitrogen	
XX % water insoluble nitrogen	
Available phosphate (P ₂ O ₅).....	X %
Soluble potash (K ₂ O).....	X %

Derived from: ammonium phosphate, urea, methyleneurea, potassium sulfate.

Product of U.S.A.

Professional Business Group
The Scotts Company
14111 Scottslawn Rd.
Marysville, OH 43041

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Recommended for Use by Professional Turfgrass Managers

8609 XX-X-X
 Fertilizer Plus
 Dicot Weed
 Control III

GUSSETS:

8609	(Scotts®) ProTurf® BRAND	XX-X-X Fertilizer Plus Dicot Weed Control III
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BACK

Directions for use

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Workers Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 48 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, waterproof gloves, shoes plus socks, protective eyewear.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to use of this product that are not within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR part 170). The Worker Protection Standard applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried or dusts have settled.

ORNAMENTAL TURFGRASS USE

This product applies 1.5 pounds of 2,4-D per acre per application. The maximum number of broadcast applications per treatment site is two per year.

Not for use on golf course putting greens. Fertilizes grass and controls these rosette and vining type weeds:

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|---------------------------|---------------------|-------------------------|
| aster | English daisy | pigweed |
| bittercress | eveningprimrose | plantain |
| black medic | filaree | prickly lettuce |
| bristly oxtongue | fleabane | purslane |
| buckhorn | ground ivy | pussytoes |
| bull thistle | hawkweed | ragweed |
| burclover | healall | scarlet pimpernel |
| buttonweed | henbit | shadflower (whitlowort) |
| carpetweed | horseweed | shepherdspurse |
| catsear (coast dandelion) | knotweed (seedling) | smartweed |
| chickweed | lambsquarter | sowthistle |
| chicory | lippia (matchweed) | stitchwort |
| cinquefoil | mallow | threeseeded mercury |
| clover (white) | moneywort | thymeleaf sandwort |
| cudweed | morningglory | vetch |
| curly dock | mustard | yellow rocket |
| dandelion | pennywort | yellow toadflax |
| dichondra | pepperweed | |

For use on ornamental Turfgrass areas other than putting greens.

Apply to moist foliage at the RECOMMENDED RATE or for better distribution when using a rotary spreader, apply at the HALF RATE with a reduced width of coverage (see spreader settings). Apply when weeds are growing actively. Grass should not be so tall it touches the bottom of the spreader.

Rain, sprinkling, mowing, or heavy traffic within 24 hours after application can knock granules off weeds and may reduce effectiveness. Apply under non-windy conditions, thereby reducing drift to non-target areas, and optimizing particle distribution for good weed control. Retreating may be necessary, but wait at least 3 weeks to observe full results of first application.

Precautions

Avoid application when daytime temperatures are consistently 90°F or above.

Do not over apply, especially under the branch spread of trees and shrubs.

On new grass plantings delay application until after the fourth mowing.

Delay planting grass seed until after a heavy rain or watering and not sooner than 1 month after application.

Not for use on creeping bentgrass, St. Augustinegrass, carpetgrass, dichondra, ground covers, garden plants, flowers and shrubs.

Do not apply to centipedegrass turf in the Spring before March 15 (or before the danger of frost has passed), or after September. Do not apply to bahiagrass before March 15 or after November 1.

Storage and disposal

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

STORAGE: Store in a clean, dry place. Reseal opened bag by folding top down and securing.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal law and may contaminate groundwater. If these wastes can not be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

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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Suggested Spreader Settings

To provide proper distribution calibrate spreader before application.

This bag treats XX ft² (½ acre) at RECOMMENDED RATE
This bag treats XX ft² (½ acre) at HALF RATE and HALF WIDTH.**

SPREADER	GROUND OR PTO SPEED	WIDTH OF COVERAGE	RECOMMENDED RATE	HALF RATE/ HALF WIDTH**
Scotts Drop Type	3 mph	overlap wheels	X	X
Gandy - 30"	3 mph	overlap wheels	X	X
Scotts Rotaries*				
R-7, R-7X	3 mph	XX ft.	X	X
R-8, R-8A (cone 8)	3 mph	XX ft.	X	X
Lely models (see below)	4.5 mph	XX ft.	X	X

* Use discharge hole cover #13030 (already attached to the PT-10 and PT-11 models). For the R-7X model use with adjustable pattern slide ¼ closed.

** At the HALF RATE setting, apply at coverage width of 3 ½ feet for Scotts rotaries and 9 feet for the Lely rotaries to achieve the overall RECOMMENDED RATE.

Lely models WTR, WFR, HR and 1250. PTO at 450 rpm.

Metric coverage: 28.1 kg treats 2044m² at the RECOMMENDED RATE.

NOTE TO EPA: This product applies 1.5 lbs of 2,4-D and 0.1 lbs of Dicamba/acre per application at normal rate.

IMPORTANT NOTICE: DISCLAIMER AND LIMITATION OF LIABILITY

This product has been researched to provide necessary data to support its uses listed on the label. The user should always follow the label directions and exercise his judgement and caution when using the product under his growing conditions. NO WARRANTY OR REPRESENTATION IS MADE, EXPRESS OR IMPLIED, CONCERNING THE RESULTS TO BE OBTAINED FROM THE USE OF THIS PRODUCT IF NOT USED IN ACCORDANCE WITH DIRECTIONS OR ESTABLISHED SAFE PRACTICE. The exclusive remedy of the user or Buyer, and the limit of liability of The Scotts Company or its affiliates, for any and all losses, injuries or damages resulting from the use or handling of this product shall be the purchase price paid by the user or Buyer for the quantity of this product involved. The Buyer and users are deemed to have accepted the terms of this Notice, which may be varied only by agreement in writing, signed by a duly authorized representative of The Scotts Company.

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