

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Mathew Granahan Product Registration Nufarm Americas, Inc., 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527

SEP 4 2009

SUBJECT:

Application for Pesticide Notification (PRN 98-10 and PRN 2007-4)

Request General Label Change (Marketing Claims and Warranty Statement)

EPA Reg. No.228-430

Application Dated June 19, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 06/19/2009 for the product 228-430. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and PRN 2007-4 and finds that the action(s) requested does not clearly fall within the scope of PRN 2007-4 and will require additional administrative review of the related files. A summary of our findings include:

The term "Superior" is too ambiguous and implies heightened efficacy. "Superior" also appears to describe both the pesticide and the fertilizer, which needs clarification.

Please be advised that PRNs are provided as guidance; they are not considered regulation by the Agency. Therefore, the RD reserves the right to make the above determination and concludes that this action must be submitted by you as an amendment. No further processing of this action will occur until a resubmission is made. The RD has determined that this action is denied and our records have been updated accordingly.

If you have any questions, please call Linda Arrington at 703-305-6249, or Joanne Miller at 703-305-6224.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

United Ste Environmental Prote Weshington, Di	ction Agency Am	istration OPP Identifier Number endment er
	······································	
1. Company/Product Number 228-430	2. EPA Product Manager Joanne Miller	3. Proposed Classification
4. Company/Product (Name) Riverdale Lazer Weed and Feed X-X-X - Formula Three	PM# 23	None Restricted
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 150 'Harvester Drive, Suite 200 Burr Ridge, IL-60527	1	cordance with FIFRA Section 3(c)(3) r identical in composition and labeling
Check if this is a new address	Product Name	
	Section - II	
Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below.	Final printed labels in re Agency letter dated "Me Too" Application. Other - Explain below.	NOTIFICATION SEP - 4 2009
Explanation: Use additional page(s) if necessary. (For s Label Notification per PR Notice 98-10, Section II. Amend provisions of PR notice 98-10 and EPA regulations at 40 statement of formula of this product. I understand that it is further understand that if this notification is not consistent FIFRA and I may be subject to enforcement action and page 15 of the product of the page 16 of the page 17 of the page 18 of the	ed labeling with label claims as highlighted. This CFR 152.46, and no other changes have been r a violation of 18 U.S.C. sec 1001 to willfully ma with the terms of PR Notice 98-10 and 40 CFR	made to the labeling or confidential ake any false statement to the EPA. I
	Section - III	
1. Material This Product Will Be Packaged In:		
Child-Resistant Packaging Yes No If "Yes" No. pe	Yes No	ype of Container Metal Plastic Glass Paper
* Certification must be submitted If "Yes" No. per Contain the Submitted No. per Contain No. p		Other (Specify)
3. Location of Net Contents Information 4. Sizela	Retail Container 5. Location	of Label Directions
Lebel Container		
6. Manner in Which Label is Affixed to Product	thograph Other aper glued tenciled	
	Section - IV	
1. Contact Point (Complete items directly below for identif	cation of individual to be contacted, if necessary	r, to process this application.)
Name / Title Registration Manager (630) 455-2048 (630)		Telephone No. (Include Area Code) (630), 455-2048 (
Cert I certify that the statements I have made on this form I acknowledge that any knowlingly false or misleadin both under applicable law.		
2. Signatur	3. тие Registration Manager	
4. Ayped Name	5. Date	
Matthew Granahan	06/19/09	1 1 1 1



Nufarm Americas Inc.

150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 Telephone: (630) 455.2000 Facsimile: (630) 455.2001 www.us.nufarm.com

June 19, 2009

Via Overnight Courier

U. S. Environmental Protection Agency (7504P)
Document Processing Desk (NOTIF)
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE:

Riverdale Lazer Weed and Feed X-X-X - Formula Three

EPA Reg. No. 228-430

Label Notification per PR 98-10

Dear Ms. Hobgood:

Nufarm Americas Inc. would like to add optional language to subject product's label. The proposed language is consistent with PR Notice 98-10, Section II (labeling notifications) Subsection N. We have added the following Optional Claims on the Residential Label: Superior® is a premium grade herbicide and turf food combination which controls a wide spectrum of broadleaf weeds while providing both fast and long feeding action. Superior® fertilizer is specifically blended to prepare turfgrass for winter dormancy. Superior® fertilizer will aid plants in developing root mass and increase root depth. Superior® fertilizer is impregnated with bio-kote to improve fertilizer efficiency - aiding plants in obtaining nutrients more effectively.

Additionally we have undertaken the activity of updating the warranty on and changed this product from a trademark to a registered trademark on both the Residential and Commercial labels

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling clean (1 copy)

If you should have any questions regarding this matter, please feel free to contact me at (630) 455-2048 or <u>matthewgranahan@us.nufarm.com</u>.

Sincerely

Matthew Granahan Registration Manager Nufarm Americas, Inc.

NOTIFICATION

(RESIDENTIAL LABEL)

SEP - 4 2009

Riverdale® LAZER® **WEED AND FEED X-X-X**

- FORMULA THREE

THIS PRODUCT IS A PREMIUM GRADE HERBICIDE AND TURF FOOD COMBINATION WHICH CONTROLS A WIDE SPECTRUM OF BROADLEAF WEEDS WHILE PROVIDING BOTH FAST AND LONG FEEDING ACTION. WEEDS CONTACTED BY THIS PRODUCT GRADUALLY DIE AND DISAPPEAR FROM THE LAWN.

TREATS (OR COVERS) 5,000 SQUARE FEET (50' X 100')

ACTIVE INGREDIENTS: Dimethylamine Salt of Mecoprop-p Acid**‡ 0.217%
Dicamba Acid*** 0.038% †CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p **GUARANTEED ANALYSIS:** X% Ammoniacal Nitrogen X% Urea Nitrogen Soluble Potash (K₂O) X% Primary Plant Foods derived (List Sources)
 Chlorine (CI) Maximum
 X%
 The urea nitrogen in this product has been coated to provide X% coated slow release urea nitrogen. Fertilizer guaranteed by (Name of Fertilizer registrant)

KEEP OUT OF REACH OF CHILDREN **CAUTION**

SEE BACK PANEL FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 228-430 EPA EST. NO. 228-IL-1

Manufactured For NUFARM AMERICAS INC. 150 Harvester Drive Burr Ridge, IL 60527



NET WEIGHT: 16 Lbs. (7.25 Kg)

000228-00430,20090619.EPA.N

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long pants, long-sleeved shirt, socks and shoes when applying this product. After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water; also before eating, drinking, chewing gum or using tobacco. The maximum number of broadcast applications per treatment site is 2 per year. Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until dust has settled.

	FIRST AID	
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15 to 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. 	
	HOT LINE NUMBER container or label with you when calling a poison control center or doctor, or going for treatment. tact 1-877-325-1840 for emergency medical treatment information.	

ENVIRONMENTAL HAZARDS

Drift or runoff may adversely affect nontarget plants. Do not apply directly to water. 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. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

This product is a stable mixture of three herbicides. It is for use on residential turf.

This product may be used on Bahia, common Bermuda, Blue Grass, Centipede, Fescue, Rye, St. Augustine, and Zoysia grass. DO NOT USE on Dichondra and Carpet grass. DO NOT USE this product where desirable clovers are present or allow the product to "wind drift" onto flowers, vegetables, ornamentals, shrubs, trees or other desirable plants.

WEEDS CONTROLLED

This product is designed to promote lush green growth in lawns and control many broadleaf weeds such as:

Alder	Broomweed	Common sowthistle	Galinsoga	Kochia
Annual yellow sweet	Buckhorn	Corn Chamomile	Garlic mustard	Knawel
clover	Buckhorn plantain	Creeping jenny	Goathead	Knotweed
Artichoke	Bulbous buttercup	Crimson clover	Goatsbeard	Lambsquarter
Aster	Bull nettle	Croton	Goldenrod	Lespedeza .
Austrian fieldcress	Bull thistle	Cudweed	Ground ivy	Locoweed
Bedstraw	Burdock	Curly dock	Gumweed	Lupine
Beggartick	Burning nettle	Curly indigo	Hairy bittercress	Mallow
Biden	Bur ragweed	Dandelion	Hairy fleabane	Marshelder
Bindweed .	Burweed	Dead nettle	Hawkweed	Matchweed
Bird vetch	Buttercup -	Dock	Healall	Mexicanweed
Bitterweed	Canada thistle	Dogbane	Heartleaf drymary	Milk vetch
Bitter wintercress	Carolina geranium	Dogfennel	Hedge bindweed	Milkweed bloodflower
Black-eyed Susan	Carpetweed	Elderberry	Hedge mustard	Mugwort
Black medic	Catchweed bedstraw	English daisy	Hemp	Morningglory
Black mustard	Catsear	Fall dandelion	Henbit	Mousear chickweed
Blackseed pantain	Catnip	False dandelion	Hoary cress	Musk thistle
Blackseed plantain	Chickweed	False flax	Hoary plantain	Mustard
Blessed thistle	Chicory	False sunflower	Hoary vervain	Narrowleaf plantain
Blue lettuce	Cinquefoil	Fiddleneck	Honeysuckle	Narrowleaf vetch
Blue vervain	Clover	Field bindweed	Hop clover	Nettle
Box elder	Cockle	Field pansy	Horsenettle	Orange hawkweed 🥫 🚼
Bracted plantain	Cocklebur	Flea bane (daisy)	Horsetail	Ovalis
Brassbuttons	Coffeebean	Flixweed	Indiana mallow	Oxeye daisy
Bristly oxtongue	Coffeeweed	Florida betony	Ironweed	الأدورة أأرار
Broadleaf dock	Common chickweed	Florida pusley	Jewelweed	(continuéd)
Broadleaf plantain	Common mullein	Frenchweed	Jimsonweed	
'		•		

This product is designed to promote lush green growth in lawns and control many broadleaf weeds such as (continued):

	p		,	(
Parsley-piert	Puncture vine	Sowthistle	Thistle	Wild garlic
Parsnip	Purslane	Spanishneedle	Tick trefoil	Wild geranium
Pearlwort	Ragweed	Spatterdock	Toadflax	Wild lettuce
Pennycress	Red clover	Speedwell	Trailing Crownvetch	Wild marigold
Pennywort	Redroot pigweed	Spiny	Tumble mustard	Wild onion
Peppergrass	Red sorrel	Spiny Amaranth	Tumble pigweed	Wild parsnip
Pepperweed	Redstem filaree	Spiny cocklebur	Tumbleweed	Wild radish
Pigweed	Rough cinquefoil	Spotted catsear	Velvet leaf	Wild rape
Pineywoods bedstraw	Rough fleabane	Spotted knapweed	Venice mallow	Wild strawberry
Plains coreopsis	Roundleafed marigold	Spotted spurge	Veronica	Wild sweet potato
Plantain	Rush	Spurge	Vervain	Wild vetch
Poison hemlock	Russian pigweed	Spurweed	Vetch	Willow
Poison ivy	Russian thistle	Stinging nettle	Virginia buttonweed	Witchweed
Poison oak	St. Johnswort	Stinkweed	Virginia creeper	Wooly morningglory
Pokeweed	Scarlet pimpernel	Stitchwort	Virginia pepperweed	Woodsorrel
Poorjoe	Scotch thistle	Strawberry clover	Wavyleaf bullthistle	Wooly croton
Povertyweed	Sheep sorrel	Sumac	Western clematis	Wooly plantain
Prairie	Shepherdspurse	Sunflower	Western salsify	Wormseed
Prickly lettuce	Slender plantain	Sweet clover	White clover	Yarrow
Prickly sida	Smallflower galinsoga	Tall nettle	White mustard	Yellow rocket
Primrose	Smartweed	Tall vervain	Wild mustard	Yellowflower
Prostrate knotweed	Smooth dock	Tansy mustard	Wild aster	pepperweed
Prostrate pigweed	Smooth pigweed	Tansy ragwort	Wild buckwheat	and other broadleaf
Prostrate spurge	Sneezeweed	Tanweed	Wild carrot	weeds.
Prostrate vervain	Southern wild rose	Tarweed	Wild four-o'-clock	

WHEN TO APPLY: Best results are obtained when weeds are growing actively in spring or early fall. Avoid contact with desirable shrubs, plants, vegetables, or flowers; especially when applying with a rotary (spinner) type spreader. Do not reseed for at least 3 to 4 weeks after application. Do not apply to newly seeded or sodded lawn until after 3 mowings. For optimum results (1) Avoid mowing 1 to 2 days before and after application; (2) Apply when grass is moist (after a rain, sprinkling or dew); (3) Avoid unnecessary disturbances, including water of treated areas for 48 hours after application. Watering will wash off weed killing material; and (4) Avoid applying if rainfall is expected within 48 hours following treatment. Possible retreatment in approximately 30 days may be necessary if lawn is heavily overrun with weeds or if adverse low moisture conditions prevail and weeds are in a state of poor growth. Do not exceed recommended rates because damage to turf may occur.

NOTE: When applying to Southern Grasses - under conditions of inadequate moisture, high temperature and high humidity, overapplication may cause minor transitory discoloration on Centipede and St. Augustinegrasses. It is recommended that during hot, dry conditions, application rates should be reduced 50% to avoid possible dehydration or browning of grass.

HOW TO APPLY: This 16 pound bag should be used on 5,000 square feet. Apply evenly with a lawn spreader as a one pass application. A two pass application, criss-crossing the area at half the rate each time is also acceptable.

The following settings are approximate for applying contents of this package at a suggested rate of 3.2 pounds per 1,000 square feet. These settings are furnished only as a guide. Age, spreader condition, operating speed, and unevenness of terrain can cause variation in applied rates. Settings are based on an average walking speed. Reduce setting for slower speed; raise setting for higher speed. Check your spreader on 250 square feet and adjust to apply at the rate of .8 pound per 250 square feet.

SPREADER SETTINGS

ONE PASS APPLICATION:	MAKE	<u>SETTING</u>
	Central Calibrated	5
	Cyclone Broadcast	3-3/4
	Jackson	5
	Sears Broadcast	3
	Sears	5
	Scotts Calibrated	4

Sweep (do not wash) all fertilizer materials from surfaces immediately after application, because certain fertilizer ingredients can cause permanent stains. Wash out spreader after each use and allow it to dry thoroughly. Treat any exposed metal spreader areas with oil to reduce corrosion.

(The following paragraph is mandatory in Kentucky when the nitrogen analysis does not provide 1 pound cf nitrogen/1,000 squaré feet; otherwise, this information is optional.)

A lawn typically will utilize 1 to 4 pounds of nitrogen per 1,000 square feet per growing season. When used as directed, this product will supplement your regular fertilizer program by providing *(No. of Ibs.) pounds of nitrogen per 1,000 square feet (oftional P2O5 and K2O levels) and herbicide to control listed weeds. Please consult your local extension office for questions regarding a regular fertilizer program.

*Based on Inert fertilizer claimed.

Environmental Benefits

(Grasscycling

Logo)

Besides increasing property values, did you know a well-maintained lawn provides the following benefits to your home and environment:

Grass clippings and yard waste are approximately 20% of ✓ A 50' x 50' lawn produces enough oxygen the volume in our nation's landfills. To do your part to for a family of 4 every day reduce this amount, leave grass clippings on your lawn. < Increased moving height and frequency will produce < smaller grass clippings that will decompose more readily so nutrients go back into your lawn.

- Reduces Glare & Reduces Noise Traps Dust, Smoke Particles & other Pollutants
- Purifies Water & Modifies Temperature
- ✓ Improves Soil Condition & Controls Erosion

STORAGE AND DISPOSAL

STORAGE: Always use original container to store pesticides and keep any bags containing unused product in a locked storage area inaccessible to children and domestic animals. To prevent cross-contamination, do not store near open containers of fertilizer, seed or other pesticides. Do not stack more than two pallets high.

DISPOSAL: If empty - Do not reuse this container. Place in trash or offer for recycling if available. If partly filled - If product cannot be used as directed (call) your local solid waste agency for disposal instructions. Never place unused product down any indoor (including toilet) or outdoor (including sewer) drain.

WARRANTY DISCLAIMER

(WARRANTY DISCEAIMER)

(The directions) (or use of this product must be followed garefully to the extent consistent with arrucable leaw, (1) the goods delivered to you are furnished; as is, by manufacturer or seller and (2) manufacturer and seller make no warranties; guarantees; or representations of any, kind to buyer or user, either expression implied, or by usage of trade statutory or otherwise, with regard to the product sold, including; but not limited to merchantability fitness for a particular purpose; use, or eligibility of the product for any particular trade usage, unintended consequences, including; but not limited to ineffectiveness; may result because of such factors as the presence of absence of other materials used in combination with the goods, or the manner of use or application, including weather, all or which are beyond the control of manufacturer or seller yand assumed by buyer; or user this writing contains all of the representations and agreements between buyer; manufacturer and seller, and no person or agreement of manufacturer and seller, and no person or agreement of manufacturer or seller way any authority. To make any representation or warranty or agreement releating in any any authority. To make any representation or

(LIMITATION OF LIABILITY)

(LIMITATION) OF LEABLE ITY)

TO THE EXTENTICONSISTENT WITH APPLICABLE LAW IN NO EVENT SHALL MANUFACTURE FOR SELECT BE LIABLE FOR SPECIAL INCIDENTAL FOR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THE IN NATURE OF PENALTIES RELATING) (TO THE IGOODS SOLD INCIDENTIAL DAMAGES, OR FOR DAMAGES IN THE INTURE OF PENALTIES RELATING) (TO THE IGOODS SOLD INCIDENTIAL DAMAGES OR SOLD INCIDENTIAL DAMAGES OR SOLD INCIDENTIAL DAMAGES OR SOLD INCIDENTIAL DAMAGES OR SOLD OF MONEY CLAIMS OR DEMANDS (WHATSOEVER, RESULTING FROM OR BY REASON OF TO THE IGOODS SOLD BY MANUFACTURE FOR SELLER TO BUYER THE GOODS SOLD BY MANUFACTURE FOR SELLER TO BUYER THE SUCH (RISKS SHALL BE ASSUMED) BY THE BUYER, USER OR TITS CUSTOMERS TO THE EXTENT CONSISTENT WITH APPLICABLE (LAW, BUYERS OR USER'S EXCLUSIVE HEADY, AND MANUFACTURE RISOR'S ELLER STOTAL LIFE BUTTY, SHALL BE FOR (DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT)

If you do not agree with or do not accept any of the directions for use, the warranty disclaimers, or limitations on liability do not use the product and return it unopened to the Seller, and the purchase price will be retunded.

(RV061909N)

Eazer/and Riverdale are Registered Trademarks of Nutarm Americas Inc.

OPTIONAL SPREADER INSTRUCTIONS:

(Illustration) For Drop Spreaders: First apply two strips at ends. Then apply product along the length of the lawn, overlapping very slightly and shutting off spreader when turning.

For Rotary Spreaders: Apply in a circular path, starting on the outside and working toward the center, overlapping very slightly.

The following note will not be part of the actual label copy.

NOTE: Guaranteed (fertilizer) Analysis and Spreader Settings will vary among various commercial fertilizer manufacturers. Chlorine declaration is optional except where mandated by State fertilizer regulation.

(OPTIONAL FERTILIZER CLAIMS:)

(Illustration)

"Superior® Is a premium grade herbicide and sturk food combination, which controls a wide spectrum of broadlean weeds, while (providing both last and long feeding action!)

Superior® fertilizer is specifically blended to prepare turfgrass for winter dormancy

Superior® fertilizer will aid plants in developing root mass and increase root depth.

Superior® fertilizer is impregnated with blo-kote to improve fertilizer efficiency aiding plants injobtaining numents more effectively."