

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

July 21, 2021

Catherine Rice Product Registration Manager FMC Corporation 2929 Walnut Street Philadelphia, PA 19104

Subject: Registration Review Label Mitigation for Bifenthrin

Product Name: TALSTAR 0.096 GRANULAR INSECTICIDE WITH

FERTILIZER

EPA Registration Number: 279-3445

Application Date: 3/24/2021 Decision Number: 572559

Dear Ms. Rice:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Bifenthrin Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

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If you have any questions about this letter, please contact DeMariah Koger by phone at (703)-347-0425, or via email at koger.demariah@epa.gov.

Sincerely,

Linda Arrington, Branch Chief

Risk Management and Implementation Branch 4

Pesticide Re-Evaluation Division

Office of Pesticide Programs

Enclosure

RESTRICTED USE PESTICIDE

Toxic to Fish and Aquatic Organisms

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

Talstar®

0.096 Granular Insecticide with Fertilizer

For use to control listed pests on turf, golf courses, outdoor ornamentals and herbs. [For use as a Quarantine Treatment against Imported Fire Ants and for Balled and Containerized Nursery Stocks.]

EPA Reg. No. 279-3445	EPA Est. No
Active Ingredient: Bifenthrin* Other Ingredients: Total	
*Cis isomers 97% minimum, trans isomers 3	% maximum.
Guaranteed Analysis XX-X-XX Total Nitrogen (N)XX.XX% Urea Nitrogen*	XX.XX%
Soluble Potash (K ₂ O)	
X.XX % Combined Sulfur (S) Iron (Fe) Total X.XX % Soluble Iron (Fe)	
Derived From: Poly Coated Sulfur Coated Sulfate of Potash, Iron Sucrate. Chlorine (CI) Max	,
* XX.XX % Slowly Available Urea Nitrogen Polymer Coated Sulfur Coated Urea.	

KEEP OUT OF REACH OF CHILDREN CAUTION

See [other panels][booklet][back] for additional precautionary information.

[Do not use this product on golf courses [or sod farms] in Nassau or Suffolk counties, New York.]



FMC Corporation 2929 Walnut Street Philadelphia PA 19104

Net Weight:

[50 lb. Covers from 7,500 to 15,000 SQ.FT.] [XX lb. Covers from X,XXX to XXXX SQ.FT.]

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ACCEPTED

Jul 21, 2021

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under

EPA Reg. No. 279-3445

FIRST AID			
If on skin	 Take off contaminated clothing. 		
or	 Rinse skin immediately with plenty of water of 15-20 minutes 		
clothing	 Call a poison control center or doctor for treatment advice 		
MEDICAL HOTLINE NUMBER			
Have the product container or label with you when calling a poison control center or doctor, or			

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-(800)-331-3148 for Emergency Assistance.

NOTE TO PHYSICIAN

This product is a pyrethroid. If large amounts have been ingested, milk, cream or other digestible fats and oils may increase absorption and so should be avoided.

For Technical Support or information regarding the use of this product, call 1-800-321-1FMC (1362).

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing.

Personal Protective Equipment:

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.

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.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas.

DIRECTIONS FOR USE Restricted Use Product

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

For [both indoor and] outdoor use only.

Do not apply by air.

For soil or foliar application, do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farms ponds.

Do not apply the product into fish pools, ponds, streams or lakes. Do not apply directly to sewers or storm drains, or to any area like a drain or gutter where drainage to sewers, storm drains, water bodies or aquatic habitat can occur.

Do not allow product to enter any drain during or after application.

Do not apply directly to impervious horizontal surfaces such as sidewalks driveways and patios. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

Do not make applications during rain.

Do not irrigate to the point of runoff.

Do not apply when the wind speed is greater than 15 mph.

Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

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 (PPE), and restricted-entry intervals. 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) or 12 hour. <u>Exception</u>: If the product is soil incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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

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 requirement specific to your State or Tribe, consult the State/Tribal agency responsible for pesticide regulation.

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 Standards for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries and greenhouses.

If watering-in of the granules is necessary, do not allow people or pets on treated areas until the grass or soil is dry.

Do not touch treated surface until dry.

Resistance Management: Talstar® 0.096 Granular Insecticide with Fertilizer contains a Group 3A Insecticide. Any insect population may contain individuals naturally resistant to Talstar® 0.096 Granular Insecticide with Fertilizer and other Group 3A insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay insecticide resistance, take the following steps:

- Rotate the use of this product or other Group 3A insecticides within a growing season, or among growing seasons, with different groups that control the same pests.
- Use tank mixtures with insecticides from a different group that are equally effective on the target pest when such use is permitted. Do not rely on the same mixture repeatedly for the same pest population. Consider any know cross-resistance issues (for the targeted pests) between the individual components of a mixture. In addition, consider the following recommendations provided by the Insecticide Resistance Action Committee (RAC):
 - Individual insecticides selected for use in mixtures should be highly effective and be applied at the rates at which they are individually registered for use against the target species.
 - Mixtures with components having the same IRAC mode of action classification are not recommended for insect resistance management.
 - When using mixtures, consider any known cross-resistance issues between the individual components for the targeted pest(s).
 - Mixtures become less effective if resistance is already developing to one or both active ingredients, but they may still provide pest management benefits.
 - The insect resistance management benefits of an insecticide mixture are greatest if the two components have similar periods of residual insecticidal activity. Mixtures of insecticides with unequal periods of residual insecticide activity may offer an insect resistance management benefit only for the period where both insecticides are active.
- Adopt an integrated pest management program for insecticide use that includes scouting, uses historical information related to pesticide use, crop rotation, record keeping, and which considers cultural, biological, and other chemical control practices.
- Monitor after application for unexpected target pest survival. If the level of survival suggests
 the presence of resistance, consult with your local university specialist or certified pest control
 advisor.

Contact your local extension specialist or university researchers for additional pesticide resistance-management and/or IPM recommendations for specific site and pest problems in your area.

For further information or to report suspected resistance, contact FMC at 215-299-6000 or www.fmcprosolutions.com

TURGRASS AND ORNAMENTALS APPLICATION INFORMATION:

Not for use in residential areas.

Broadcast with suitable application equipment to ensure uniform coverage over the treatment area.

Use Rate Conversion					
lbs. product per 1000 sq. ft.	lbs. bifenthrin per acre	lbs. product per acre			
2.4	0.1	105			
4.8	0.2	210			
8.1	0.34	355			
9.6	0.4	420			

The maximum annual application rate is 420 lbs product (equivalent to 0.4 lbs bifenthrin) per acre per year.

[In New York State, this product may NOT be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).] [In New York State, do make a single repeat application of Talstar 0.096 Granular Insecticide with Fertilizer if there are signs of renewed insect activity, but not sooner than two weeks after the first application.]

[In Florida, Check with your local Cooperative Extension Agency to obtain specific information on local turf best management practices. Check with your county or city government to determine if there are local regulations for fertilizer use.]

[Spreader Setting Table Inserted Here]

[Optional metals information]

[Information regarding the contents and levels of metals in this product is available on the internet at http://www.wa.gov/agr] [Information regarding the contents and levels of metals in this product is available on the internet at http://aapfco.org/metals] [Information regarding the contents and levels of metals in this product is available on the internet at http://www.regulatory-iinfo-xx.com]

Turfgrass

For use on turf around institutional, public, commercial and industrial buildings, athletic fields and golf courses.

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. At the discretion of the applicator, Talstar 0.096 Granular Insecticide with Fertilizer may be applied up to 420 lbs product (0.4 lbs. bifenthrin) per acre to control each of the listed pests. In settings where children may visit and application rates are over 355 lbs product (0.34 lbs. bifenthrin) per acre per application, then granules must be watered in.

Pest	Application Rate		
	lbs. product per 1000 sq. ft.	lbs. product per acre	
Armyworms			
Cutworms	2.4	105	
Sod Webworm			
Armyworms, Cutworms, and Sod Webworms:	To ensure optimum control, it is reco	mmended to irrigate the treated	
area with up to 0.1 inches of water immediately aft	er application to activate (release fro	om the granule) the insecticide.	
Annual Bluegrass Weevil (Hyperodes) (Adult)			
Billbugs (Adult)			
Black Turfgrass Ataenius (Adult)			
Fungus Gnats (Adult)	2.4 - 4.8	105 - 210	
Leafhoppers			
Mealybugs			
Weevils (Adult)			

Annual Bluegrass Weevil (*Hyperodes*) adults: Applications should be timed to control adult weevils as they leave their overwintering sites and move into grass areas. This movement generally begins when *Forsythia* is in full bloom and concludes when flowering dogwood is in full bloom. You may consult your State Cooperative Extension Service for more specific information regarding application timing.

Billbugs: Applications should be made when adult billbugs are first observed during April and May. Degree day models have been developed to optimize application timing. You may consult your State Cooperative Extension Service for information specific to your region. In temperate regions, spring applications targeting billbug adults will also provide control of over-wintered chinch bugs.

Black Turfgrass Ataenius (Adult): Applications should be made during May and July to control the first and second generation of black turfgrass ataenius adults, respectively. The May application should be timed to coincide with the full bloom stage of Vanhoutte spiraea (*Spiraea vanhouttei*) and horse chestnut (*Aesculus hippocastanum*). The July application should be timed to coincide with the blooming of Rose of Sharon (*Hibiscus syriacus*).

Ants 4.8 – 9.6 210-420

Centipedes	
Chinch Bugs	
European Crane Flies (larvae)	
Fleas (Adults)	
Fleas (Larvae)	
Imported Fire Ants (Adult)	
Imported Fire Ants (Mounds)	
Millipedes	
Mole Cricket (Adult)	
Mole Cricket (Nymph)	
Pillbugs	
Scorpions	
Sowbugs	
Ticks	

Chinch Bugs: Chinch bugs infest the base of grass plants and are often found in the thatch layer. It is recommended to irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch bugs can be one of the most difficult pests to control in grasses and the higher application rates may be required to control populations that contain both nymphs and adults during the summer.

European Crane Flies: Treatments should be made to control early to mid-season larvae (approximately August – February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March - April) may only provide suppression. You may consult your local extension agent for specific recommendations for your area.

Flea (Larvae): Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

Imported Fire ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound drenches that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. Broadcast treatments should apply 0.2 - 0.4 lbs. bifenthrin per acre. Mounds should be treated by applying $\frac{1}{2}$ cup of Talstar 0.096 Granular Insecticide with Fertilizer per mound and then drenching the mound with 1 to 2 gallons of water. The mounds should be treated with sufficient force to break their apex and allow the insecticide solution to flow into the ant tunnels. Treat three feet out around the mound. For best results, apply in cool weather (65 - 80° F) or in early morning or late evening hours.

Mole Cricket (Adults): Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

Mole Cricket (Nymphs): Grass areas that received intense adult mole cricket pressure in the spring should be treated immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized.

Scorpions: To ensure optimum control, treat the building perimeter at dusk to prevent outdoor scorpions from entering the building. Scorpions reside hidden in cracks and voids during the day and are active at night at temperatures above 77°F/25°C. Resting areas can be identified at night using a blacklight (UV bulb) as scorpions will fluoresce. These areas should also be treated. Prior to treatment, to increase treatment efficacy, remove trash, debris, or firewood that scorpions may use as resting sites.

Ticks (Including ticks that may transmit Lyme Disease and Rocky Mountain Spotted fever): Do not make spot applications. Treat the entire area where exposure to ticks may occur. Use higher application rates when treating areas with dense ground cover or heavy leaf litter. Ticks may be reintroduced from surrounding areas on host animals. Retreat

as necessary to maintain adequate control. Do not allow public use of treated areas during application.

Deer ticks (Ixodes sp.) have a complicated life cycle that ranges over a two year period and involves four life stages. Applications should be made in mid to late spring to control larvae and nymphs that reside in the soil and leaf litter. **American dog ticks** may be a considerable nuisance in suburban settings, particularly where homes are built on land that was previously field or forest. These ticks commonly congregate along paths or roadways where humans are likely to be encountered. Applications should be made as necessary from mid-spring to early fall to control American dog tick larvae, nymphs and adults.

Ornamentals

For use on ornamentals around institutional, public, commercial, and industrial buildings and golf courses

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. At the discretion of the applicator, Talstar 0.096 Granular Insecticide with Fertilizer may be applied up to 420 lbs product (0.4 lbs. bifenthrin) per acre to control each of the listed pests. In settings where children may visit and application rates are over 355 lbs product (0.34 lbs. bifenthrin) per acre per application, then granules must be watered in.

Pest	Application Rate			
	lbs. product per 1000 sq. ft.	lbs. product per acre		
Armyworms Cutworms	2.4	105		
Armyworms and Cutworms: To ensure optimum con 0.1 inches of water immediately after application to a				
Crickets Earwigs Fungus Gnats (Adults)	2.4 - 4.8	105 – 210		
Ants Centipedes Chinch Bugs Fleas (Larvae) Imported Fire Ants (Adult) ⁴ Millipedes Mole Cricket (Adult) Mole Cricket (Nymph) Pillbugs Sowbugs (Adults)	4.8 – 9.6	210 – 420		

Chinch Bugs: Chinch bugs infest the base of grass plants and are often found in the thatch layer. It is recommended to irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch bugs can be one of the most difficult pests to control in grasses and the higher applications rates may be required to control populations that contain both nymphs and adults during the summer.

Flea (larvae): Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

Imported Fire ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound drenches that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. Broadcast treatments should apply 0.2 - 0.4 lbs. bifenthrin per acre. Treat three feet out around the mound. For best results, apply in cool weather (65 - 80° F) or in early morning or late evening hours.

Mole Cricket (Adults): Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see

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POTTING MEDIA

For topdress onto or subdress into potting media used in containerized plantings and field production:

Ornamentals	Trees, shrubs, plants, flowers, conifers, Christmas trees, and non-bearing fruit and nut trees, bushes
Herbs	Angelica; balm; basil; borage; burnet; chamomile; catnip; chervil; chive; chive, chinese; clary; coriander (leaf); costmary; cilantro (leaf); curry (leaf);
For herbs, minimum pre- shipment interval is 70 days	dillweed; horehound; hyssop; lavender; lemongrass; lovage (leaf); marigold; marjoram; nasturtium; parsley; pennyroyal; rosemary; rue; sage; savory, summer and winter; sweet bay; tansy; tarragon; thyme; wintergreen; woodruff; and wormwood

Determine bulk density of the potting media by measuring the dry weight of a unit volume of the mix. Based on the length of control required, thoroughly mix the appropriate quantity of the Talstar 0.096 Granular Insecticide with Fertilizer with equipment suitable to give uniform distribution in the potting media. Talstar 0.096 Granular Insecticide with Fertilizer may be pre-mixed with an appropriate amount of sand (1:10) to ensure adequate distribution of the product of the mix.

Incorporate appropriate amount of Talstar 0.096 Granular Insecticide with Fertilizer in one cubic yard of potting media based on the known bulk density.

*lb. of Talstar 0.096 Granular Insecticide with Fertilizer per cubic yard = bulk density of potting media x ppm 960

(bulk density = laboratory determined dry weight of a unit volume of potting media.)

For Use on Ornamental Plants within the USDA Plant Protection Imported Fire Ant (IFA) Quarantine Certification program

Talstar 0.096 Granular Insecticide with Fertilizer is approved under the USDA Plant Protection Imported Fire Ant Quarantine Certification program when used in accordance with USDA guidelines. Use the application rates listed in the following table to determine the length of control required for certification.

Pest	USDA IFA Certification Period (mo)	Application Rate (ppm)	Potting Media Bulk Density* (lb. Talstar 0.096 Granular Insecticide with Fertilizer per cubic yard)				
			200	300	400	500	600
	0-6	10	2.1	3.1	4.2	5.2	6.3
Imported Fire Ant	7-12	12	2.5	3.8	5.0	6.3	7.5
	13-24	15	3.1	4.7	6.3	7.8	9.4
	Continuous	25	5.2	7.8	10.4	13.0	15.6

General Use on Ornamental Plants outside the scope of USDA Guidelines

Use the higher rates for extended residual control.

Pest	App.Rate (ppm)	Potting Media Bulk Density* (lb. Talstar 0.096 Granular Insecticide with Fertilizer per Cubic Yard)				
		200	300	400	500	600
Fungus Gnat larvae	5	1.0	1.6	2.1	2.6	3.1
Mealybugs	10	2.1	3.1	4.2	5.2	6.3
Black Vine Weevil Root Weevil larvae European Crane Fly (larvae) Diaprepes (larvae) White Grubs (including Japanese Beetle, oriental beetle and European chafer larvae) Imported Fire Ants	10 15 25	2.1 3.1 5.2	3.1 4.7 7.8	4.2 6.3 10.4	5.2 7.8 13.0	6.3 9.4 15.6

STORAGE AND DISPOSAL

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

Pesticide Storage

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call CHEMTREC (transportation and spills): (800) 424-9300.

To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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 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.

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and 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 must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Turf or plant injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or conditions beyond the control or FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. TO THE EXTENT PERMITTED BY APPLICABLE LAW, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under

abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and buyer assumes the risk of any such use.

To the extent consistent with applicable law, FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW,** THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC 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 FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

[Optional State Specific Language for Florida]

FLORIDA APPLICATIONS: For use on [golf courses or] athletic turf in FL, we recommend you follow SL191, "Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Base on Mehlich I Extractant:, available on the internet at http://edis.ifas.ufl.edu/SS404.

FLORIDA APPLICATIONS: For commercial application to urban turf or lawns in FL, we recommend you follow the Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at http://www.dep.state.fl.us/central/Home/MeetingsTrainings/FLGreen/BMP Book final.pdf

[Optional State Specific Language for Virginia]

In Virginia this lawn/turf fertilizer contains phosphorous and is intended only for nonagricultural use on (1) turf during its first growing season, (2) on turf areas being repaired or renovated, and (3) on turf where a soil test performed within the last 3 years indicates a phosphorous deficiency. This fertilizer is not intended for the routine maintenance of turf.

[Optional State Specific Language for Maryland]

This fertilizer contains phosphorus and may not be used on turf in the state of Maryland except when 1) Providing nutrients to specific soils and target vegetation as determined to be necessary in accordance with a soil test that was conducted by a laboratory identified under § 8-803.7 of the Agriculture Article. Annotated Code of Maryland, performed no more than 3 years before the application; 2) Establishing vegetation for the first time, such as after land disturbance, provided the application is conducted in accordance with the recommended application rates established by the State; or 3) Reestablishing or repairing a turf area.