

PM-23

Reg # 538-172

19 10

Ms. Frances Mohr
 The Scotts Company
 14111 Scottslawn Road
 Marysville, OH 43041

MAY 19 1995

Dear Ms. Mohr:

**SUBJECT: Label Amendments
 Ornamental Herbicide II
 EPA Registration No. 538-172
 Your Applications Dated January 25, 1994
 and May 17, 1994**

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the following provisions:

I. Labeling submitted with the January 25, 1994 application:

1. Under Precautionary Statements, you must add the heading, "Personal Protective Equipment" above the paragraph which begins, "Applicators and other handlers must wear...".

II. Labeling submitted with the May 17, 1994 application:

1. The Environmental Hazards statements must be revised as on the January 25, 1994 draft labeling.
2. The User Safety Recommendations must be enclosed in a box, as on the January 25, 1994 draft labeling.
3. The last paragraph of the Precautions/Limitations section must be deleted. These statements concerning the use of safety glasses and dust masks are superseded by the WPS PPE requirements on page 1 of the label.
4. You must correct the typographical error in second sentence of the Container Disposal instructions. The word "landfill" should appear only once.
5. The proposed revisions to the Limitation of Liability section are not acceptable. For the reasons discussed below, you must delete the entire paragraph which concerns testing by nursery personnel to determine varietal tolerance and product effectiveness against hard to control weeds.

RD:STANTON:PM Team 23:Rm. 235:305-5218:Disk #1:S463388.LET

CONCURRENCES

SYMBOL ▶	7505C							
SURNAME ▶	S. Stanton							
DATE ▶	May 18, 1995							

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Sec. 5 of FIFRA provides for the issuance of Experimental Use Permits where such permits are needed to gather information in support of sec. 3 registration. The Agency believes it would be inappropriate and unacceptable for you to encourage users to conduct efficacy and phytotoxicity testing under your sec. 3 product registration. Rather, you should include only those use sites and pest species on the product label which you have adequate data to support.

Stamped copies of the subject labels are enclosed for your records. Please submit (one) final printed copy of the label incorporating all of the changes outlined in I and II, above, before releasing the product for shipment.

Sincerely yours,

Joanne I. Miller
Product Manager (23)
Fungicide-Herbicide Branch
Registration Division (7505C)

Enclosures

39 10

ACCEPTED
with COMMENTS
in EPA Letter Dated

MAY 19 1995

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

538-172

PROGROW ORNAMENTAL HERBICIDE II	PG
	#8918
01/10/85 MB	11/17/86 JF
07/16/85 JF	04/06/87 SM
10/24/85 JF	04/04/89 CR
02/05/91 CR	02/14/92 JF
03/11/92 CR	04/20/92 CR
06/03/92 VS/CR	08/10/92 FM
12/11/92 CR	01/11/93 BE
03/03/93 BE	06/14/93 VS/CR
08/26/93 BE	09/15/93 CR
09/29/93 VS	10/18/93 VS/CR

[FRONT]

8918

Ornamental
Herbicide II

538-172

(Scotts®)
ProGrow®
BRAND

For Commercial Nursery Use Only

Ornamental
Herbicide II

- provides preemergence control of weeds in container and field grown ornamentals and non-crop (Industrial) sites such as nursery driveways.

Net Weight 50 lbs. (22.68 kg)

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals: CAUTION, causes eye injury. Do not get in eyes, on skin, or on clothing. In case of contact immediately wash eyes or skin with plenty of water. Get medical attention if irritation persists. Harmful if swallowed. Avoid inhalation.

Applicators and other handlers must wear: Long-sleeved shirt and long pants, waterproof gloves, shoes plus socks, protective eyewear, dust/mist filtering respirator (MSHA/NIOSH, approval number prefix TC-21C).

Follow manufacturer's instructions for cleaning/maintaining, personal protection equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

[Description below enclosed in a box.]

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.

[End of box]

Environmental Hazards: This pesticide is toxic to wildlife and fish. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Use with care when applying in areas adjacent to any body of water. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this product only as specified on the label. Do not contaminate water by cleaning of equipment or disposal of wastes. In case of spills, either collect for use or dispose of properly.

ACTIVE INGREDIENTS:

Oxyfluorfen 2-Chloro-1-(3-ethoxy-4-nitrophenoxy)		
-4-(trifluoromethyl) benzene		2.00%
Pendimethalin N-(1-Ethylpropyl)-3,4-dimethyl		
-2,6-dinitrobenzenamine*		1.00%
INERT INGREDIENTS:		97.00%
	Total	100.00%

EPA Reg. No. 538-172 EPA Est. 538-OH-1 Product of U.S.A.
*Licensed under one or more of the following U.S. Patents:
3,920,742; 4,066,441.

ProTurf Division, The O.M. Scott & Sons Company
Marysville, Ohio 43041
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[RIGHT GUSSET]

8918	[UPC CODE]	(Scotts®)	Ornamental
		ProGrow®	Herbicide II

[LEFT GUSSET]

(Scotts®)	Ornamental	[UPC CODE]	8918
ProGrow®	Herbicide II		

(BACK)

Ornamental
Herbicide II

8918

(Scotts®)
ProGrow®
BRAND

Ornamental
Herbicide II

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.

[The following three paragraphs enclosed in a box.]

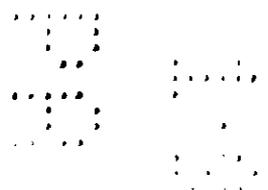
AGRICULTURAL USE REQUIREMENTS

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 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 24 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.

For use on container and field grown ornamentals.



Container/Field Grown (Genera)

Abelia	*Euonymus	Pinus
Acacia	Forsythia	Pittosporum
Acer	Gardenia	*Potentilla
Araucaria	Hydrangea	Prunus
*Azalea (Rhododendron)	Hypericum	Pyracantha
Berberis	Ilex	Quercus
Betula	Jasminum	Rhaphiolepis
Buxus	Juniperus	*Rhododendron
Callistemon	Ligustrum	Santolina
Camellia	Lonicera	Schefflera
Cercis	Magnolia	Spiraea
Chamaecyparis	Mahonia	Syringa
Chamaedorea	Nerium	Taxus
Cornus	Pachysandra	Thuja
Cortaderia	Philodendron	Viburnum
Cotoneaster	Photinia	Vinca
Cupressus	Picea	Weigela
Cytisus	Pieris	Xylosma
Escallonia		

* Do not apply to cultivars of these genera listed in the "Limitations" section.

Gives preemergence control of the following weeds:

Grassy Weeds

Annual bluegrass	(<u>Poa annua</u>)
Barnyardgrass	(<u>Echinochloa crusgalli</u>)
Crabgrass	(<u>Digitaria sanguinalis</u>)
Sprangletop	(<u>Leptochloa uninervia</u>)

Broadleaved Weeds

Bittercress	(<u>Cardamine pensylvanica</u>)
Common Chickweed	(<u>Stellaria media</u>)
Cudweed	(<u>Gnaphalium obtusifolium</u>)
Dandelion	(<u>Taraxacum officinale</u>)
Eclipta	(<u>Eclipta prostrata</u>)
Fireweed	(<u>Epilobium angustifolium</u>)
Fleabane	(<u>Erigeron strigosus</u>)
Groundsel	(<u>Senecio vulgaris</u>)
Marestail	(<u>Gonyza canadensis</u>)
Oxalis	(<u>Oxalis stricta</u>)
Pearlwort	(<u>Sagina procumbens</u>)
Pepperweed	(<u>Lepidium virginicum</u>)
Pigweed	(<u>Amaranthus retroflexus</u>)
Shepherdspurse	(<u>Capsella bursa-pastoris</u>)
Sowthistle	(<u>Sonchus arvensis</u>)
Spurge, Garden	(<u>Euphorbia hirta</u>)
Spurge, Prostrate	(<u>Euphorbia supina</u>)
Spurge, Spotted	(<u>Euphorbia maculata</u>)

APPLICATION RECOMMENDATION

- Apply to dry foliage only
- Water in immediately to wash the particles off the plant foliage
- Apply 2.3 lbs. product per 1,000 sq. ft.
- Repeat application at 3 month intervals

Before each application remove any existing weeds. Apply product with a properly calibrated rotary spreader that will assure accurate, even particle distribution. Product can also be applied by aerial equipment.

Apply to DRY FOLIAGE only. To test for moisture, rub hands over plant foliage. WATER IN with 1/2 - 1 inch immediately after application to wash the particles off the plant foliage and to activate the herbicide.

For season-long weed control, repeat applications are required at approximately 3-month intervals during the growing season.

CONTAINER GROWN ORNAMENTALS

POTTED LINERS -- Remove established weeds from liners prior to transplanting into containers. Following planting and prior to chemical application irrigate with approximately 1/2 inch water to firm potting media around root systems. After two regular waterings and foliage has dried, broadcast product evenly over the container growing area. Water in with 1/2 to 1 inch immediately after application.

BARE-ROOT LINERS -- Remove established weeds before herbicide application. Broadcast product evenly over the container growing area 3 to 4 weeks after potting. Water in with 1/2 to 1 inch immediately after application.

INDIVIDUAL CONTAINER APPLICATIONS

For situations where broadcast application of the product is not appropriate, apply the product uniformly over the entire container surface at the rates on the following table (1 gm product/sq.ft.):

<u>CONTAINER SIZE</u>	<u>SURFACE AREA (SQ. FT.)</u>	<u>GMS OF PRODUCT/ CONTAINER</u>	<u>VOLUME OF PRODUCT PER CONTAINER</u>
1 gal. (6" diam)	.20	.20	1/8 tsp
2 gal. (9" diam)	.44	.44	1/4 tsp
3 gal. (10" diam)	.55	.55	1/4 tsp (rounded)
5 gal. (12" diam)	.79	.79	1/4 tsp (heaping)
15 gal. (17" diam)	1.60	1.60	1/2 tsp

FIELD GROWN ORNAMENTALS

Apply immediately after planting or prior to weed seed germination following complete weed removal. Before application the soil should be loosened by light cultivation.

Water the product in with 1/2 to 1 inch immediately after application.

Non-Crop Weed Control (Industrial)

This product is recommended for general weed control on non-crop industrial sites such as nursery driveways, storage areas and other similar areas. The first application should be made prior to weed seed germination.

Follow steps under bare root liner section for season long control.

PRECAUTIONS/LIMITATIONS

Do not apply to moist foliage.

Do not apply while plants are producing a new flush of spring growth. Tender, newly forming leaves are especially sensitive and may be injured by the herbicide.

Do not apply when extreme cold stress (35°F or lower) is expected.

Do not apply product in enclosed greenhouse or polyhouse structures as ornamental injury may result.

Do not use on the following plant species or cultivars:

Erica mediterranea
Euonymus alata 'Compacta'
Potencilla fruticosa 'Goldfinger'
Rhododendron spp. 'Snow'
Rhododendron spp. 'Hino-Crimson'
Sarcococca hookerana humillis

Do not apply to plant types whose leaves channel the herbicide granules to the leaf base (such as Yucca spp. and Dracaena spp.).

Do not apply in wind conditions that affect distribution of the product.

If metallic surfaces (nursery equipment, automobiles, etc.) are present at the application site, do not use this product under windy conditions (5-10 MPH) due to its staining potential.

Not for use on vegetables. Do not use on fruit trees that will bear fruit within one year of application.

Users who wish to use Ornamental Herbicide II on ornamental species or non-bearing fruit trees not listed on this label may determine suitability for such uses by making trial application of this product at a recommended rate to a small number of plants. Prior to using this product on a large number of plants, the trial treatment should be observed for signs of herbicidal injury for 3 to 6 months to determine if the treatment is safe to the target plant species.

Non-bearing fruit trees such as citrus (oranges, grapefruit, etc.), pome fruits (apples, pears, etc.) and stone fruits (cherries, peaches, etc.) are plants which will not bear fruit for at least one year following application.

The user assumes responsibility for any crop damage or other liability from the use of this product on ornamental plant species not recommended on this label.

Not recommended for use on bedding plants, liner production beds, flowers, ground covers, vegetables, edible fruit bearing plants, and turf.

Do not incorporate product into soil or potting media nor apply product directly to bare roots.

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: Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

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.

IMPORTANT NOTICE: LIMITATION OF LIABILITY

This product has been researched to provide necessary data to support its use on the ornamentals listed on the label. However, it is understood that tests may not have been carried out on all varieties or cultivars and under all growing conditions on all

plants listed on the label. The user should always follow the label directions and exercise his judgment and caution when using this product on a given variety until familiar with the results under his growing conditions. NO WARRANTY OR REPRESENTATION IS MADE, EXPRESS, OR IMPLIED, CONCERNING THE RESULTS 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 O.M. Scott & Sons Company or any other Seller, 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 all 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 O.M. Scott & Sons Company.

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Marysville, Ohio 43041

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