

538-172

11-8-2006

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 05-31-98

EPA United States Environmental Protection Agency Washington, DC 20460		☐ Registration ☐ Amendment ☒ Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 538-172		2. EPA Product Manager Joanne Miller	
4. Company/Product (Name) Ornamental Herbicide II		3. Proposed Classification ☐ None ☐ Restricted	
5. Name and Address of Applicant (Include ZIP Code) Scotts-Sierra Crop Protection Company 14111 Scottslawn Road Marysville, OH 43041 ☐ 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			
☐ Amendment - Explain below. ☐ Resubmission in response to Agency letter dated XX-XX-XX ☒ Notification - Explain below.		☒ Final printed labels in response to Agency letter dated 6/29/05 ☐ "Me Too" Application ☐ Other - Explain below.	
NOTIFICATION			
NOV - 8 2006			
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Notification-Updated warranty information and general labeling updates per PR Notice 98-10			
Section III			
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging ☐ Yes* ☐ No *Certification must be submitted	Unit Packaging ☐ Yes ☐ No If "Yes" Unit Packaging wgt. No. per Container	Water Soluble Packaging ☐ Yes ☐ No If "Yes" Package wgt. No. per Container	2. Type of Container ☐ Metal ☐ Plastic ☐ Glass ☐ Paper ☐ Other (Specify)
3. Location of Net Contents Information ☐ Label ☐ Container		4. Size(s) Retail Container	
		5. Location of Label Directions ☐ On Label ☐ On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product ☐ Lithograph ☐ Other _____ ☐ Paper glued ☐ Stenciled			
Section IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Lisa R. McClellan		Title Senior Regulatory Scientist	
		Telephone No. (Include Area Code) (937) 644-7691	
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 BY: <i>Lisa R. McClellan</i>		3. Title Sr. Product Regulatory Scientist	
4. Typed Name Lisa R. McClellan		5. Date October 10, 2006	

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The Scotts Company

and Subsidiaries

Scotts®

October 10, 2006

Ms. Sherada Hobgood
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

NOTIFICATION

NOV - 8 2006

Subject: Ornamental Herbicide II, EPA Reg. No. 538-172
Notification for updated Warranty Statement and general labeling provisions

Dear Ms. Hobgood:

Attached are the following documents to support this submission:

1. EPA form 8570-1, Application for Pesticide Registration Form;
2. One (1) copy of the labeling.

This also serves as the final printed label for this product per your letter dated 6/29/05. The first page of the label is on the bag front. The remaining pages are an insert in a pouch on the bag.

The following changes were made:

- Removal of EPA Est. No.: 55640-OH-002(W)
- Removal of EPA Est. No.: 39578-TX-1(E)
- Addition of EPA Est. No. 8378-IN-1
- Revision to Warranty statement

"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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"

Should you have any questions regarding this submission, please contact me at (937) 644-7691.

Respectfully,

SCOTTS-SIERRA CROP
PROTECTION COMPANY

BY: 

Lisa R. McClellan
Sr. Regulatory Scientist

Journal of Management Education 30(6)

Oxyfluorfen†	2.00%
Pendimethalin	1.00%
OTHER INGREDIENTS:	97.00%
Total	100.00%

WPA, Inc. No. 9378-IV-1
Product of U.S.A.

[illegible]

Personal Protective Equipment:

Polys is not identical to the test material (polybutene terephthalate) except (PPE). This is an instruction for washables only, detergent and hot water. Keep and wash PPE separately from other laundry.

• Work hard to force things down by chewing gum, using tobacco or using the toilet.
• Don't vomit. If you must, do it into a toilet or over a sink. Do not vomit into your arms.
• Take care to wash your hands thoroughly with soap and water after you vomit or have a bowel movement. As you do, wash the area around your rectum, too.

Environmental World Watch is a free, online, searchable database of environmental news stories from around the world. It is a project of the U.S. Environmental Reporting Project and is designed to help you stay up-to-date on environmental news from around the world. It is a free, online, searchable database of environmental news stories from around the world. It is a project of the U.S. Environmental Reporting Project and is designed to help you stay up-to-date on environmental news from around the world. It is a free, online, searchable database of environmental news stories from around the world. It is a project of the U.S. Environmental Reporting Project and is designed to help you stay up-to-date on environmental news from around the world.



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



OH2

**For preemergence control of weeds in container
and field grown ornamentals.**

ACTIVE INGREDIENT:

Oxyfluorfen [†]	2.00%
Pendimethalin ^{**}	1.00%
INERT INGREDIENTS	97.00%
TOTAL	100.00%

*Licensed under one or more of the following U.S. Patents:

3,920,742; 4,066,441.

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OH2[®] is a registered trademark of OMS Investments, INC. for its brand of Herbicide products.

Product of U.S.A.

[†]CAS # 42874-03-3

^{**}CAS # 40487-42-1

If you have questions regarding the use of this product call
TOLL FREE 1-800-492-8255

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.)

EPA Reg. No. 538-172

EPA Est 8378-IN-1

NET WEIGHT: 50 LBS. (22.68 kg)



PROFESSIONAL
HORTICULTURE

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

Stock #

95715

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.

If on skin: 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.

If swallowed: 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.

If inhaled: 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.

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Causes eye injury. Do not get in eyes, on skin, or on clothing. Harmful if swallowed. Avoid inhalation.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- coveralls over long-sleeved shirt and long pants
- chemical-resistant footwear plus socks
- chemical-resistant gloves
- chemical-resistant apron for mixers and loaders

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

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

ENVIRONMENTAL HAZARDS

This pesticide is toxic to wildlife and aquatic invertebrates. 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 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.

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 you 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 used 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
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear

**THE SPECIES LISTED BELOW HAVE BEEN TESTED UNDER
ACTUAL GROWING CONDITIONS AND FOUND TOLERANT
AT THE RECOMMENDED APPLICATION RATE.**

Abilea

x grandiflora (Glossy Abelia)

Acacia

latifolia longifolia (Bush Acacia)

Acer

palmatum 'Atropurpureum' (Red Cutleaf Japanese Maple)

Achillea

millefolium 'Cerise Queen' (Yarrow)

Araucaria

heterophylla (Norfolk Island Pine, Star Pine)

Azalea Kurume, Glen Dale hybrid, et al.

'Coral Bells', 'Fashion', 'Hardigzer Beauty', 'Hershey's Red',
'Mother's Day', 'Mrs. G.G. Gerbing', 'Twenty Grand' (Azalea)

Berberis

spp. 'Crimson Pygmy' (Barberry)

thunbergii 'Atropurpurea' (Red-Leaf Japanese Barberry)

Betula

papyrifera (Paper Birch, Canoe Birch)

****Brassaia***

actinophylla (Schefflera, Queensland Umbrella Tree)

arboicola (Arboicola, Dwarf Schefflera)

Buxus

microphylla 'Green Velvet'

microphylla japonica (Japanese Boxwood)

microphylla koreana (New Large Leaf Asiatic Boxwood)

sempervirens 'Suffruticosa' (True Dwarf Boxwood)

Callistemon

citrinus (C. lanceolatus) (Lemon Bottlebrush)

Camellia

japonica 'Lady Laura'

sasanqua (Sasanqua Camellia)

Campanula

persicifolia 'Blue'

Catharanthus

roseus 'Vinca Blue Pearl'

****Ceanothus***

(Lilac)

Cercis

canadensis (Eastern Redbud)

Chamaecyparis

lawsoniana 'Ellwoodii' (Ellwood Cypress)

obtusata (Hinoki False Cypress)

pisifera 'Filifera Aurea' (Cypress)

Chamaedorea

elegans (Chamaedorea, Parlor Palm)

Coreopsis

verticillata 'Moonbeam'

Cornus

florida (White Flowering Dogwood)

Cortaderia

selloana (Pampas Grass)

Cotoneaster

apiculatus (Cranberry Cotoneaster)

dammeri 'Coral Beauty' (Bearberry Cotoneaster)

****Crataegus***

(Hawthorn)

Cupressus

sempervirens (Italian Cypress)

Cytisus

scoparius 'Burkwoodii' (Scotch Broom)

Deutzia

x 'Magician'

Dianthus

- spp. 'Baths Pink'
- deltoides 'Arctic Fire'

Escallonia

- spp. 'Fradesii'
- langleyensis 'Apple Blossom'

Euonymus

- fortunei 'Emerald 'N Gold'
- fortunei 'Gracilis'
- fortunei 'Sarcoxie'
- japonica 'Aureo-variegata' (Gold Spot Euonymus)
- japonica 'Grandifolia' (Big Leaf Euonymus)
- x kiautschovicus 'Manhattan'

Forsythia

- x intermedia 'Lynwood Gold'

Fothergillia

- gardenii 'Mt Airy'

Fragaria

- x 'Pink Panda' (Sand Strawberry)

Gardenia

- jasminoides 'August Beauty' (Cape-jasmine)
- 'Radicans'

Hemerocallis

- spp. 'Happy Returns' (Daylily)

Hydrangea

- macrophylla 'Nikko Blue' (Bigleaf Hydrangea)

Hypericum

- patulum 'Hidcote' (St. Johnswort)

Ilex

- 'Blue Girl' (Dwarf Holly)
- opaca (American Holly)
- cornuta 'Burfordii' (Burford Holly)
- cornuta 'Burfordii Nana' (Dwarf Burford Holly)

- crenata 'Convexa' (Japanese Holly)
- crenata 'Helleri' (Heller's Japanese Holly)
- hybrid 'Nellie R. Stevens'
- vomitaria 'Nana' (Dwarf Yaupon Holly)

Juniperus

- chinesensis 'San Jose' (San Jose Juniper)
- chinesensis 'Sea Green' (Sea Green Juniper)
- conferta (Shore Juniper)
- horizontalis 'Plumosa' (Andorra Juniper)
- horizontalis 'Wiltonii' (Blue Rug Juniper)
- sabina 'Tamariscifolia' (Tam Juniper)

Ligustrum

- ibolium 'Variegatum' (Ibodium Privet)
- japonicum (Japanese Privet)
- japonicum 'Rotundifolium' (Japanese Privet)
- japonicum 'Texanum' (Wax Leaf Privet, Texas Privet)
- senensis (Chinese Silver Privet)
- vicaryi (Vicary Golden Privet)

Lonicera

- fragrantissima (Winter Honeysuckle)

Loropetalum

- chinensis 'Burgundy'

Lupinus

- spp. 'RH My Castle' (Lupine)

Magnolia

- soulangiana (Saucer Mahonia)

Mahonia

- bealei (Leatherleaf Mahonia)
- repens (Creeping Mahonia)

Monarda

- didyma 'Claire Grace'

Nandina

- spp. 'Compacta'

Nerium

oleander (Oleander)

Pachysandra

terminalis (Japanese Spurge)

Philodendron

selloum (Split Leaf Philodendron)

Photinia

fraseri (Fraser's Photinia)

Picea

glauca 'Conica' (Dwarf Alberta Spruce)

Pieris

japonica (Lily-of-the-Valley Shrub)

Pinus

halepensis (Aleppo Pine)

thunbergiana (Japanese Black Pine)

Pittosporum

tobira 'Wheeler's Dwarf' (Tobira, Mock Orange)

Podocarpus spp.**Potentilla**

fruticosa 'Katherine Dykes' (Bush Cinquefoil)

Prunus

cistena 'Dwarf Red-Leaf' (Dwarf Red-Leaf Plum)

Pyracantha

spp. 'Mohave'

coccinea 'Lalandei Monrovia' (Scarlet Firethorn)

Quercus

acutissima (Sawtooth Oak)

shumardii (Shumard Red Oak)

Raphiolepis

indica 'Pink Lady' (India Hawthorn)

Rhododendron

'Nova Zembla'

Salvia

spp. splendens 'Lavender Vista'

'May Knight'

Santolina

virens (Green Lavender Cotton)

Scabiosa

columbaria 'Butterfly Blue'

columbaria 'Pink Mist'

Schefflera (see Brassia)**Spiraea**

bumalda 'Goldflame'

Syringa

meyer 'Pallbin' (Lilac)

vulgaris (Common Lilac)

Taxus

cuspidata 'Intermedia' (Taxus, Yew)

Thuja

occidentalis 'Pyramidalis' (American Arborvitae)

occidentalis 'Globosa' (Globe Arborvitae)

***Trachelospermum**

jasminoides (Star Jasmine)

Tsuga

canadensis (Canada Hemlock)

Viburnum

davidii (David Viburnum)

Vinca

spp. 'Bowles Variety' (Periwinkle)

Weigela

florida 'Pink Princess'

Xylosma

congestum (spp. senticosum) (Shiny Xylosma)

***Species not yet approved by the state of California.**

THE SPECIES LISTED BELOW HAVE BEEN TESTED AND RESULTS DO NOT WARRANT USE AT THIS TIME.

Achillea

spp. 'Coronation Gold' (Yarrow)

Ageratum

spp. 'Hawaii Blue'

Azalea

'Hino-crimson'

'Snow'

Calluna

spp. 'Forsey' (Heather)

Celosia

spp. 'Castle Yellow'

Chrysanthemum

spp. 'Legends'

Clematis

x 'Duchess of Edinburgh'

Dianthus

caryophyllus

Digitalis

spp. 'Excelsior'

Echinacea

spp. 'Magnus'

pallida

purpurea 'Leuchstern'

Erica

mediterranea

Euonymus

alata compacta

Geranium

spp. 'Pinto Red'

Hydrangea

arborescens 'Annabelle'

Lantana

spp. 'Patriot Desert Sunset'

Leucanthemum

maximum 'White Knight' (Shasta Daisy)

Lilium

orientalis 'Mr. Ruud'

Magnolia

stellata 'Pinkie'

Papaver

orientale 'Pizzicato Mix' (Poppy)

Penstemon

spp. 'Thorn'

***Petunia* spp.**

Potentilla

fruticosa 'Goldfinger'

Prunus

glandulosa (Dwarf Flowering Almond)

Rhododendron

spp. 'English Roseum'

'Hino-Crimson'

'Snow'

Rudbeckia

spp. (Coneflower)

'Goldstrum'

Sarcococca

hookeriana humilis

Scabiosa

spp. 'Pink Carnival'

Sedum

spectabile 'Autumn Joy'

brevifolium (Stonecrop)

Tagetes

erecta (Marigold)

Vinca

minor (Dwarf Periwinkle)

Zinnia spp.**GIVES PREEMERGENCE CONTROL OF THE FOLLOWING WEEDS:****GRASSY WEEDS**

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

BROADLEAVED WEEDS

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

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 3-4 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):

Container Size	Surface Area (Sq. Ft.)	Grams of Product/ Container	Volume of Product Per Container
1 gal. (6" diam.)	0.20	0.20	1/8 tsp.
2 gal. (9" diam.)	0.44	0.44	1/4 tsp.
3 gal. (10" diam.)	0.55	0.55	1/4 tsp. (rounded)
5 gal. (12" diam.)	0.79	0.79	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.

PRECAUTIONS

- 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* 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 OH2 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 3-6 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, 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 FROM THE SCOTTS COMPANY LLC AND SCOTTS-SIERRA HORTICULTURAL PRODUCTS COMPANY ("SCOTTS").

PLEASE READ BEFORE USE

By using this product, user or buyer accepts the conditions, disclaimer of warranties and limitations of liability. Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once for full refund.

CONDITIONS: This product has been researched to provide necessary data to support its uses listed on the label. The directions for use of this product are believed to be adequate and the user or buyer must always follow the label directions carefully and exercise judgment and caution when using this product under their growing conditions. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness, unsatisfactory or substandard results or other unintended

consequences may result because of such factors as weather conditions, presence or absence of other materials, or the manner of use or application, all of which are beyond the control of Scotts. All such risks shall be assumed by the user or buyer.

WARRANTY: This product corresponds to all claims and descriptions set forth on the label and, subject to the conditions set forth above, is reasonably fit for use for any purpose for which it is intended. Scotts recognizes that the rights and remedies of the user or buyer are subject to the provisions of the applicable state law, but makes no other warranties or representations, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Scotts is authorized to make any warranties beyond those contained herein or to modify the warranties contained therein. Subject to the user's or buyer's rights and remedies under the applicable state law, Scotts disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: Subject to the user's or buyer's rights and remedies under the applicable state law, the exclusive remedy of the user or buyer and the liability of Scotts or its affiliates, for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid by the user or Buyer for the quantity of this product involved or at Scotts' election, the replacement of the product. Subject to the user's or buyer's rights and remedies under the applicable state law, any and all claims or actions related to the use or handling of this product must be commenced within one (1) year from the date the product was purchased.

092506