

538-237

10/16/2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

October 16, 2007

Lisa R. McClellan
Senior Regulatory Scientist
The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

SUBJECT: Application for Pesticide Notification – Alternate Brand Name, Warranty and
Revisions per PRN 2007-1
Landscaper Lawn Fertilizer with Crabgrass Control
EPA Reg. No. 538-237
Application Dated September 24, 2007

Dear Ms. McClellan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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 538-237	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Landscaper Lawn Fertilizer with Crabgrass Control	PM# PM-25	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company 14111 Scottslawn Road Marysville, Ohio 43041 <input type="checkbox"/> 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

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated 07-30-07
<input type="checkbox"/> Resubmission in response to Agency letter dated XX-XX-XX	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification for general label revisions per PR Notice 98-10. (See attached letter)

Section III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) Plastic Bag		
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per Container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container TBD		5. Location of Label Directions <input type="checkbox"/> On Bag <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 The Scotts Company BY:	3. Title Senior Regulatory Scientist	
4. Typed Name: Lisa R. McClellan	5. Date: September 24, 2007	

The Scotts Company

and Subsidiaries

2/6


September 24, 2007

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

SUBJECT: Landscaper Lawn Fertilizer with Crabgrass Control, EPA Reg. No. 538-237
Notification for general label revisions

Dear Ms. Hobgood:

Enclosed are the following to support this Notification per PR Notices 98-10 and 2007-1:

- (1) Registration application, Form 8570-1
- (2) Two (2) copies of the final printed label, with changes highlighted.

The following revisions were made:

- 1) Alternate brand name: Expert Gardener Crabgrass Preventer plus Lawn Food
- 2) Fertilizer ratio: 30-3-4
- 3) Addition of the following marketing claims:
 - a. Also prevents foxtail, spurge, poa annua and other annual grassy weeds
 - b. Formulated with Scotts Poly S technology for longer lasting greening and feeding
- 4) EPA Est. No: 9198-OH-1^M
- 5) Application:
 - a. Apply Early Spring!
 - b. Treats & Feeds up to 5,000 sq ft
 - c. (1/8 acre = 5,445 sq ft)
 - d. [Art: Non-treated and Treated]
 - e. How and When to Apply: Apply Expert Gardener Crabgrass Preventer Plus Lawn Food in early spring to prevent crabgrass and other weeds from Germinating.
 - f. Spreader settings Information:
 - i. Apply header strips. Then apply in longest direction of lawn.
 - ii. For additional spreader settings, please call 1-800-543-TURF (8873).
 - iii. Spreader Settings [Regular Rate] Covers 5,000 sq. ft.
 - iv. Scotts broadcast/rotary spreaders 4 3/4
 1. Each pass should be within 5 ft. of each other to ensure an overlap.
 2. Scotts Basic, Standard, Deluxe EdgeGuard, Lawn Pro or SpeedyGreen
 - v. Scotts EasyGreen 27
 - vi. Scotts Drop Spreaders 8
 1. Make sure wheel completely overlaps previous wheel marks.
- 6) According to the Pendimethalin RED, Items K. a. and K. b. (Add Person Protective Equipment Section and indicate cleaning/maintaining PPE under User Safety Recommendations), requested per your letter dated 7/30/07, are not required nor applicable for Pendimethalin products intended for household use. Therefore, they were not added.

14111 Scottslawn Road Marysville, Ohio 43041 937-644-0011

www.scotts.com

7) Warranty update:

a. Expert Gardener Guarantee

- i. When you choose Expert Gardener products, you can be assured of high quality and performance in your lawn and garden. If for any reason you are not completely satisfied with this product, we will refund your money. Please mail your name, address and proof of purchase (dated receipt and package UPC/barcode) to the address below. Also, to ensure quality control, please write us a brief note explaining your experience with our product and reason for seeking a refund.

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

8) Additional Headers: Application, Use Precautions, Contact Us

9) Additional intolerant plant species: centipedegrass (under Use Precautions)

10) Miscellaneous:

- a. Scotts & Poly-S, SpeedyGreen, EdgeGuard, EasyGreen, AccuGreen and PrecisionGreen are registered trademarks of OMS Investments, Inc. Basic, Standard and Deluxe EdgeGuard are trademarks of OMS Investments, Inc.
- b. Product of U.S.A.
- c. U.S. Patent Nos. 5,219,465, 5,300,135, 5,405,426, 5,466,274
- d. Expert Gardener is marketed exclusively by Wal-Mart Stores, Inc. Bentonville, AR 72716
- e. Shop @ www.walmart.com
- f. © 2007
- g. [Art: phone.] Consumer Helpline 1-866-369-2533
- h. [Art: computer] Information regarding the contents and levels of metals in this product is available on the Internet at: <http://www.regulatory-info-sc.com>

11) Fertilizer information:

- a. [Art: 30 Nitrogen (N) For Deep Green Color, 3 Phosphorus (P) For Strong Roots, 4 Potassium (K) For Overall Plant Health]
- b. Expert Gardener Fertilizer Program
- c. For Best Results! Use the Expert Gardener Fertilizer Program! [Art: Map of U.S.]
- d. Chart:

i. Northern:

- 1. Early Spring – Crabgrass Preventer,
- 2. Mid/Late Spring – Weed & Feed,
- 3. Summer – Lawn Food,
- 4. Fall – Winterizer or Winterizer Weed & Feed,
- 5. Grass Type – Bluegrass, Rye, Fescues, Bermuda, Zoysia

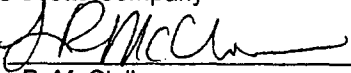
ii. Southern:

- 1. Early Spring – Nothing until grass starts to green up,
- 2. Mid/Late Spring – St. Augustine Weed & Feed or Lawn Food,
- 3. Summer – Lawn Food,
- 4. Fall – Winterizer or St. Augustine Weed & Feed,
- 5. Grass Type – St. Augustine, Centipede, Zoysia

"Notification of label changes relative to PR Notice 98-10. This notification is consistent with the guidance in PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR 156.10 and 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 guidance of PR Notice 98-10 and the requirements of 40 CFR 156.10 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".

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

Respectfully,
The Scotts Company

BY 
 Lisa R. McClellan
 Senior Regulatory Scientist

Expert Gardener® Fertilizer Program

For Best Results!
Use the Expert Gardener®
Fertilizer Program!



	Early Spring	Mid/Late Spring	Summer	Fall	Grass Type
Crabgrass Preventer	Crabgrass Preventer	Weed & Feed or Lawn Food	Lawn Food	Winterizer or Winterizer Weed & Feed	Bermuda, Fescue, Bahia
Nothing until grass starts to green up	St. Augustine Weed & Feed or Lawn Food	Lawn Food	Winterizer or St. Augustine Weed & Feed	St. Augustine, Centipede, Zoysia	

How and When to Apply:

Apply Expert Gardener® Crabgrass Preventer Plus Lawn Food in early spring to prevent crabgrass and other weeds from germinating.

What to Expect: Crabgrass and other weeds listed will be prevented all summer, and your lawn will be greener in 4-6 days.

Directions for Use:

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

Application:

Expert Gardener® Crabgrass Preventer Plus Lawn Food should be applied when your lawn is dry. It is not necessary to water this product in after application. However, for best results, the lawn should receive 1/4 to 1/2 inch of water from rainfall or watering within 2-3 days after application. Apply in early spring before the third or fourth mowing, or before temperatures are regularly in the 80's (before dandelions reach the puffball stage). Rain, snow, or freezing weather will not affect the performance of this product. This product applies 1.5 lbs of pendimethalin per acre in 3.1 lbs of product per 1000 square feet. Do not apply more than twice a year.

Use Precautions:

Do not seed or sod for 4 months following application. The crabgrass barrier prevents grass seed from sprouting. Not for use on dichondra, bentgrass, centipede grass or St. Augustine grass lawns. Allow at least 6 weeks between applications of this product and treatment two. **IMPORTANT:** Do not rake or aerify for 4 months after application, to avoid disturbing the crabgrass barrier on the soil surface.

Seeding/Sodding/Sprigging:

Do not apply to newly seeded or sodded areas until after the fourth mowing. On newly sprigged areas, wait 5 months before application.

Actively Growing Crabgrass or Moss:

This product controls crabgrass in its early stages of growth. It does not control mature crabgrass and other existing weeds. You can kill broadleaf weeds with Expert Gardener® Weed and Feed.

Do not enter or allow others to enter the treated area until dust has settled. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.

Storage and Disposal:

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

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

Spreading Tips:

Apply header strips. Then apply product in longest direction of lawn. For best results, use a Scotts® spreader. For additional spreader settings, please call 1-800-543-TURF (8873).

Spreader Settings

Covers
5,000 sq. ft.

Scotts Broadcast/Rotary Spreaders

Each pass should be within 5 ft. of each other to ensure an overlap.

Scotts Basic™, Standard™, Deluxe™ EdgeGuard®,
Lawn Pro® or SpeedyGreen®

4 3/4

Scotts EasyGreen®

27

Scotts Drop Spreaders

Make sure spreader wheel completely overlaps previous wheel marks.

Scotts AccuGreen®

8



Guarantee

When you choose Expert Gardener® products, you can be assured of high quality and performance in your lawn and garden. If for

any reason you are not completely satisfied with this product, we will refund your money. Please mail your name, address and proof of purchase (dated receipt and package UPC/barcode) to the address below. Also, to ensure quality control, please write us a brief note explaining your experience with our product and reason for seeking a refund.

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

Scotts® & Pely-So®, SpeedyGreen®, EdgeGuard®, EasyGreen®, AccuGreen® and PrecisionGreen® are registered trademarks of OMS Investments, Inc. Basic™, Standard™ and Deluxe™ EdgeGuard® are trademarks of OMS Investments, Inc.

Product of U.S.A.

U.S. Patent Nos. 5,219,405; 5,300,135; 5,405,426; 5,466,274

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Contact Us



Consumer Helpline
1-866-369-2533



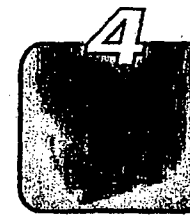
Information regarding the contents and levels of metals in this product is available on the internet at:
<http://www.regulatory-info-sc.com>



Nitrogen (N)
For Deep
Green Color



Phosphorus (P)
For Strong
Roots



Potassium (K)
For Overall
Plant Health

Cómo y Cuándo Aplicar:

Aplique el Producto para evitar crecimiento de zacate mano de cangrejo más abono para céspedes Expert Gardener® al inicio de primavera para prevenir que germinen el zacate mano de cangrejo y otras malezas.

Qué Debe Esperar:

Se evitará el zacate mano de cangrejo y otras malezas enumeradas y su césped estará más verde en 4 a 6 días.

Instrucciones:

Es una violación a la ley Federal usar este producto de forma inconsistente con su etiqueta.

Aplicación:

El producto para evitar crecimiento de zacate mano de cangrejo más abono para céspedes Expert Gardener® se debe aplicar cuando el césped está seco. No es necesario regar después de la aplicación de este producto. Sin embargo, para obtener los mejores resultados, el césped debe recibir de 1/4 a 1/2 pulgadas de agua por riego o lluvia dentro de los siguientes 2-3 días después de la aplicación. Aplique al inicio de la primavera antes del tener o cuarto corte de grama, o antes que la temperatura esté regularmente en los 80 (antes que los dientes de león atascen la etapa de bola de pelusa). La lluvia, nieve o clima de congelamiento no afectarán el rendimiento de este producto. Este producto aplica 1.5 lb de pendimethalin por acre en 3.1 lb de producto por cada 1000 pies cuadrados. No se debe aplicar más de dos veces al año.

Precauciones Para Su Uso:

No siembre o coloque tepes durante los siguientes cuatro meses después de la aplicación. El zacate mano de cangrejo evita que broten las semillas de grama. No se debe usar en céspedes orja de ratón, grama Bent grass, ciempiés o grama San Agustín. Permita por lo menos seis semanas entre aplicaciones de este producto y el segundo tratamiento. **IMPORTANTE:** No pase el rastreador o sarracina durante 4 meses después de la aplicación para evitar perturbar la barrera contra el zacate mano de cangrejo en la superficie de tierra.

Siembra/Colocación de Tepes/Retoños Nuevos:

No se debe aplicar en áreas recién sembradas o con nuevos tepes hasta después de cortarlas cuatro veces. En áreas con retoños nuevos se debe esperar 5 meses antes de hacer la aplicación.

Zacate Mano de Cangrejo o Musgo Creciendo Activamente:

Este producto controla el zacate mano de cangrejo en las etapas iniciales de su crecimiento. No controla el zacate mano de cangrejo maduro y otras malezas existentes. Puede eliminar las malezas de hoja ancha en crecimiento con el Herbicida y abono Expert Gardener®. No entre y no permita que otros entren al área tratada hasta que se haya asentado el polvo. No se debe aplicar este producto de manera que entre en contacto con ninguna persona o mascota, ya sea directamente o por la deriva. Se debe mantener a personas y mascotas fuera del área durante la aplicación.

Almacenamiento y Eliminación:

Almacenamiento del Pesticida: Guardar en un lugar limpio y seco. Vuelva a cerrar la bolsa abierta doblando la parte superior y asegurándola.

Eliminación del Pesticida: Si está vacío: No vuelva a utilizar este envase. Coloque en la basura u otra zona que el reciclado si está disponible. Si se encuentra parcialmente lleno: Llame a su agencia local de desechos sólidos para obtener instrucciones de eliminación. Nunca coloque el producto sin usar debajo de ningún drenaje interior o exterior.

Sugerencias Para Espardar:

Aplique franjas guía. Luego aplique el producto en la dirección más larga del césped. Para obtener los mejores resultados, utilice un esparcador Scotts®. Para conocer las posiciones del esparcador adicionales, llame al 1-800-546-TURF (8873).

KEEP OUT OF REACH OF CHILDREN.

CAUTION

PRECAUTIONARY STATEMENTS: Hazardous to Humans and Domestic Animals.

CAUTION: Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing.

User Safety Recommendations:

Users should wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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

Environmental Hazards: This pesticide is toxic to fish. Do not apply directly to water. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters. In case of spills, either collect for use or dispose of properly.

Staining Note: Can cause staining to cement, stone, metallic surfaces (such as automobiles and garden furniture), clothing, or shoes. If contact occurs, brush off particles to prevent staining and/or unwanted tracking into the house. If necessary, rinse off with water.

MANEJER FUERA DEL ALCANCE DE LOS NIÑOS.

PRECAUCIÓN

AVISO DE PRECAUCIÓN: Peligro Para Humanos y Animales Domésticos.

PRECAUCIÓN: Es dañino si se absorbe a través de la piel. Causa irritación moderada en los ojos, con la piel o con la ropa.

Precauciones de seguridad para el usuario:

Los usuarios deben lavarse las manos con abundante agua y jabón después de usarlo y antes de comer, beber, masticar goma de mascar, usar tabaco o usar el baño. Los usuarios deben quitar la ropa inmediatamente si el caso adentro el pesticida, luego deberá lavarse completamente y ponerse ropa limpia.

PRIMEROS AUXILIOS: Si cae en la piel o en la ropa: Quitar la ropa contaminada. Lavar la piel inmediatamente con mucha agua por 15-20 minutos. **Si está en los ojos:** Mantenga el ojo abierto y enjuague con agua despacio y con cuidado por 15-20 minutos. Si causa irritación de contacto, quitar después de lavarlo con agua los primeros 5 minutos y después continúe enjuagando el ojo. Llame al centro de control de contaminación o al médico para obtener más recomendaciones de tratamiento. Lléve al médico el envase del producto o la etiqueta cuando llame al centro de control de contaminación o al médico o al lugar de tratamiento.

Precauciones Ambientales: Este pesticida es tóxico para los peces. No aplique directamente al agua. La salida o flujo por tierra desde las áreas tratadas puede ser peligroso para los organismos acuáticos en las áreas vecinas. No contamine el agua de drenaje de la que usó para limpiar el equipo. En caso de derrames, ya sea recolecte para usarlo o elimínelo adecuadamente.

Nota Sobre Manchas: Puede causar manchas en el cemento, piedra, superficies metálicas (tales como automóviles y muebles de jardín), ropa o zapatos. Si ocurre el contacto debe quitar con un cepillo las partículas para prevenir las manchas y dejar limpiar en su caso. Lave con agua, si fuera necesario.

GUARANTEED ANALYSIS

Expert Gardener® Crabgrass Preventer Plus Lawn Food 30-3-4	F 649
Total Nitrogen (N).....	30%
1.2% ammoniacal nitrogen	
28.8% urea nitrogen	
Available phosphate (P ₂ O ₅).....	3%
Soluble potash (K ₂ O).....	4%
Sulfur (S).....	2.6%
2.6% free sulfur (S)	

Derived from polymer-coated, sulfur-coated urea, ammonium phosphate, potassium chloride.

*A portion of the urea has been coated to provide 8.7% coated slow-release nitrogen.

Expert Gardener® is Marketed Exclusively by Wal-Mart Stores, Inc., Bentonville, AR 72716

Shop www.walmart.com

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