

538-237

9/15/2008

1/6



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

SEP 15 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Kathleen Lee
The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

Subject: General Label Revisions per PR Notices 98-10 and 2008-1 for Landscape Lawn
Fertilizer with Crabgrass Control
EPA Registration Number 538-237
Original Notification dated July 7, 2008
Resubmission dated September 8, 2008

Dear Ms. Lee:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide
Registration Notices (PRN) 98-10 and 2008-1 for the above product. The Registration Division
(RD) has conducted a review of this request for its applicability under PRN 98-10 and 2008-1
and finds that the action requested falls within the scope of PRN 98-10 and 2008-1. The label
submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Hope Johnson at 703-305-5410.

Sincerely,

James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)

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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
	Application for Pesticide - Section I		

1. Company/Product Number 538-237	2. EPA Product Manager Jim Tomkins	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 _____ NOTIFICATION	

Section II		2008
<input type="checkbox"/> Amendment - Explain below. <input checked="" type="checkbox"/> Resubmission in response to Agency letter dated XX-XX-XX <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to NOTIFICATION XX-XX <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.	SEP 15 2008

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Re-submission per Agency letter dated 8/19/08 of a Notification of general labeling revisions per PR Notice 98-10 and 2008-1.
 Please see attached 9/8/08 cover letter for certification statement.

Section III					
1. Material This Product Will Be Packaged In:					
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	2. Type of Container <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	If "Yes" Package.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 Kathleen Lee	Title Director, Regulatory Affairs	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.		Date Application Received (Stamped)
2. Signature BY: <i>Kathleen Lee</i>	3. Title Director, Regulatory Affairs	
4. Typed Name: Kathleen Lee	5. Date: September 8, 2008	



September 8, 2008

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

Re: Landscape Lawn Fertilizer with Crabgrass Control (EPA Reg. No. 538-237)
Re-submission of Notification of general Label Revisions per PR Notices 98-10 and
2008-1 per Agency Letter dated 8/19/08

Dear Mr. Tompkins:

The attached is a re-submission of our request for Notification in response to the Agency's letter dated 8/19/08. Based upon communication with Hope Johnson, it is now our understanding that neither one of the two conditions of this letter are applicable. And, the next step is simply to resubmit the prior application.

Specifically, the letter stated that US EPA did not have record of a previous submission ~~requesting an Alternate Brand Name (ABN) for 538-237 and therefore could not process the~~ notification that was sent on 7/7/08. After providing a copy of the 2007 submission, the Agency was able to confirm the prior approval of the ABN on October 16, 2007.

A second issue of the letter referred to the change in the Guaranteed Analysis of the fertilizer not being identified on the 7/7/08 application. Per a conversation with Hope Johnson, she has agreed that per PR Notice 98-10, changes in NPK are non-notifications and do not have to be sent to the Agency for approval. Therefore, this re-submission does not include any reference to the NPK.

The Scotts Company respectfully requests the approval of the attached re-submission Application of Registration for a Notification of general label revisions. Included with this cover letter are the following:

- Completed Application for Registration (EPA form 8570-1)
- Two copies of the final printed label with changes highlighted
- Two, "clean" copies of the final printed label

The following language has been modified since last approved stamped label 7/31/07 and last notification dated 9/24/07.

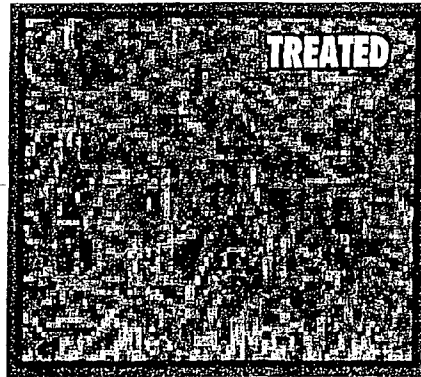
Apply in Early Spring!
Aplicar a comienzos de la primavera



Crabgrass Preventer plus Lawn Food

CONTROL DEL ZACATE MANO DE CANGREJO Y FERTILIZANTE

Stops Crabgrass Before it Starts!
¡Detiene el zacate mano de cangrejo antes de que crezca!



- Stops crabgrass before it starts
- Feeds for a thick, green lawn
- Grows Strong Roots

Net Wt 15.43 lb (7.0 kg)

30-0-4

CAUTION / PRECAUCION:
KEEP OUT OF REACH OF CHILDREN
MANTENGA FUERA DEL ALCANCE DE LOS NIÑOS

SEEN INSTRUCTIONS
- See back of box
OTHER INGREDIENTS
EPA REG. NO. 530-227
EPA Est. No. 004957-D-001, 5370-10-105, 5370-10-106, 5380-10-107
(EPA #10497-02-1)

Covers up to 5,000 sq ft
(1/8 acre = 5,445 sq ft)

Crabgrass Preventer
plus Lawn Food

Stops crabgrass before it starts. 30-0-4

24705
3



Crabgrass Preventer
plus Lawn Food

Apply in Early Spring!
Aplicar a comienzos de la primavera

24705
3

Stops crabgrass before it starts. 30-0-4

NOTIFICATION

SEP 15 2008

Expert Gardener® Fertilizer Program

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



	Early Spring	Mid/Late Spring	Summer	Fall	Grass Type
Northern	Crabgrass Preventer	Weed & Feed	Lawn Food	Lawn Food or Weed & Feed	Bluegrass, Rye, Fescues, Bermudagrass, Zoysia
Southern	Crabgrass Preventer	Weed & Feed	Lawn Food	Lawn Food or Weed & Feed	Bermudagrass, Fescues, Bahia
	Nothing until grass starts to green up	St. Augustine Weed & Feed or Lawn Food	Lawn Food	Lawn Food 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 grassy weeds from germinating.

What to Expect: Crabgrass, Foxtail, Spurge, Poa Annua and other annual grassy weeds 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 putball 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 1,000 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®	5 1/4"
Scotts® EasyGreen®	30"
Scotts® Drop Spreaders Make sure spreader wheel completely overlaps previous wheel marks Scotts AccuGreen®	8 1/4"



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.

Guaranteed by
The Scotts Company, 11111 Scarsdale Road, Marysville, OH 43041

Scotts® EasyGreen®, EdgeGuard®, EasyGreen®, AccuGreen®, Basic™, Standard™, and Deluxe™ EdgeGuard® are trademarks of OMS International, Inc. Expert Gardener® and Expert Gardener logo design are trademarks of Wal-Mart Stores, Inc.

Product of U.S.A.
U.S. Patent Nos. 5,219,465; 5,360,135; 5,405,426; 5,466,274

Contact Us

Consumer Helpline
1-866-369-2533

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

Cómo y cuándo aplicar:

Aplique el control de zacate mano de congrejo y fertilizante Expert Gardener® a comienzo de la primavera para evitar que germinen el zacate mano de congrejo y otras malezas herbáceas.

Resultados esperados:

El zacate mano de congrejo, el eleopeco, el cártago, la espiguilla y otras malezas herbáceas serán controladas todo el verano y su césped estará más verde de 4 a 6 días.

Indicaciones de uso:

Se considera una violación a la ley federal usar este producto con otros fines que los indicados en la etiqueta.

Modo de empleo:

El control de zacate mano de congrejo y fertilizante Expert Gardener® debe aplicarse cuando el césped esté seco. No es necesario regar este producto luego de la aplicación. Sin embargo, para obtener un mejor resultado, el césped debe recibir de 6.4 a 12.7 mm (1/4 a 1/2") de agua de lluvia o regarse 2 o 3 días después de la aplicación. Aplicar a comienzo de la primavera antes del tercer o cuarto corte del césped o antes de que la temperatura alcance los 27.6° C (80° F) (antes de que los dientes de león se infien). El rendimiento de este producto no se ve afectado por la nieve, la lluvia ni los climas fríos. Este producto aplica 0.7 kg (1.5 lbs) de pendimethalin por cada 4,406 metros cuadrados (1 acre) en 1.4 kg (3.1 lbs) de producto por cada 93 metros cuadrados (1,000 pies cuadrados).

Precauciones de uso:

No sembrar ni cubrir con césped por 4 meses luego de la aplicación. La barrera contra el zacate mano de congrejo evita que germine la semilla de césped. No apto para utilizar en céspedes de diclonia, de agüiside, centipés o césped San Agustín. Esperar al menos 6 semanas entre la aplicación de este producto y el segundo tratamiento. **IMPORTANTE:** Para no romper la barrera contra el zacate mano de congrejo en la superficie del suelo, no rastrear ni remover con aire por 4 meses luego de la aplicación.

Sembrar/Cubrir de césped/Plantar retoños:

No aplicar a zonas recientemente sembradas o cubiertas de césped hasta después del cuarto corte. En las zonas donde se plantaron retoños recientemente, se debe esperar 5 meses antes de aplicar el producto.

Crecimiento activo del zacate mano de congrejo o el musgo:

Este producto controla el zacate mano de congrejo en sus primeras etapas de crecimiento. No controla el zacate mano de congrejo crecido o demás malezas existentes. Para eliminar la maleza de hoja ancha, utilice el herbicida y abono Expert Gardener®.

No ingrese a la zona tratada hasta que el polvo se haya asentado, ni permita que otros lo hagan. Este producto no debe entrar en contacto directo o indirecto con personas o mascotas durante su aplicación. Durante la aplicación, mantenga a las personas y las mascotas alejadas del área.

Almacenamiento y eliminación:

Almacenamiento del pesticida: Almacenar en un lugar seco y limpio. Para sellar nuevamente la bolsa abierta, pliegue el borde y asegúrelo.

Eliminación del pesticida: Si está vacío: No utilice nuevamente el contenedor. Colóquelo en la basura o reciclelo, si corresponde. Si está lleno hasta la mitad: Llame a su servicio de eliminación de desechos para obtener instrucciones de eliminación. Nunca tire el producto restante por un drenaje interno ni externo.

Consejos para la aplicación:

Aplique franjas guía. Luego, aplique el producto en la zona donde haya más césped. Para obtener mejores resultados, utilice un esparcador Scotts®. Para conocer otras aplicaciones del esparcador, llame al 1-800-543-TURF (8873).

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS: Hazards 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 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. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. In case of spills, either collect for use or dispose of properly. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface water. 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. Sweeping any product that lands on a driveway, sidewalk, or street back onto the treated area of the lawn will help to prevent run off to water bodies or drainage systems.

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 tracking into the house. If necessary, rinse off with water.

MANTENGA FUERA DEL ALCANCE DE LOS NIÑOS

PRECAUCION

AVISOS DE PRECAUCION: Nocivo para seres humanos y animales domésticos.

PRECAUCION. Nocivo si se absorbe por la piel. Produce una irritación de los ojos moderada. Evitar el contacto con los ojos, la piel o la ropa.

Recomendaciones de seguridad para el usuario:

Después de manipular el producto, el usuario debe lavarse bien las manos con agua y jabón antes de comer, beber, masticar chicle, utilizar tabaco o usar instalaciones sanitarias. En caso de que el pesticida se meta dentro de la ropa, el usuario debe quitársela inmediatamente. Luego debe lavarse bien y ponerse ropa limpia.

PRIMEROS AUXILIOS: Si el producto entra en contacto con la piel o la ropa, quítela de la ropa contaminada. Lave inmediatamente la piel con abundante agua durante 15 a 20 minutos. Si el producto entra en contacto con los ojos: Mantenga los ojos abiertos y enjuague con agua lentamente, con cuidado, durante 15 a 20 minutos. Si tiene lentes de contacto, retínelos después de los primeros 5 minutos, luego continúe enjuagando los ojos. Llame a un centro de control de envenenamientos o a un médico para recibir instrucciones de tratamiento. Cuando llame a un centro de control de envenenamientos o a un médico, incluya obtener tratamiento, tenga a mano el envase o la etiqueta del producto.

Riesgos para el medio ambiente: Este pesticida es tóxico para los peces. El derrame de las zonas tratadas y de la ser por el uso para los organismos acuáticos en las zonas lindantes. En caso de derrame, reciclelo el producto para su utilización o su eliminación adecuada, o a recoger el medio ambiente, no permita el desplazamiento o el escurrimiento del pesticida y desechos de formación. Evite el escurrimiento, contaminación o agua superficial. Aplique este producto cuando no haya viento y no se pronostique lluvia para los próximos 24 horas. El viento o la lluvia pueden causar a lavar el pesticida de la zona tratada. Barrer hacia el césped el producto que caiga sobre la acera de la driveway, el veredaje o el calle para evitar el escurrimiento hacia masas de agua o sistemas de drenaje.

Precaución sobre la decoloración: La aplicación puede causar la decoloración en superficies metálicas, de cemento o de piedra (como automóviles o muebles de jardín), ropa o calzado. Si se produce el contacto, cepille las partículas para evitar la decoloración o la invasión del producto dentro del hogar. Si es necesario, enjuague con agua.

GUARANTEED ANALYSIS

Expert Gardener® Crabgrass Preventer Plus Lawn Food 30-0-0 F 643

Total Pesticide Content: 30% (30% active ingredient)

Sulfur (S): 0.0%

Sulfur (S): 0.0%

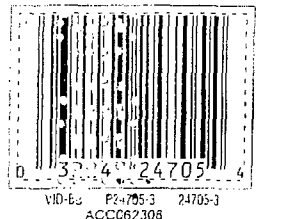
Sulfur (S): 0.0%

Sulfur (S): 0.0%

Sulfur (S): 0.0%

Sulfur (S): 0.0%

Sulfur (S): 0.0%



Expert Gardener® is Marketed Exclusively by Wal-Mart Stores, Inc., Bentonville, AR 72716
Shop # www.walmart.com
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