538-257

1/30/2004 Page 189

| Please read instructions on reverse before completing for   | rm. Form Appro                           | ved. OMB No. 2070-0                              | 060. Approval expires 05-31-98                   |
|---|--|--|--|
| EPA Environmental Protect Washington, DC 20   |  | Registration Amendme                             | Į.   |
|   | ation for Pesticide - Section            |  |  |
| Company/Product Number     538-257  | 2. EPA Product Mana<br>Joanne Mille      | ager   | 3. Proposed Classification                       |
| Company/Product (Name)     Fertilizer Plus Preemergent Weed Col   | PM#                                      |  | None Restricted                                  |
| 5 Name and Address of Applicant (Include ZIP Code) Scotts-Sierra Crop Protection Company 14111 Scottslawn Road Marysville, OH 43041   |  | v. In accordance with<br>lentical in composition | FIFRA Section 3(c)(3)(b)(I), my and labeling to: |
| Check if this is a new address  |  |  |  |
|   | Section II                               |  |  |
| Amendment - Explain below.  Resubmission in response to Agency letter dated XX-XX-  |  | els in response to Age<br>ation                  | ency letter dated NOTIFICATION                   |
| Notification - Explain below.   | Other - Explain i                        | elow.  | JAN 3 0 2004                                     |
| Explanation: Use additional page(s) if necessary. (For section  | I and Section II.)                       |  |  |
| Notification – per PR Notice 95-2 and 9   | 8-10. See attached shee                  | t.   |  |
|   | Section III                              |  |  |
| Material This Product Will Be Packaged In:  |  |  |  |
| Child-Resistant Packaging  Yes* No If "Yes" Vo. per  *Certification must be submitted  Unit Packaging  Yes  No If "Yes" Unit Packaging wgt. Contain   | T .                                      | ner Pap  | ral<br>stic<br>ss                                |
| 3. Location of Net Contents Information 4. Size(s   | s) Retail Container                      | 5. Location of Lab On Label On Labeling          | pel Directions  g accompanying product           |
| Pap   | ograph Other<br>er glued<br>nciled       |  |  |
|   | Section IV                               |  |  |
| 1. Contact Point (Complete items directly below for identification  | on of individual to be contacted, if nec | essary, to process this                          | s application.)                                  |
| Name<br>Sheila R. Kendrick  | Title Senior Regulatory Spec             | <b>I</b>   | phone No. (Include Area Code)<br>(937) 644-7214  |
| I certify that the statements I have made on this form and acknowledge that any knowingly false or misleading state under applicable law.  2 Signature Scotts Sierra Grop Farglection Company | 3. Title                                 | prisonment or both                               | 6. Date Application • Reseived • • (Stamped)     |
| 4. Typed Name   | Senior Regulato                          | ry Specialist                                    |  |
| Sheila R. Kendrick  | January 6                                | 2004   | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0            |

### The Scotts Company

and Subsidiaries

January 6, 2004



Sherada Hobgood NOTIF, H7505C Office of Pesticide Programs U.S. Environmental Protection Agency 401 M Street, SW Washington, DC 20460-0001

Subject: Fertilizer Plus Preemergent Weed Control II

EPA Reg. N. 538-257

Notification - General label revisions

Dear Ms. Hobgood.

We are notifying the Agency of the following changes to the subject label:

Additional Brand Name and Fertilizer ratio:

- Kansel »
- 20-2-13

#### Additional claims:

- The small particle granules can easily be distributed evenly for proper application rates.
- Controls 35 grassy and broadleaf weeds.
- For Sale to, Use and Storage By Commercial Nursery, Cut Flower, Foliage and Landscape Personnel Only.

#### Additional weeds:

| **** | / 1 2 2 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 |                         |
|------|---|-------------------------|
| •    | Foxtail, Bristly                          | Setaria verticillata    |
| •    | Ripgut Bromegrass                         | Bromus catharticus      |
| •    | Wild Oats                                 | Avena Fatua             |
| •    | Bristly Oxtongue                          | Picris echioides        |
| •    | Carpetweed                                | Mollugo verticillata    |
| •    | Cheeseweed                                | Malva parviflora        |
| •    | Common Groundsel                          | Senecil vulgaris        |
| •    | Fiddleneck                                | Amsinckia intermedia    |
| •    | Fireweed                                  | Epilobium angustifolium |
| •    | Lambsquarters                             | Chenipodium album       |
| •    | Niruri                                    | Phyllanthus niruri      |
| •    | Shepardspurse                             | Capsella bursa-pastoris |
| •    | Sow Thistle                               | Sonchus oleraceus       |
| •    | Speedwell                                 | Veronica spp            |
| •    | Spiny                                     | Amaranthus spinosus     |
| •    | Spotted catsear                           | Hyopchaeris radicata    |
| •    | Yellow woodsorrel                         | Oxalis stricta          |
|      |   |                         |

Page 2 (010604Notif)

Application table - this is a range registration, and on this version we are claiming the following percentages: 2.00% Oxadiazon and 1.25% Pendimethalin. The table has been revised to reflect this percentage while maintaining the approved application rates:

- Square Foot 1g
- 100 Square Foot -100g/. 23lbs
- 1,000 Sq. Ft. 1Kg/ 2.3lbs
- Acres 45.4 Kg/ 100 lbs

We have enclosed two (2) copies of the label with revisions highlighted to help facilitate your review.

"This notification is consistent with the provisions of PR Notice 95-2, 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".

If you have any questions regarding this submission, please contact me at 937-644-7214.

Respectfully,

The Scotts Company

Senior Regulatory Specialist

NOTIFICATION

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NOTIFICATION

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Scotts

## Herbicide

Provides preemergence control of weeds in container, landscape and field grown ornamentals

- The small particle granules can easily be distributed evenly for proper application rates.
- Combination product of Oxadiazon (2.0%) and Pendimethalin (1.25%)
- · Controls 35 grassy and broadleaf weeds.

#### **PACKAGING**

Unit Size: 50 lb bag

#### STOCK #95750

(See next page for label information)

For Sale To, Use and Storage By Commercial Nursery, Cut Flower, Foliage And Landscape Personnel Only.



#### Herbicide

Provides preemergence control of weeds in container, landscape and field grown ornamentals

| Kansel+ ACTIVE INGREDIENTS:                          | 20-2-13                               |        |
|--|---------------------------------------|--------|
| Oxadiazon <sup>†</sup>                               |                                       | 2.00%  |
| Pendimethalin <sup>††</sup>                          |                                       | 1.25%  |
| OTHER INGREDIENTS                                    |                                       | 96.75% |
|  | TOTAL                                 | 100.0% |
| †CAS # 19666-30-9                                    |                                       |        |
| <sup>††</sup> CAS # 40487-42-1                       |                                       |        |
| Guaranteed Analysis                                  |                                       | F643   |
| Total nitrogen (N)                                   |                                       | 20%    |
| 5.2% ammoniacal nitrogen                             |                                       |        |
| 8.1% urea nitrogen*                                  |                                       |        |
| 6.2% other water soluble nitro                       | ogen                                  |        |
| 0.5% water insoluble nitroger                        | 1                                     |        |
| Available phosphate (P <sub>2</sub> O <sub>5</sub> ) | , . , . , . ,                         | 2%     |
| Soluble potash (K <sub>2</sub> O)                    |                                       | 13%    |
| Sulfur (S)   | • • • • • • • • • • • • • • • • • • • | 10%    |
| 10% combined sulfur                                  |                                       |        |

**Derived from:** methyleneurea, potassium sulfate, ammonium phosphate, and ammonium sulfate.

\*Contains 4.5% slowly available methylenediurea and dimethylenetriurea nitrogen.

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

# WARNING

Some components of this product may cause eye irritation.

#### PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals.

EPA Reg. No. 538-257

EPA Est. No. 538-0H-1(S) EPA Est. No. 8378-IN-1(K)

Subscript is the first letter of run code on end of contaner

Product of U.S.A.

NET WEIGHT: 50 lb (22.68 kg)

© 2004, Licensed by The Scotts Company. World rights reserved.



The Scotts Company 14111 Scottslawn Road Marysville, OH 43041 1-800-492-8255 **WARNING.** Causes skin irritation. Harmful if swallowed, inhaled or absorbed through the skin. Causes eye irritation. Do not get in eyes, on skin, or on clothing. Avoid breathing dust. Do not contaminate feed or foodstuffs. Do not graze treated areas. Do not feed clippings to livestock.

#### **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 poison control center or doctor for treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

IF SWAŁLOWED: 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 respirations, preferable 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 a poison control center or doctor, or going for treatment.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

 Long-sleeved shirt and long pants • Waterproof gloves • Shoes plus socks • Protective eyewear • NIOSH approved respirator with any R,P, or HE filter.

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 CRF 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 fish. Use with care when applying to areas adjacent to any body of water. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of wastes.

#### 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.

#### 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
- Chemical-resistant gloves made of any waterproof material
- · Shoes plus socks
- Protective evewear

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

Keep all person, children and pets out of the treated areas until dusts have settled.

For weed control around and over the top of established landscape, field grown, and container ornamentals.

Apply either prior to weed seed dermination or following complete weed removal.

After planting, prior to herbicide application, irrigate with approximately 1/2 inch of water to firm potting media around root system.

Apply this product to dry foliage only. For best results, water immediately (1/2 to 1 inch) after application to remove granules from plant foliage and activate the herbicide.

First application to field grown ornamentals can be made following planting or prior to weed seed germination. Soil should be broken by light cultivation and be free of all established weeds.

#### **ORNAMENTALS**

The ornamental plants on the following list have been tested and shown to be safe when treated with Kansel+ herbicide. Only one or two varieties of each species were tested. Other species in a genus or different varieties in the same species may respond differently. Be cautious when treating annual plants.

Kansel+ herbicide may be used on plant species not listed on this label. All species and varieties of ornamental plant types have not been tested. If a user wishes to make an application to a similar ornamental plant type not listed on the label it is suggested that a trial application be performed first. THE USER ASSUMES RESPONSIBILTY FOR ANY CROP DAMAGE OR OTHER LIABILITY. Do not treat plants grown for food or feed. Do not use treated plants for food or feed.

A trial application should be made by applying Kansel+ herbicide to a small number of plants (20 or more) and grown under conditions similar to those which will be treated full scale. Wait 7 days for initial injury symptoms.

The following is a list of plants shown to be tolerant to Kansel+ herbicide. There is limited data to support application to annuals.

| 1 | r | o |   | c | C |
|---|---|---|---|---|---|
|   | п | п | E | C | ũ |

| TREES           |                           |
|-----------------|---------------------------|
| Common Name     | Scientific Name           |
| Apple           | Malus spp                 |
| Crabapple       | Malus spp                 |
| Arbovitae       | Thuja spp                 |
| Ash             | Franxinus spp             |
| Bald Cypress    | Takodium distichum        |
| Leyland Cypress | Cupressocyparis leylandii |
| Cedar           | Thuja spp                 |
| , Red           | Juniperus virginia        |
| , Atlas         | Cedrus atlantica          |
| Dogwood         | Cornus spp                |
| Elm             | Ulmus japonica            |
| Fir, Douglas    | Psudotsuga menziesii      |
| Gingko          | Gingko biloba             |
| Hemlock, Canada | Tsuga canadensis          |
| Holly           | llex spp                  |
| Lilac           | Syringa spp               |
| Magnolia        | Magnolia spp              |
| Maple           | Acer spp                  |
| 0ak             | Quercus spp               |

several

Pinus spp

Populus spp

Redwood, dawn Metasequoia glyptostoboides Spruce picea spp

Palm

Pine

**Poplar** 

| SHRUBS         |                   |
|----------------|-------------------|
| Azalea         | Rhododendron spp  |
| Bamboo         | Bambina spp       |
| Barberry       | Berberis spp      |
| Boxwood        | Buxus spp         |
| Butterfly bush | Buddlleia dividii |
| Camellia       | Camellia spp      |
| Cotoneaster    | Cotoneaster spp   |
| Crepe myrtle   | Lagerstoemia spp  |
| Deutzia        | Deutzia gracilis  |
| Escallonia     | Escallonia spp    |

Euonymus Euonymus spp Forsythia Forsythia intermedia Fothergilla Fothergilla gardenii Gardenia Gardenia jasminoides Hibiscus Hibiscus spp

Honeysuckle Diervilla / Lonicera spp

Holly llex spp

Hydrangea Hydrangea arborescens Juniper

Juniperus spp Laurel Prunus spp Kalmia Latifolia

Luecothoe Luecothoe spp Lilac Syringae spp Lily of the Nile Agapanthus spp **Grape Holly** Mahonia aquafolium Mock Orange Pittospirum tobira Philadelphus virginialis Mock Orange Myrtle Mutus communis Nandina Nandina domestica Oleander Nerium oleander

Osmanthus Osmanthus spp Photinia, Fraser Photinia fraseri **Privet** Lygustrum spp **Pyracantha** Pyracanths coccinea Rhododendron Rhododendron spp

Rose Rosa spp Sweet pepperbush Clethera spp **Viburnum** Vibumum spp Yew Taxus spp

#### **Perennial and Annual Ornamentals and GroundCovers**

Acacia Acacia redolens Ageratum Ageratum spp **Ajuga** Ajuga spp Aquilegia spp

Artemisia schmidtiana **Artemisia** 

**Asters** Aster spp Astilbe spp **Astilbe** Gypsophilia spp Baby's Breath Bee Balm Monarda didyma Bergenia spp Bergenia Blanket flower Gaillardia spp Blue wild indigo Baptisia australis Campanula Campanula carpaticia

Canna Lilies Canna spp Cat mint Nepeta fassenii Chrysanthemums Chrysanthumum spp Coneflower Rudbeckia spp. Coreopsis Coreopsis lanceolata Echinacea purpurea **Echinacea Epimedium** Epimedium spp Eupatorium rogusum Eupatorium Dianthus deltoides Dianthus Digitalis grandiflora Yellow foxglove Gaillardia Gaillardia spp Gazania luecoleana Ganzania, trailing Gazania Gazania spp Geraniums Pelargonium spp Gladiolas Gladiolus spp

Gaura Heather Gaura lindheimeri

Calluna vulgaris

Hosta Hosta spp

Heuchera Heuchera micantha Ice Plant Carpobrotus edulis lvy Hedera soo Jasminium mesnyi Jasmine Jasmine Primrose Trachelospermum spp

Lamiastrum galaobdoion

Leopards-Bane Doronicum cordatum

Lavandala angustifolia

Liatrius Liatrius spicata Lily Lilium orientalis

Miscanthus sinensis

Pachysandra Pachysandra terminalis Penstemon Penstemon barbatus

Paeonia spp Peony Periwinkle Vinca spp Phlox Phlox subulata Potentilla Potentilla spp Rudbeckia Rudbeckia fulgia Perovskia atriplicifolia Russian sage Salvia Salvia nemorosa Scabiosa Scabiosa soo Sedum Sedum spp St. Johnswort Hypericum spp Veronica Veronica spicata Wisteria Wisteria synesis Achillea millefolium Yarrow

#### **Ornamental Grasses**

Blue Fescue Festuca ovina

Calamagrostis Calamagrostis acutiflora Purple Fountain Pennisetum rubrum

#### Plants that have shown injury from Kansel+ herbicide.

Begonia Begonia spp

Campanula Campanula persicifolia Dianthus Dianthus caryophyllus

> Calluna spp Carex spp

Catharanthus roseus Chrysanthemum Chrysanthemum spp

Clematis Clematis spp Delphinium Delphinium spp

Echinacea spp

Heather Calluna spp Lupines Lupinus spp

Ligustrum vicaryi Oenethera missouriensis

Heuchera spp

Geranium Geranium sanguinea

Monarada spp

Phlox Phlox panicculata Sedum Sedum brevifolium Shasta daisy Leucanthemum maximum

Petunia Petunia spp Marigolds Tagetes spp Vinca minor Vinca Zinnia Zinnia spp

#### **CONTROLS**

#### Kansel+ herbicide gives preemergence control of the following weeds:

#### **GRASSY WEEDS**

Annual bluegrass Annual sedge Barnyardgrass

Poa annua

Cyperus compressus Echinochloa crusgalli Craborass, Large Digitaria sanguinalis Crabgrass, Smooth Digitaria ischaemum

Fall panicum Field sandbur Foxtail, Bristly Panicum dichotomiflorum Cenchrus incertus

Setaria verticillata . Green Setaria viridis , Yellow Setaria lutescens Goosegrass Eleusine indica

Ripgut Bromegrass Wild Oats

Bromus catharticus Avena fatua

#### **BROADLEAF WEEDS**

Bittercress **Bristly Oxtongue** Carpetweed Cheeseweed Common Chickweed Common Groundsel Fiddieneck **Fireweed** 

Knotweed, Prostrate

Lambsquarters

Prostrate spurge

Shepardspurse

Sow Thistle

Speedwell

Niruri

**Oxalis** 

Purslane

**Pigweed** 

Cardamine pensylvanica Picris echioides

Mollugo verticilata Malva parviflora Stellaria media Senecio vulgaris Amsinckia intermedia Epilobium angustifolium Polygonum aviculare Chenipodium album Phyllanthus niruri Oxalis stricta Euphorbia maculata Portulaca oleracea Amaranthus retroflexus Capsella bursa-pastoris Sonchus oleraceus

Spiny amaranth Spotted catsear Sourge, roundleaf Yellow woodsorrel

Veronica spp Amaranthus spinosus Hypochaeris radicata

Euphorbia cordifolia

Oxalis stricta

#### APPLICATION RECOMMENDATION

- Apply this product to dry foliage only. Apply either prior to weed seed germination or following complete weed removal.
- For best results, water immediately (1/2 to 1 inch) to remove granules from plant foliage and activate the herbicide.
- · Remove established weeds from potted liners prior to transplanting into containers. After planting irrigate with approximately 1/2" to 1" of water to firm potting media around root system. After two regular waterings and foliage has dried. broadcast product evenly over container growing area. Water in with 1/2" to 1 inch.
- Do not destroy the chemical barrier by raking or tilling. Complete raking or tilling before treatment so that the protective chemical barrier is not destroyed after application.
- Kansel+ herbicide should be applied at the recommended rate with a properly calibrated spreader which will assure accurate. even particle distribution.

#### **APPLICATION RATES**

| Square Foot | 100 Sq. Ft. | 1,000 Sq. Ft. | Acres   |   |
|-------------|-------------|---------------|---------|---|
| 1g          | 100g        | 1Kg           | 45.4 Kg | _ |
|             | .23 lbs     | 2.3 lbs       | 100 lbs |   |

#### PRECAUTIONS/LIMITATIONS

- . Do not apply to wet foliage.
- Do not apply product in enclosed greenhouses or polyhouse structures as ornamental injury may occur.
- Do not apply in wind conditions that affect distribution of the product.
- Do not incorporate product into soil or potting media nor apply product directly to bare roots.
- 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.
- Avoid contamination of water for irrigation and domestic use.
- · Avoid application to cement, stone, clothing or shoes. If contact occurs, brush off particles to prevent staining. If necessary, rinse with water.
- · Not for use on vegetables. Do not use on fruit trees that will bear fruit within one year of application.
- This product does not control germinating or established weeds.

#### 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: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the hazardous waste representative of the nearest EPA Regional Office for quidance.

**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: DISCLAIMER AND LIMITATION OF LIABILITY

This product has been researched to provide necessary data to support its use on ornamentals. However, it is understood that tests may not have been carried out on all varieties and under all growing conditions. The user should always follow label directions and exercise judgment and caution when using this product on a given variety until familiar with the results under their 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 liability of The Scotts Company or its affiliates, 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 Scotts Company.

Attention: This product contains a chemical known to the State of California to cause cancer.