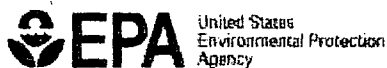


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460Office of Pesticide Programs

SEP 24 2008

The Scotts Company  
14111 Scottslawn Rd.  
Marysville, OH 430141

**Subject: EPA Reg. 538-282 (Turf Builder Plus 2®)/ 2,4-D RED Label Amendment**

The labeling referred to above is in compliance with the 2,4-D RED provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
- 2) Please note: Final product reregistration can't be considered until after all active ingredients in this product are eligible for reregistration.
- 3) Make the following revisions to the product label:

Master Label

1. Under the ingredient statement, add a listing of the number of pounds of each active-ingredient acid equivalent in each pound of product.
2. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read: "CAUTION Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long-sleeved shirt, long pants, shoes and socks. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.
3. Per the MCPP-p and 2,4-D REDs, the first 2 sentences of the Environmental Hazards section of the label must be revised to read:  
  
"This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark."  
  
4. Per the MCPP-p RED, a 30 day minimum retreatment interval must be added to the application restriction section of the label.

5. The headings "Storage," and "Disposal," must read "Pesticide Storage," and "Pesticide Container Disposal," respectively.
6. Per the MCPP-p RED, the following text must be added to the application restriction section of the label:

"Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. Apply this product directly to your lawn or garden, and sweep any product landing on the driveway, sidewalk, gutter, or street, back onto the treated area. To prevent product run-off, do not over water the treated area to the point of runoff or apply when raining or when rain is expected that day."
7. Directions for use: Regardless of which option is used, the language must conform to the standard label language approved for the restrictions for this product:
  - a. The statements, "Do not allow product to contact people or pets directly or through drift," and "Do not allow people or pets to enter treated areas until dusts have settled," must appear, using this wording.
  - b. The directions must clearly state the maximum application rate and 2 application per year limit
8. The Agency was unable to confirm that the application rates conform to the REDs because the amount applied or size of the container was not provided. The amount applied and area treated must be provided and must fall within the allowable rates specified in the REDs.
9. Remove the claim, "far better than..." when discussing granule advantage.
10. Remove the following marketing claims, which imply enhanced efficacy and are not acceptable without supporting data:
  - a. Kills Weeds Completely!
  - b. Weeds are killed completely – roots and all
  - c. Kills roots and all.
  - d. XX% more greening power than Brand X
11. Remove the phrase, "...for complete control," on page 10, under "What to Expect." This implies enhanced efficacy, and is not acceptable without supporting data.
12. Remove the following marketing claims which are inappropriate due to the application restrictions for the active ingredients in this product (limited to 2 applications per year):
  - a. Apply anytime weeds are growing

- b. Use anytime you have weeds

CLI Sub-label

- 13. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read: "CAUTION Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long-sleeved shirt, long pants, shoes and socks. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.
- 14. Remove the claim, "far better than..." when discussing granule advantage.
- 15. Directions for use: Regardless of which option is used, the language must conform to the standard label language approved for the restrictions for this product:
  - a. The statements, "Do not allow product to contact people or pets directly or through drift," and "Do not allow people or pets to enter treated areas until dusts have settled," must appear, using this wording.
  - b. The directions must clearly state the maximum application rate and 2 application per year limit
- 16. The headings "Storage," and "Disposal," must read "Pesticide Storage," and "Pesticide Container Disposal, respectively.
- 17. Per the MCPP-p RED, the following text must be added to the application restriction section of the label:

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"Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. Apply this product directly to your lawn or garden, and sweep any product landing on the driveway, sidewalk, gutter, or street, back onto the treated area. To prevent product run-off, do not over water the treated area to the point of runoff or apply when raining or when rain is expected that day."

- 18. Per the MCPP-p RED, a 30 day minimum retreatment interval must be added to the application restriction section of the label.
- 19. Per the MCPP-p and 2,4-D REDs, the first 2 sentences of the Environmental Hazards section of the label must be revised to read:

"This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark."

20. The Agency was unable to confirm that the application rates conform to the REDs because the amount applied or size of the container was not provided. The amount applied and area treated must be provided and must fall within the allowable rates specified in the REDs.
21. Under the ingredient statement, add a listing of the number of pounds of each active ingredient acid equivalent in each pound of product.

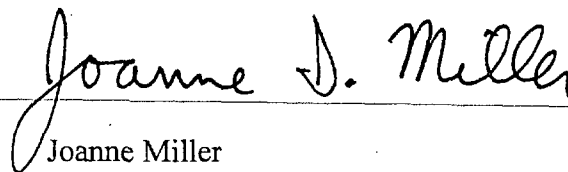
Reregistration under this section of the Act does not eliminate the need for continual assessment of the registration of this product.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Sec. 6(e). Your release of the product for shipment constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Submit one copy of the final printed label before the product is released for shipment.

If you have any questions, please contact Kathryn Montague (703-305-1243 or [montague.kathryn@epa.gov](mailto:montague.kathryn@epa.gov) ).

Sincerely,



Joanne Miller  
Product Manager 23  
Herbicide Branch  
Registration Division (7505P)

**MASTER LABEL**

**TURF BUILDER PLUS 2®  
Weed Control  
EPA Reg. No. 538-282**

**[FRONT Panel]**

Optional Information:

**[Coverage]**

- Treats X,XXX sq ft (Bag)
- NET WEIGHT XX.X lbs (Bag)
- Treats X,XXX sq ft (Shaker Container)
- NET WEIGHT X.X lbs (Shaker Container)
- XXXXX
- TREATS (and fertilizes) XXXX SQ FT
- (Treats and feeds XXXX sq. ft.) (XX ft. x XXX ft.)
- Covers X,XXX SQ FT
- XX-X-X

**[Graphics]**

[art] Guaranteed!  
Won't Burn Lawn

[art] Weed

[photo]  
This lawn is starving and has weeds

[photo]  
This lawn was fed with (Product Name)

[photo] Treated

[photo] Untreated

XX NITROGEN	X PHOSPHORUS	X POTASSIUM
Essential for plant growth; makes grass green.	Stimulates root growth; helps grass multiply.	Makes plant strong; better able to resist drought and extreme heat.

**[APPLICATION]**

**How and When to Apply**

Apply Anytime Weeds Are Growing

Apply in late spring, summer, or fall. For use on bahia, bermuda, bluegrass, centipede, fescue, ryegrass, or zoysia lawns.

DO NOT USE ON ST. AUGUSTINEGRASS, FLORATAM, DICHONDRA, LIPPIA, CARPETGRASS OR BENTGRASS LAWNS.

## How Much is Enough?

To determine the square footage of your lawn, walk the length and width of your lawn; one average pace equals about 3 feet. Multiply the length of the lawn by the width of the lawn. This equals the area of your lawn in square feet. NOTE: If your lawn has an irregular shape, measure square areas, then add the figures together to reach your total lawn size.

### [CLAIMS...optional for front/back]

#### Note to PM: Claims, general

- Scotts No-Quibble Guarantee®
- Patented Particle™ Technology
- The Scotts Difference™
- The Scotts Advantage®
- Easy-tear, recloseable pour spout
- Easy to Carry Package!
- New, easy pour spout!
- Easy open, resealable bag
- **SCOTTS POLICY No Quibble Guarantee SEE BACK FOR DETAILS**
- America's favorite weed & feed
- New!
- One Easy Step/Application!
- Formulated for the home environment
- Step™ 2 of 4 Easy Steps to a Better Lawn
- Scotts Best Annual Program
- Formulated for the home environment
- For best results, apply (as part of) a Scotts Annual Lawn Care Program™
- For best results, apply to a wet lawn
- Backed by Scotts No-Quibble Guarantee®
- The Scotts Advantage® Available only at authorized Scotts® Lawn Pro® dealers
- Won't Burn\*\*, Can't Fail Guarantee \*\* When used according to manufacturer's directions
- For best results apply a Scotts annual program (see back panel for details)
- For best results, apply as a (the Scotts®) Turf Builder® Annual Program
- ~~Apply anytime weeds are growing~~
- Golf course results for your home lawn!
- Exclusive Particle Technology [art]
- XX of the top XX golf courses use exclusive Scotts® Ultra fertilizer technology for maximum turf performance
- Sticks to weed leaves for better control
- For best results, apply a Turf Builder® product four times a year (see back for details).
- Available only at authorized Scotts® Lawn Pro® dealers

#### Note to PM: Claims regarding Weed Control Properties

- Kills Weeds Completely!
- 2-Way Control
- Patented formula kills weeds that ordinary weed & feeds miss
- Kills dandelions and other major lawn weeds\*
- Clears out dandelions and over/more than 50 (other) broadleaf weeds\*
- Kills dandelions, clover and most other broadleaf lawn weeds\*
- Weeds are killed completely -- roots and all.
- Use anytime you have weeds!\* \*See Directions for Use
- Small, lightweight granules provide complete uniform coverage and are quickly absorbed to help insure control of large and small weeds.
- Controls more than 50 common lawn weeds such as dandelion, clover and chickweed.
- Effective on both large and small weeds\* (see list below).

- Kills roots and all.
- Kills dandelions, chickweed, white clover and most other common broadleaf weeds\*.
- Kills most common lawn weeds\*!
- Scotts Ultimate Weed Control!

**Note to PM: Combination Claims**

- Scotts' most effective weed and feed
- Weed control plus lawn fertilizer for use on bahia, bermuda, bluegrass, centipede, fescue, ryegrass or zoysia lawns
- All you need for a thicker, greener lawn without dandelions
- Clears out clover and other broadleaf weeds and helps prepare your lawn for winter
- Kills dandelions and more than 50 other broadleaf weeds after they sprout and helps make your lawn its thickest, greenest ever
- Kills dandelions, clover, chickweed and other non-grassy weeds while greening your lawn without rapid, extreme growth
- Unlike ordinary weed-and-feeds, every particle of this product contains Scotts patented timed-release nitrogen plus phosphorus, potassium, and weed control. (See back for details).
- What to expect
  - o Dandelions and other weeds will be killed in 3 to 4 weeks and your lawn will be greener in 4 to 6 days
- Thickens lawn to crowd out weeds
- XX% more greening power than Brand X (Turf Builder® comparative product)

**Note to PM: Claims regarding Fertilizer Properties:**

- [art] Builds strong, deep roots
- [art: Water Smart Formula] Improves lawn's ability to absorb water & nutrients
- ULTRA GREENING POWER!
- "We guarantee thick, green, turf without risk of surge growth."
- Timed-release nitrogen won't burn your lawn or cause surge growth
- Plus fertilizes with a feeding of Turf Builder® for developing thick, green lawns
- Builds thick, green turf from the roots up [without burning your lawn]
- Scotts Best Annual Program For A Picture-Perfect LawnBoost of nutrients to help your lawn survive/prepare for the summer/summer stress/heat, drought & wear and tear!
- Develops longer, deeper roots to help your lawn survive/prepare for the summer/summer stress/heat, drought, and wear and tear!
- Builds thick, green turf without burning
- Feeds lawn, helping turf to fill in where weeds once were
- Strengthens/protects your lawn
- Fast, long lasting greening power
- Won't burn lawns, guaranteed.
- No burning
- No surge growth
- Builds thick, green lawns.
- Quick greening, long lasting.
- Patented, timed-released nitrogen formula builds thick, green lawns from the roots up
- Each lawn fertilizer particle provides safe gradual release that won't burn or cause surge growth when applied as directed
- Delivers nutrients which enhance root growth and provide extended feeding
- All the nutrients your lawn needs in one application/bag/step
- Scotts All-in-One®\*\* particles combine essential nutrients into every particle (for even feeding)
- Total nutrient package helps repair thin and bare spots in your lawn
- Patented timed-release nitrogen formula builds thick, green lawns from the roots up.
- Miracle-Gro® nutrients help develop a thicker, greener lawn
- (Product Name) lawn fertilizer contains extra nitrogen, carefully blended with potassium and phosphorus, to make your lawn greener
  - Your lawn will be greener in 4 to 6 days if weather conditions are good (warm soil, some moisture) and

application instructions were followed.

- The greening will reach its peak 8 to 10 days after application. The color difference will be more noticeable if your lawn is hungry to begin with.
- (Product Name) works below the soil, too, helping to promote root and rhizome development; this strengthens the grass plants and enables them to produce more blades of grass, and it thickens the lawn with the addition of new grass plants.
- Thin areas of turf will fill in over time (about 6 weeks), creating a more uniformly dense lawn.
- Patented timed-release Miracle® Capsules feed your lawn over an extended period of time.
- There's no overfeeding or underfeeding when you follow the fail-proof directions.
- The result is a beautiful, thicker, greener lawn.
- (Scotts®) Golf's Choice for Greener Turf
  - Golf course superintendents have relied on Scotts products to grow fine turf since the beginning of the century. In fact, Scotts products are used by XX of the top XX golf courses in the United States -- and now Ultra Turf Builder® products allow you to use that same high-performance technology on your home lawn. Go for the green with Scotts!
- (Scotts®) Baseball's Choice for Greener Fields
  - If you've ever marveled at the beauty of the grass on baseball's finest fields and wondered how you could possibly grow that kind of turf at home, you hold the answer in your hands. Scotts, the official turf care company of Major League Baseball, now offers Ultra Turf Builder® products for homeowners, with the fertilizer technology used by professional groundskeepers for big-league ballparks.

\*As listed [Note to PM: Applies to weeds noted under claims]

[Note to PM: End of CLAIMS...optional for front/back]

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**SEP 24 2008**

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

538-282

**ACTIVE INGREDIENTS:**

2,4-D† .....	1.21%
Mecoprop-p†† .....	0.61%
<b>INERT INGREDIENTS</b> .....	<b>98.18%</b>
Total	100.00%

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

See back for additional precautionary statements.

XX-X-X

Net Weight XX.XX lb (X.XX kg)