

961-394

6-26-2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Jeanette A. Covert
Product & Regulatory Associates, LLC
Agent for Innovative Pest Control
P.O. Box 1683
Voorhees, NJ 08043

JUN 26 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Warranty Statement
EPA Reg. No.961-394
Application Dated May 27, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 05/27/09 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(s) requested fall 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 Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Lebanon Seaboard Corporation/961-394	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lebanon Fertilizer Plus Confront TR Brand Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Lebanon Seaboard Corporation 1600 East Cumberland Street Lebanon, PA 17042 <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 <u>JUN 2 6 2009</u>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<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 of Warranty statements per PR Notice 98-10. This notification is consistent with the guidance in of PR Notice 98-10 and the requirements of 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. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and EPA Regulations at 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

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	If "Yes" Unit Packaging wgt. No. per container		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		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 to be determined		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jeanette Covert	Title Authorized Representative for Lebanon	Telephone No. (Include Area Code) 856.751.3432
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 <i>Jeanette Covert</i>	3. Title Authorized Representative for Lebanon Seaboard Corporation	
4. Typed Name Jeanette Covert	5. Date 05-27-2009	

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LEBANON FERTILIZER PLUS CONFRONT® TR BRAND HERBICIDE

For the control of annual and perennial broadleaf weeds in residential, commercial,
and recreational turf and commercial sod.

ACTIVE INGREDIENTS:

2,4-dichlorophenoxyacetic acid, butoxyethyl ester *	0.829%
triclopyr BEE: 3,5,6-trichloro-2-pyridinyloxyacetic acid, butoxyethyl ester	0.398%

OTHER INGREDIENTS: 98.773%

TOTAL 100.000%

Contains Petroleum Distillates

Acid Equivalents: 2,4-dichlorophenoxyacetic acid - 0.572%
triclopyr 0.286%

* Isomer Specific by modified DECOGL - AL 96-003941

EPA Reg. No. 961-394

Confront is a registered trademark of Dow AgroSciences LLC.

(L) (D)

EPA Est. No. 961-PA-01:961-IL-01

Superscript used is first letter of lot number.

GUARANTEED ANALYSIS

Total Nitrogen (N)	X.X%
X.X% Ammoniacal Nitrogen	
X.X% Water Insoluble Nitrogen	
X.X% Urea Nitrogen	
X.X% Other Water Soluble Nitrogen	
Available Phosphate (P ₂ O ₅)	X.X%
Soluble Potash (K ₂ O)	X.X%

Nutrient Sources: (*Guaranteed Analysis and Nutrient Sources to be supplied based on fertilizer analysis used by manufacturer.*)

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back Panel for Additional Precautionary Statements.

MANUFACTURED BY:

LEBANON SEABOARD CORPORATION

1600 EAST CUMBERLAND STREET

LEBANON, PA 17042

www.lebsea.com

NET WEIGHT: XX.XX LBS. (XX.XX kg)

COVERS: X,XXX Sq. Ft.

NOTIFICATION

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful If Swallowed.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. After each day of use, clothing or PPE must not be reused until it has been cleaned.

User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- User should 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.

FIRST AID

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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-888-208-1368 for emergency medical treatment information.

ENVIRONMENTAL HAZARDS

This product may be toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This product contains chemicals that have properties and characteristics associated with chemicals detected in groundwater. The use of this product in areas where soils are permeable, particularly where the watertable is shallow, may result in groundwater contamination. Applications around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

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

Read all Directions for Use carefully before applying.

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.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty at end of label. If terms are unacceptable, return at once unopened.**

LABELED USES

TURF

Broadcast Treatment of Residential, Commercial, and Recreational Turf and Commercial Sod

Apply 87 to 174 lbs. per acre (2 to 4 lbs. per 1,000 sq. ft.) of Lebanon Fertilizer Plus Confront® TR Brand Herbicide granules to control broadleaf weeds growing in tall fescue, bluegrass, or perennial ryegrass turf. **Do not** use on other grass species, such as bentgrass or St. Augustine grass, unless injury can be tolerated. Lebanon Fertilizer Plus Confront® TR Brand Herbicide granules at 130 lbs. per acre (3 lbs. per 1,000 sq. ft.) will provide control of most weeds listed. The use of 174 lbs. per acre (4 lbs. per 1,000 sq. ft.) is suggested for those weeds listed above followed by an (a). Optimum control, of those weeds listed above followed by a (b), has been obtained when two applications of 130 lbs. per acre (3 lbs. per 1,000 sq. ft.) have been made 4 weeks apart. Apply from early spring through early fall when weeds are growing. Applications should be made 4 weeks apart to minimize grass injury.

Spot Treatment of Residential, Commercial, and Recreational Turf and Commercial Sod

Apply 87 to 174 lbs. per acre (2 to 4 lbs. per 1,000 sq. ft.) of Lebanon Fertilizer Plus Confront® TR Brand Herbicide to target areas preferably when foliage of target weeds is moist from rainfall or irrigation.

Newly seeded turf should be mowed two or three times before being treated. If soil conditions are dry, water turf prior to application. Do not water turf for 24 hours after application. Do not reseed for 3 weeks after application.

Application Instructions:

For best results, apply this product evenly and uniformly over the turfgrass area, avoiding streaking, skips or overlaps. Before each application, calibrate the spreader according to the equipment manufacturer's directions. Adjust the spreader so the spreader delivers the appropriate application rate as recommended above.

SUGGESTED SPREADER SETTINGS

Spreader	2 lbs./1,000 sq. ft. 3 lbs./1,000 sq. ft. 4 lbs./1,000 sq. ft.		
	Setting	Setting	Setting
Cyclone Rotary	4	4 3/4	5 1/2
Lely	4 1/2 II	5 II	5 1/2 II
Scotts Drop	4	4 1/2	5 1/2
Vicon	18	21	24
Lesco	G	H	I
Lesco	14	16	18
Scotts RX7	D	E	G
Scotts R8A	I	J	K
Ezee Flow	C2	C2 1/2	C3
Earthway Rotary	10	12	14
Ortho Rotary	2 1/2	3 1/2	4 1/2
Spyker	2	3	4

These settings were calibrated and field tested. However, age and condition of spreader, speed of operation, and evenness of terrain may require slightly different settings for desired coverage.

Restrictions for Broadcast Application on Residential, Commercial, and Recreational Turf: A maximum of 174 lbs. per acre (4 lbs. per 1,000 sq. ft.) of Lebanon Fertilizer Plus Confront® TR Brand Herbicide may be applied two times per year.

Restrictions for Broadcast Application on Commercial Sod: A maximum of 174 lbs. per acre (4 lbs. per 1,000 sq. ft.) of Lebanon Fertilizer Plus Confront® TR Brand Herbicide may be applied up to four times a year to control a variety of broadleaf weed species which may germinate at different periods.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Store product in its original container in a cool, dry, locked place out of the reach of children and animals.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

WARRANTY

The Manufacturer warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, expressed or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Manufacturer, and Buyer assumes the risk of any such use.

**WARRANTY
IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Lebanon Seaboard Corporation. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, LEBANON SEABOARD CORPORATION MAKES NO OTHER WARRANTIES, 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 Lebanon Seaboard Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Lebanon Seaboard Corporation DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, THE EXCLUSIVE REMEDY OF THE USER OR BUYER 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, OR AT LEBANON SEABOARD CORPORATION'S ELECTION, THE REPLACEMENT OF PRODUCT.

Additional Labeling Requirements:

If the fertilizer guarantee contains iron, the following statement must appear:

This product contains the secondary nutrient iron. Iron may stain concrete and should not be applied on dry or water dampened concrete and should be removed from these areas promptly after application by sweeping or blowing. Do not wash off with water.

If the recommended use rate applies less than 1 lb. nitrogen per 1,000 sq. ft. per application, the following statement must appear:

Supplemental applications of lawn fertilizer are needed to achieve a minimum 1 pound nitrogen per 1,000 sq. ft.

For products distributed in the State of Washington, the following statement must appear:

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

Advertising Claims:

Practical Solutions for Turf Professionals

Practical Solutions for Serious Turf Professionals

Mesa® is a slow release fertilizer.

Confront® TR provides control of annual and perennial broadleaf weeds in residential, commercial, recreational turf and commercial sod.