

2217-827

2/23/2012

10 of 13



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

FEB 23 2012

James Kunstman, Ph.D
PBI/Gordon Corporation
1217 West 12th St.
P.O. Box 014090
Kansas City, MO 64101

Subject: Notification per PR Notice 98-10 –Multiple Label Changes
EH-1369 Weed & Feed
EPA Reg. No. 2217-827
Application Dated – February 8, 2012

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject 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 date-stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact Maggie Rudick at (703) 347-0257 or rudick.maggie@epa.gov.

Sincerely,

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)

for

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number <p style="text-align: center;">2217-827</p>	2. EPA Product Manager <p style="text-align: center;">Kathryn V. Montague</p>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <p style="text-align: center;">EH 1369 Weed & Feed</p>	PM# <p style="text-align: center;">Product Manager—Team 23</p>	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <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 _____
<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.)

I. **Notification per Pesticide Registration Notice (PRN) 98-10:** Labeling notification per PRN 98-10, Sec II (I) and Sec II (N) delete obsolete or redundant fertilizer statements, add spreader setting clarification statements, add ad claims

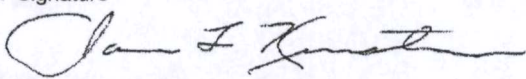
Please refer to cover letter for details and certification statement.

e-mail to jkunstman@pbigordon.com FAX: 816-421-2731

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* 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 checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container <p style="text-align: center;">15-20 pound bags</p>	
5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product			
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" 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 <p style="text-align: center;">James L. Kunstman, Ph.D.</p>	Title <p style="text-align: center;">Director of Regulatory Services</p>	Telephone No. (Include Area Code) <p style="text-align: center;">816-460-6292</p>
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 	3. Title <p style="text-align: center;">Director of Regulatory Services</p>	
4. Typed Name <p style="text-align: center;">James L. Kunstman, Ph.D.</p>	5. Date <p style="text-align: center;">February 8, 2012</p>	

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An Employee-Owned Company

1217 WEST 12th STREET
P.O. BOX 014090
KANSAS CITY, MISSOURI 64101-0090
816-421-4070 · 1-800-821-7925
FAX: 816-474-0462

February 8, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard (South Building)
2777 South Crystal Drive
Arlington, VA 22202-4501
Attn: Kathryn V. Montague, PM-23

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Dear Ms Montague:

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NOTIFICATION: Labeling notification per PRN 98-10: EH-1369 Weed & Feed (EPA Reg. No. 2217-327)

I. Labeling notification per PRN 98-10, Sec II (I) and Sec II (N)

1. We ask to delete obsolete or redundant fertilizer statements, refer to pages 8 and 10 of proposed label.
2. We ask to add spreader setting clarification statements, refer to page 5 and 6 of proposed label.
3. We ask to add ad claims, refer to page 9 of proposed label.

NOTIFICATION

One (1) copy of the proposed labeling is enclosed for your review.

FEB 23 2012

II. Certification statement:

This notification is consistent with the provisions of PR Notice 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 the 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 Section 12 and 14 of FIFRA.

III. Enclosures:

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. One (1) copy the draft labeling with annotations.
3. One (1) copy of the draft labeling without annotations.
4. One (1) disc containing electronic copies of the draft labeling.

If you have any questions, please call me at 816-460-6292 or contact me at jkunstman@pbigordon.com.

Sincerely,

James L. Kunstman, Ph.D.
Director of Regulatory Services

NOTIFICATION

FEB 23 2012

EH1369 WEED & FEED

EPA Reg. No. 2217-827

ACTIVE INGREDIENT:

2,4-D, dimethylamine salt (CAS 2008-39-1)	0.723%
Mecoprop-p, dimethylamine salt (CAS 66423-09-4)	0.148%
Dichlorprop-p, dimethylamine salt (CAS 104786-87-0)	0.088%
OTHER INGREDIENTS:	99.041%
TOTAL	100.000%

THIS PRODUCT CONTAINS:

- 2,4-dichlorophenoxyacetic acid equivalent, 0.601%.
 - (+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent, 0.122%
 - (+)-(R)-2-(2,4-dichlorophenoxy) propionic acid equivalent, 0.074%.
- Isomer Specific by AOAC Methods
 TRIMEC® is a registered trademark of PBI/Gordon Corporation.

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

First Aid	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. [You may also contact 1-800-xxx-xxxx for emergency medical treatment information.]</p>	



Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

[Environmental Hazards (alternate per PRN 2008-1)

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. To protect the environment, do not allow pesticide to enter or runoff into storm drains, drainage ditches, gutters or surface waters. 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 or garden will help to prevent run off to water bodies or drainage systems.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application 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.

GENERAL PRECAUTIONS AND RESTRICTIONS:

- 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. Do not allow people or pets to enter the treated area until dusts have settled.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

WHERE TO USE:

EH1369 Weed & Feed controls a wide range of lawn weeds including dandelion, chickweed, knotweed, plantain, henbit, spurge and many others commonly found in home lawns. In addition, the fertilizer provides a supply of plant food. Supplemental nitrogen, phosphorous, and potash should be applied according to soil tests, or State Extension Service recommendations or professional advice.

EH1369 Weed & Feed controls broadleaf weeds commonly found in cool season and warm season turfgrass established in residential areas. Established turf of Kentucky bluegrass, fescues, and perennial ryegrass may be treated. Established turf of bermudagrass, bahiagrass, buffalograss, zoysiagrass, St. Augustinegrass, and centipedegrass may be treated. Residential areas include turfgrass established around residences, apartment complexes, condominiums, vacant lots, or areas associated with households.

Controls (Number) weeds! (Listing of weeds may include the following.)

BROADLEAF WEEDS			
Annual yellow sweetclover	Cockle	Musk thistle	Spiny cocklebur
Aster	Cocklebur	Mustard	Spiny sowthistle
Austrian fieldcress	Common mullein	Narrowleaf plantain	Spotted catsear
Bedstraw	Creeping jenny	Narrowleaf vetch	Spotted spurge
Beggarticks	Cudweed	Nettle	Spurweed
Betony, Florida	Curly dock	Orange hawkweed	Stinging nettle

BROADLEAF WEEDS			
Bindweed, field	Daisy, English	Oriental cocklebur	Strawberry, India mock
Bird vetch	Daisy fleabane	Oxalis	Tall nettle
Bitter wintercress	Daisy, oxeye	Parsley-piert	Tall vervain
Bittercress, hairy	Dandelion	Parsnip	Tansy ragwort
Bitterweed	Dichondra	Pearlwort	Tansy mustard
Black-eyed Susan	Dogbane	Pennycress	Tanweed
Black medic	Dogfennel	Pennywort	Thistle
Black mustard	Dollarweed	Pepperweed	Trailing crownvetch
Blackseed plantain	Elderberry	Pigweed	Tumble mustard
Blessed thistle	False dandelion	Pineywoods bedstraw	Tumble pigweed
Bloodflower milkweed	Falseflax	Plains coreopsis (tickseed)	Velvetleaf
Blue lettuce	False sunflower	Plantain	Venice mallow
Blue vervain	Fiddleneck	Poison ivy	Virginia buttonweed
Bracted plantain	Florida pusley	Poison oak	Virginia creeper
Brassbuttons	Frenchweed	Pokeweed	Virginia pepperweed
Bristly oxtongue	Galinsoga	Poorjoe	Wavyleaf bullthistle
Broadleaf dock	Goathead	Prairie sunflower	Western clematis
Broadleaf plantain	Goldenrod	Prickly lettuce	Western salsify
Broomweed	Ground ivy	Prickly sida	White mustard
Buckhorn	Gumweed	Prostrate knotweed	Wild aster
Buckhorn plantain	Hairy fleabane	Prostrate pigweed	Wild buckwheat
Bulbous buttercup	Hawkweed	Prostrate spurge	Wild carrot
Bull thistle	Healall	Prostrate vervain	Wild four o'clock
Bullnettle	Heartleaf drymary	Puncturevine	Wild garlic
Burclover	Heath aster	Purslane, common	Wild geranium
Burdock	Hedge bindweed	Ragweed	Wild lettuce
Burning nettle	Hedge mustard	Red sorrel	Wild marigold
Burweed	Hemp	Redroot pigweed	Wild mustard
Buttercup	Henbit	Redstem filaree	Wild onion
Buttonweed	Hoary cress	Rough cinquefoil	Wild parsnip
Canada thistle	Hoary plantain	Rough fleabane	Wild radish
Carolina geranium	Hoary vervain	Russian pigweed	Wild rape
Carpetweed	Horsenettle	Russian thistle	Wild strawberry
Catchweed bedstraw	Jimsonweed	Scarlet pimpernel	Wild sweet potato
Catnip	Knawel	Scotch thistle	Wild vetch
Catsear	Knotweed	Sheep sorrel	Woodsorrel
Chickweed, common	Kochia	Shepherdspurge	Woolly croton
Chickweed, mouseear	Lambsquarters	Slender plantain	Woolly morningglory
Chicory	Lespedeza	Smallflower galinsoga	Woolly plantain
Cinquefoil	Mallow	Smooth dock	Wormseed
Clover, crimson	Matchweed	Smooth pigweed	Yarrow
Clover, hop	Mexicanweed	Sorrel	Yellow rocket
Clover, red	Milk vetch	Sowthistle	Yellowflower pepperweed
Clover, strawberry	Morningglory	Spanishneedles	and other
Clover, sweet	Mouseear hawkweed	Speedwell	broadleaf weeds
Clover, white	Mugwort	Spiny amaranth	

USE PRECAUTIONS:

- Do not apply this product to carpetgrass, dichondra, ornamentals, or lawns containing desirable clovers. Do not use on Dichondra, Carpetgrass or Floratam, a type of St. Augustinegrass.
- Choose a calm day to ensure uniform coverage
- Do not exceed the application rate for any area
- If overseeding wait 4 weeks after grass seeds sprout before applying this product.

Other Use Precautions:

- Do not use this product on or near desirable plants, and avoid spreading granules onto exposed root systems or adventitious shoots (rhizomes) within the drip line of desirable trees and shrubs, since injury may result.

- 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, 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(s) to the point of runoff or apply when raining or when rain is expected that day.

APPLICATION INSTRUCTIONS:

1. Mow lawn to normal height 1 to 2 days before application.
2. Water lawn thoroughly at least 1 day before application to sustain moisture until the next watering (see step 4).
3. Apply when weeds are young and growing actively, preferably in the morning when dew is on the grass. If grass is not moist at time of application, sprinkle lightly with water to allow the granules to adhere and to remain on the leaf surface of the weeds.
4. Do not irrigate or sprinkle for 1 to 2 days after application. Irrigate, sprinkle, or water the lawn thoroughly at 2 to 3 days after application.
5. **[An advisory for fertilizers containing iron:**This product will stain sidewalks and driveways. Sweep off any product which may have drifted onto these areas.]

(Tabular Format)

Application Schedule	Cultural Practices
1 to 2 days before application	Mow lawn to normal height 1 to 2 days before application.
1 day before application	Water lawn thoroughly at least 1 day before application to sustain moisture until the next watering.
Day of application	Apply when weeds are young and growing actively, preferably in the morning when dew is on the grass. If grass is not moist at time of application, sprinkle lightly with water to allow the granules to adhere and to remain on the leaf surface of the weeds.
1 to 2 days after application	Do not irrigate or sprinkle for 1 to 2 days after application. Irrigate, sprinkle, or water the lawn thoroughly at 2 to 3 days after application.

HOW MUCH TO APPLY:

For Kentucky bluegrass, fescues, perennial ryegrass, bermudagrass, bahiagrass, buffalograss, zoysiagrass, St. Augustinegrass and centipedegrass: Apply 3.2 to 4.0 pounds of product per 1,000 square feet of turfgrass. A second or follow-up application may be required for dense infestations of weeds or for adverse seasonal conditions. The second application of 3.2 to 4.0 pounds of product per 1,000 square feet should be used 30 days after the first application. Cultivars vary in tolerance to this product. Do not apply this product to 'Floritam' St. Augustinegrass.

The maximum broadcast application rate is 4.0 pounds of product per 1,000 sq.ft. per application [1.05 lb 2,4-D ae, 0.13 lb 2,4-DP-p ae and 0.21 lb MCP-P-p ae per acre per application]. The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 8.0 pounds of product per 1,000 sq.ft. [2.10 lb 2,4-D ae, 0.26 lb 2,4-DP-p ae and 0.42 lb MCP-P-p ae per acre].

DISTRIBUTION AND COVERAGE:

A uniform distribution of product on the treated area is essential. Choose a calm day to ensure uniform coverage. Do not exceed the application rate for any area.

Coverage: To determine how much you need to apply, multiply the length of your lawn by its width. This equals your total square footage. Deduct any non-lawn areas (house, garden, etc.).

[NOTE TO SUPPLEMENTAL REGISTRANTS: Select the appropriate bag size and present only the information provided for that bag size on your product labeling. Also, equipment settings of drop spreaders, rotary spreaders, and other granular applicators may be presented on the container labels.]

_____ length X _____ width = _____ Total Sq.Ft. - _____ Non-Lawn Areas = _____ Total Sq. Ft. To Be Treated	ILLUSTRATION
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Bag Size, Pounds	Application Rate, Pounds/1000 Sq.Ft.	Treated Area for This Bag Size, Square Feet	Bag Size, Pounds	Application Rate, Pounds/1000 Sq.Ft.	Treated Area for This Bag Size, Square Feet
15	3.2	4,700	18	3.2	5,600
	3.4	4,400		3.4	5,300
	3.6	4,200		3.6	5,000
	4.0	3,700		4.0	4,500
16	3.2	5,000	20	3.2	6,400
	3.4	4,700		3.4	5,900
	3.6	4,400		3.6	5,600
	4.0	4,000		4.0	5,000
17	3.2	5,300			
	3.4	5,000			
	3.6	4,700			
	4.0	4,200			

[This product is designed to be applied at rate of XX pounds per 1,000 sq.ft. At that rate this bag will cover XXXX sq.ft.]

SPREADERS AND CALIBRATION:

Drop spreaders and rotary spreaders should be calibrated for uniform application of this product.

Choose one of these application or distribution patterns:

- Single Pass** - Operate the equipment at intervals corresponding to the width or swath of the spreader. For drop spreaders, overlap the wheel tracks to ensure complete coverage. Close the spreader openings when turning to change directions or when stopping.
- Double Pass** - Reduce the application rate by one-half of the recommended rate, calibrate the spreader, and adjust the settings for the desired application rate. Operate the spreader over the lawn two (2) times. Close the spreader openings when turning to change directions or when stopping.
- Cross Hatching** - Reduce the application rate by one-half of the recommended rate, calibrate the spreader, and adjust the settings for the desired application rate. Operate the spreader over the lawn two (2) times. For the second trip, operate the spreader perpendicular to the wheel tracks or the spreader pattern of the first trip. Close the spreader opening when turning to change directions or when stopping.

CALIBRATION INSTRUCTIONS:

Calibrate (check) your spreader before beginning your application and adjust the settings if necessary.

- For 3.2 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 310 square feet and adjust to apply at the rate of 1 pound of product per 310 square feet.
- For 3.4 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 295 square feet and adjust to apply at the rate of 1 pound of product per 295 square feet.
- For 3.6 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 275 square feet and adjust to apply at the rate of 1 pound of product per 275 square feet.
- For 4.0 pounds of product per 1,000 square feet of turfgrass: Check your spreader on 250 square feet and adjust to apply at the rate of 1 pound of product per 250 square feet.

Spreader Settings	
Scott	XX
Sears	XX
Lawn Beauty	XX
Jackson	XX

[These spreader settings are suggestions and are not a replacement for properly calibrating your spreader. See your spreader manufacturer's guide for proper spreader calibration.]

IMPORTANT: It is important to follow directions as indicated because over application may cause injury to your lawn. Spreader settings are approximate. Differences may occur due to condition of spreader, speed at which applied and roughness of area treated.

<p>STORAGE AND DISPOSAL Do not contaminate water, food, or feed by storage and disposal.</p> <p>PESTICIDE STORAGE: Store in original container and keep any bags containing unused product in a locked storage area inaccessible to children and domestic animals.</p> <p>PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. If empty: Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.</p>
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LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

[Alternate Warranty Statement for use by Supplemental Distributor]

WARRANTY DISCLAIMER and LIMITATION of LIABILITY

Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. Manufacturer makes NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. To the extent consistent with applicable law, it is Manufacturer's intent to LIMIT ANY LIABILITY FOR SPECIAL, CONSEQUENTIAL OR INCIDENTAL ECONOMIC DAMAGES to refund of purchase price or replacement of product, at Buyer's choice. To the extent consistent with applicable law, Manufacturer DISCLAIMS ANY LIABILITY FOR COMPENSATORY OR OTHER DAMAGES ARISING OUT OF ANY USE CONTRARY TO LABEL DIRECTIONS. Use contrary to label directions is not permitted.

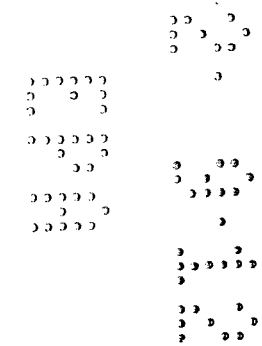
APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Weight _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- (Fifteen, Sixteen, Seventeen, Eighteen, Twenty, Thirty Two, or Forty Eight) Pounds Covers Up To X,000 Square Feet.
- Controls (Kills) (desired weed species from attached listing may be inserted here e.g. dandelion, chickweed, knotweed, plantain, henbit, spurge) and over (number) other (more) broadleaf weeds.
- Helps build a stronger, deeper root system.
- Feeds your lawn with time-released nitrogen for extended greening.
- Encourages early Spring green-up.
- Timed-release fertilizer for professional results
- Use [Apply] when [broadleaf] weeds are actively growing.
- Feeds for up to (time period as designated by subregistrant). (At 72°)
- Quick greening & extended feeding for up to 8 weeks.
- Nitrogen (N) contains timed-release for growing a thick green lawn.
- Phosphorous (P) improves root growth & plant storage capacity.
- Potassium (K) improves plant hardiness & drought resistance.
- For a thick, green lawn. 1
- Greens fast & lasts.
- Apply in Fall!
- Apply in Fall When Weeds are Growing!
- Kills [Listed] Fall Weeds [As Listed] and Greens the Lawn!
- Kills [Listed] Weeds & Greens the Lawn!
- (Before Photo) and (After Photo) for the Expert Gardener Weed & Feed
- (Before Photo) and (After Photo) for the Expert Gardener Winterizer Weed & Feed
- Kills 200+ [Listed] Weeds [As Listed] While Providing Winter Lawn Protection and Early Spring Green-Up!
- Kills 200+ [Listed] Weeds [As Listed] including Dandelions, Clover and Other Common Lawn Weeds
- Formulated with Scotts® Poly-S® Technology for Longer Lasting Greening and Feeding
- Do not use on Dichondra, Carpetgrass or Floratam, a type of St. Augustinegrass.
- Treats & Feeds 5,000 sq.ft. (1/8 acre = 5,445 sq.ft.)
- Expert Gardener® Fertilizer Program (chart)
- For Best Results! Use the Expert Gardener® Fertilizer Program!
- Controls 200+ [Listed] Weeds [As Listed] ! Including:
- Controls [Kills] [Over] XXX[+] [Listed] [Broadleaf] Weeds [As Listed]
- When to Apply: Apply when broadleaf weeds are actively growing in the early fall.
- When to Apply: Apply when broadleaf weeds are actively growing in spring or early fall
- 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). Calibrate your spreader before beginning your application and adjust settings if necessary.
- What to Expect: Weed stems and leaves will begin to twist and curl in a few days, but a month or more may be required for complete control. This product will not prevent weed seeds from producing new plants.
- 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.

- Contact Us: Consumer Helpline 1-866-XXX-XXXX

Information regarding the contents and levels of metals in this product is available on the Internet at: [redacted]

- Nitrogen (N) For Deep Green Color
- Phosphorus (P) For Strong Roots
- Potassium (K) For Overall Plant Health
- Contains Poly-S® Slow-Release Technology for Longer-Lasting Greening
- Kills and [&] Controls over 200 Broadleaf Weeds, Including Dandelions, Clovers, Plantains (full list of broadleaf weeds on back panel).
- Non-Burning Formulation (when used as directed)
- Contains:
 - 0.723% 2,4-D, DMA Salt
 - 0.148% MCPP-p, DMA Salt
 - 0.088% 2,4-DP-p, DMA Salt
- Optional Warranty Statements:
- **NOTICE:** Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.
- **GUARANTEE:** If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.
- New. Built-In Spreader.
- Kills [Listed] Weeds
- Builds Strong, Deep Roots
- Water Smart(TM) [graphic of water drop]
- Makes the Most of Every Drop(TM)
- Improves Lawn's Ability to Absorb Water & Nutrients

29-4-0 Fertilizer grade
29-4-0 Fertilizer grade

- Apply to a wet lawn
- Well-fed lawns are more efficient at using available water.
- Feeding with Scotts® [Water Smart(TM)] [products] help(s) grow a thick lawn with more roots to better absorb water and nutrients than an unfed lawn.. This helps protect your lawn against heat, drought and other stresses.
- Feed regularly for your best lawn.
- [graphic of grass density] One Annual Feeding
- [graphic of grass density] 2-3 Annual Feedings
- [graphic of grass density] 4 Annual Feedings
- Scotts No-Quibble Guarantee® If for any reason you, the consumer, are not satisfied after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly.
- Get expert advice for your lawn NOW! Want information on what to use and when? Sign up today to get free expert advice specifically for your lawn
- [computer mouse icon] Visit our website: www.scotts.com
- [phone icon] Consumer Helpline: 1-800-543-TURF (8873)
- Easy To Apply
- Step 1: Flip: Remove seal under cap
- Step 2: Tilt: Tilt bottle as shown
- Step 3: Feed: To prevent over application, tilt bottle as shown when applying the product. Walk at a steady pace and shake bottle side-to-side using your wrist. Apply product uniformly in rows.
- Step 4: Clean-Up: To keep lawn products from reaching storm sewers, sweep or blow any stray particles from hard surfaces back onto the lawn.
- Tip: 1,000 sq ft (20x50 ft) is approximately half the size of a tennis court [tennis court image]
- Questions/Comments. [computer mouse icon] www.scotts.com 1-800-543-TURF (8873) [phone icon]

- Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn and sweep any product that lands on the driveway, sidewalk, or street back onto your lawn.
- Kills 200+ [Listed] Weeds [As Listed]
- Promotes thick, green lawns
- Feeds for a thick, green lawn
- Grows strong roots
- Contains time-released nitrogen for prolonged, even feeding

	Early Spring	Mid/Late Spring	Summer	Fall	Grass Type
Northern	Crabgrass Preventer	Weed & Feed	Lawn Food	Lawn Food or Weed & Feed	Bluegrass, Rye, Fescues, Bermuda, Zoysia
Southern	Crabgrass Preventer	Weed & Feed	Lawn Food	Lawn Food or Weed & Feed	Bermuda, 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

- FLORIDA APPLICATIONS: For commercial application to urban turf or lawns in FL, we recommend you follow the Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at http://www.dep.state.fl.us/central/Home/MeetingsTraining/FLGreen/BMP_Book_final.pdf.
- “Powered with NutriSphere-N® and Bio-Kote®. NutriSphere-N® is a nutrient manager that helps prevent the loss of nitrogen by protecting it – at the molecular level in the soil. With the addition of Bio-Kote® there is greater nutrition uptake across a wide range of nutrients resulting in healthier turfgrass with greater bio-mass, particularly through root growth. With the added benefit of NutriSphere-N® and Bio-Kote® turf gets greener faster, stays greener longer.
- Phosphorus Free [use only when no phosphorus is in fertilizer formulation]
- Covers XXXX sq.ft.
- Early Spring: Step 1: prevents grassy weeds from germinating and provides early season green-up
- Spring: Step 2: Controls dandelions, clover, and many other broadleaf weeds after they emerge and feeds turf for up to 8 weeks.
- Early Summer: Step 3: Provides sustained feeding and strengthens roots to withstand heat and drought for up to 8 weeks.
- Late Summer: Step 4: Feeds turf and controls broadleaf weeds as they are actively growing in late summer or early fall.
- Fall: Step 5: Thickens turf and builds stronger, deeper roots to prepare turfgrass for winter dormancy and early spring green-up.

3. Fertilizer Labeling Requirements:

FERTILIZER ANALYSIS	
Total Nitrogen (N)	xx%
Water Insoluble Nitrogen xx%	
Available Phosphate (P2O5)	x%
Soluble Potash (K2O)	x%

- NOTE: Fertilizer grades with nutrient contents expressed as the percentages of N, P2O5 and K2O may include the following: 23-3-7, 29-3-4, and X-X-X. The fertilizer grade analyses may contain macronutrients and micronutrients. The nutrient contents expressed will vary among states, and the analyses will differ between supplemental registrations.

All fertilizer products distributed in Washington at a minimum, must have the following labeling statement: "This product has been registered with the Washington State Department of Agriculture. When applied as directed, this fertilizer meets the Washington standards for arsenic, cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc. You have the right to receive specific information about Washington standards from the distributor of this product."

- Information regarding the contents and levels of metals in this product is available on the internet at <http://aapfco.org/metals.htm> [or <http://www.regulatory-info-sc.com>]
- **For state registrations in Kentucky, add the following:**
 A lawn typically will utilize 1 to 4 pounds of nitrogen per 1,000 square feet per growing season. When used as directed, this product will supplement your regular fertilizer program by providing ***(No. of Lbs.)** pounds of nitrogen per 1,000 square feet (Optional P2O5 and K2O levels) and herbicide to control listed weeds. Please consult your local extension office for questions regarding a regular fertilizer program.

DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier:** 002217-00827.20120208.notif-proposed-highlighted.doc
- 2. Reason for Issue:** delete obsolete or redundant fertilizer statements, add spreader setting clarification statements, add ad claims