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394307

APR 12 1991

Mr. Daniel Paradiso
The Andersons Lawn fertilizer Division
d/b/a Free Flow Fertilizer
P.O. Box 119
Maumee, OH 43537

Dear Mr. Paradiso:

Subject: Amendment - Revise per Diazinon Registration Standard
Turf Care Granular Lawn Insect Control
Plus Lawn Food 3.33% Diazinon
EPA Reg. No. 9198-45
Your submission dated April 13, 1990

The labeling referred to above, submitted in connection with a registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable provided the following revisions are made prior to release for shipment under the amended labeling:

- 1) There is a problem with the product name for this product (and for EPA Reg. No. 9198-44) which must receive your immediate attention. Specifically, it appears that your company believes that both products have the same name, "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX", which, in reality, is not the official name of record for either product. The official master name of record shown on the April 24, 1979 Notice of Registration for EPA Reg. No. 9198-45 is "Turf Care Granular Lawn Insect Control Plus Lawn Food 3.33% Diazinon" (as taken directly from your company's application for registration dated 2/22/79). Admittedly, this product name was strangely worded, considering that 3.33% diazinon is not lawn food, and this may account for the reason that the label your company submitted for registration bore the name "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX", followed by "Ready-to-Use" and "Contains 3.33% Diazinon Insecticide". The next correspondence from you on EPA Reg. No. 9198-45, was dated July 23, 1981, and that letter indicated the product name as "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX", the same name you were using for EPA Reg. No. 9198-44. Subsequent correspondence from you regarding EPA Reg. No. 9198-45 has, generally, indicated the product name as "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX", although correspondence dated May 17, 1988 misidentified the master name as "Andersons

Tee Time 28-3-9 With Diazinon" (an additional brand name which was accepted Sept. 14, 1981, but which is now unacceptable, since "Tee" implies use on golf courses, and that use has been canceled for products containing diazinon). The official master product name of record shown on the April 24, 1979 Notice of Registration for EPA Reg. No. 9198-44 is "Turf Care Granular Lawn Insect Control Plus Lawn Food 3.75% Diazinon" (as taken directly from your company's February 22, 1979 application for registration). All subsequent correspondence from you regarding EPA Reg. No. 9198-44 has indicated that product's name as "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX". A letter from your company regarding both products, dated Nov. 15, 1988, as well as the current label submissions, apparently attempt to differentiate the products by leaving the "XX-XX-XX" off of the name for EPA Reg. No. 9198-45. Since neither label now bears the official name of record, you must submit either 1) five copies of the labeling for each product which bears the official master name of record (which appears to be undesirable, since you have never used it on labeling) or, 2) file an amendment application to formally change the master name of record for each product (such an application must be accompanied by 5 copies of the latest revised label which bear the new master name which you choose). Whichever option you choose, the labels submitted should bear the other revisions indicated in this letter (and the associated letter on EPA Reg. No. 9198-45). While choosing to have identical names except for the presence or absence of the fertilizer declaration XX-XX-XX for these two similar products might be acceptable, it may not be the best solution. Your marketing division may want to include the fertilizer content prominently on the front panel, whether as part of the product name, or just beneath the "new" name (minus the fertilizer content). If the second option were elected, even though the fertilizer declaration officially would not be part of the name its presence close to the product name would merely reintroduce the product name differentiation difficulties that have evolved for these two products. You may instead choose the preferable route of selecting two new names which convey the differentiation based on the diazinon content, as was apparently your intent with your original application, but which are close enough to the names currently appearing on the labels to maintain product identity in the marketplace. For EPA Reg. No. 9198-44, such a name would be "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX, Contains 3.75% Diazinon" [you may choose to not include the comma, if you select this name] and for EPA Reg. No. 9198-45 such a name would be "Turf Care Granular Lawn Insect Control Plus Lawn Food XX-XX-XX, Contains 3.33% Diazinon" [again, you may choose to not include the comma, if you select this name]. You are, of course, free to choose any other master name for these products, as long as those names do not duplicate the name of any of your company's

other products and they sufficiently differentiate between EPA Reg. Nos. 9198-44 and 9198-45. Please note that labeling submitted to the Agency, whether for product amendments or in response to reregistration actions, should be the full master label with all claimed uses and directions and must bear the official name of record. Labels bearing additional brand names or incomplete use claims and directions should not be submitted.

- 2) There is a problem regarding the classification of this product. The Agency had initially surmised that you had intended this to be a homeowner-use product. Based upon that assumption, the Agency, in a letter dated December 27, 1982, did not accept the additional brand name "Professional Custom Mix 28-3-9 with Diazinon" because it implied that this was not a homeowner-use product. Your company replied on February 24, 1983, that this was, in fact, a commercial-use product and submitted revised labeling showing a commercial-use spreader setting table (with tractor speed) to confirm the commercial use status of this product. Based on this revised label and your company's declaration that this is a commercial-use product, the Agency accepted the additional brand name "Professional Custom Mix 28-3-9 with Diazinon" and subsequent additional brand names reflecting the commercial-use status of this product. On October 4, 1989 your company had requested (by Notification to the Agency) yet another commercial brand name "Professional Custom Mix with Diazinon" for this product. Most recently, however, you have verbally indicated that EPA Reg. No. 9198-45 is a homeowner-use product and, based on that indication, you have filed an application for a Restricted Use commercial-use product "The Andersons 28-3-9 With 3.33% Diazinon", which has been assigned EPA File Symbol 9198-RRU. Now that the Agency has had a chance to review the entire product file for EPA Reg. No. 9198-45 to determine its regulatory status in regard to reregistration, the only conclusion that can be reached is that EPA Reg. No. 9198-45 is a commercial-use product, with a number of accepted alternate brand names that reinforce the commercial-use status of this product, and as such must carry the Restricted Use classification block at the top of the front panel unless such commercial use application is limited to home lawns. If such limited commercial use is your intent for this product and all of your additional brand name products based on this registration, then the following clarification of the intended use site should be added to the front panel, preferably directly beneath the prohibition against use on golf courses and sod farms: For outdoor use only on home lawns. However, since you have filed an application for a Restricted Use product with the same formula, the Agency assumes that you actually desire a commercial-use product which could be used on sites other than just around homes. That being the case, then the revised labeling for EPA Reg. No. 9198-45, bearing the new product name (item "1", above) and all

other revisions specified in this letter must also carry the Restricted Use classification block at the top of the front panel. NOTE: Revised labeling will also have to be submitted for EPA File Symbol 9198-RRU, since that application will now be for the homeowner-use product (i.e., it will not carry the Restricted Use block and it must have homeowner-use lawn spreader directions).

- 3) As you are aware, there are a number of label elements with type size minimums. Please be certain that your finished labels meet all type size requirements.
- 4) In the Hazards to Humans text, you may delete "Avoid repeated contact with skin", since the same section already instructs the user to avoid contact with skin, eyes, or clothing.
- 5) In the second sentence of the Environmental Hazards, add a comma after "especially waterfowl". Please note that the Environmental Hazards section may be consolidated into a single paragraph. In keeping with a recent policy decision, please replace "Do not apply directly to water or wetlands (including swamps, bogs, marshes, and potholes)." with "Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark."
- 6) At the beginning of the directions for use, in the list of pests controlled, revise "Bermuda Grass Mites" to "Bermudagrass Mites."
- 7) Based on Ciba-Geigy's data, only one application rate should appear on each diazinon lawn-use product regardless of the pest to be controlled. For this 3.33% granular product, that rate is 3 lbs. per 1000 sq. ft. That rate should appear at the beginning of the directions for control of billbugs and white grubs. It already appears correctly in the general introductory paragraph directly under the heading "Overall Lawn Application", and at the beginning of the Hyperodes weevil directions. The spreader setting table should include only a full rate and only "3 lbs."
- 8) In the lawn use "Precautions", revise the end of fourth sentence to read "... hazards to birds and waterfowl." In the sixth sentence of this same section, revise "i.e., ducks, geese," to "i.e., ducks or geese,".
- 9) Delete the last sentence from the end of the directions for control of billbugs and white grubs. That sentence pertains to control of the second generation of dung beetles, a pest which appears on Ciba-Geigy's label but is not claimed on your label.
- 10) There are no directions for the control of digger wasps, yet they are claimed in the listing of pests controlled by this product,

which appears at the beginning of the directions for use (under "TURF CARE GRANULAR LAWN INSECT CONTROL PLUS LAWN FOOD XX-XX-XX). Either delete the claim "Digger wasps", or add appropriate directions. If you choose the latter, these new directions should appear after the spreader setting table (since that table pertains to overall lawn application). Please note that if you elect to add these new spot application directions, then you must also add an additional precaution "Food utensils such as spoons or measuring cups must not be used for food purposes after use in measuring pesticides." to the Hazards to Humans and Domestic Animals text in the Precautionary Statements. Appropriate spot application directions for this pest would be as follows:

Lawn Spot Application

Digger wasps: Apply 1½ teaspoons of this product in and around each nest opening. Apply at dusk when wasps are not active.

- 11) If you elect to add the spot application directions for digger wasps, and the associated required additional precautionary text, then you may also want to add spot application directions for ants (a pest which is already claimed in your label's overall lawn application directions) to this new section (i.e., directly under the digger wasp directions in the new "Lawn Spot Application" section). Appropriate directions for spot application for this pest would be as follows:

Ants: Apply 1½ teaspoons of this product over and around each ant hill.

- 12) The Storage and Disposal Directions should be revised to include statements consistent with this being a commercial-use product. The revised text would be similar to that which you had proposed on the label for the pending product "The Andersons 28-3-9 with 3.33½ Diazinon", EPA File Symbol 9198-RRU.
- 13) Master or additional brand names for products containing diazinon must be such that they do not imply use on golf courses or sod farms, since such use of diazinon has been canceled. Therefore, if you have not already done so, your company should withdraw any additional brand names for your diazinon products which imply use on golf courses, such as the names "Andersons Tee Time" or "Tee Time..". .

A stamped copy of the label is enclosed for your records. Please submit five copies of the revised amended label prior to release for shipment under the amended label. Items "1" and "2" above, should receive your immediate attention.

Labeling released for shipment after the August 31, 1991 deadline imposed by the Diazinon Registration Standard should be the revised amended label (with an accepted product name), and must bear the Restricted Use classification block at the top of the front panel, if the diazinon product is for commercial use on sites other than just home lawns.

Sincerely yours,

George T. LaRocca
Product Manager (15)
Insecticide Rodenticide Branch
Registration Division (H7505C)

(front panel)

TURF CARE
GRANULAR
LAWN INSECT CONTROL
PLUS LAWN FOOD

THIS PRODUCT MUST NOT BE USED ON GOLF COURSES AND SOO FARMS

Active Ingredient:

Diazinon: 0,0-Diethyl 0-(2-isopropyl-5-methyl-4-pyrimidinyl)
phosphorothioate 3.33%

Inert Ingredients: 96.67%

Total 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

BEST AVAILABLE COPY

See Back Panel For Additional Precautionary Statements

NET WEIGHT 40 LBS.

Treats up to 13,300 Sq.Ft.

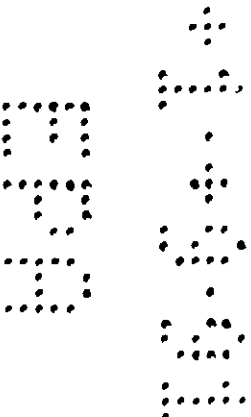
ACCEPTED
with COMMENTS
to EPA Letter Dated:

APR 12 ' 1

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

9198-45

EPA Reg. No. 9198-45



EPA Est. 9198-OH-1

(back panel)

NET WEIGHT 40 LBS.

TREATS UP TO 13,300 SQ. FT.

TURF CARE

GRANULAR

LAWN INSECT CONTROL

PLUS LAWN FOOD

GUARANTEED ANALYSIS

Total Nitrogen (N)	28%
Available Phosphoric Acid (P ₂ O ₅)	3%
Soluble Potash (K ₂ O)	9%

Primary Plant Food derived from: Urea, Muriate of Potash, Ammoniated Phosphates, and Sulfur Coated Urea. Sulfur derived from Sulfur Coated Urea.

KEEP OUT OF REACH OF CHILDREN

PRECAUTIONARY STATEMENTS

BEST AVAILABLE COPY

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Avoid breathing dust and contact with eyes, skin or clothing. Wash thoroughly after handling and before eating or smoking. May cause contact sensitization following repeated contact with skin of susceptible individuals. Avoid repeated contact with skin. If sensitization reactions result, consult a physician. Do not store near food or feed products. Food utensils such as spoons or measuring cups must not be used for food purposes after use in measuring pesticides. Do not contaminate ornamental fish ponds. Do not allow children or pets on treated areas until granules have been watered into the soil and the grass or soil is dry.

STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Call a physician immediately. Drink one or two glasses of water and induce vomiting by touching the back of the throat with finger. Repeat until vomit fluid is clear. Do not induce vomiting or give anything by mouth if person is unconscious or convulsing.

If Inhaled: Remove victim to fresh air and apply artificial respiration, if indicated.

If On Skin: Wash promptly with soap and water. Rinse thoroughly.

If In Eyes: Rinse eyes with plenty of water and call a physician immediately.

Note To Physician: This product is an organophosphate insecticide. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine.

ENVIRONMENTAL HAZARDS

This product is highly toxic to birds, fish, and other wildlife. Birds, especially waterfowl feeding or drinking on treated areas may be killed. Because of the migratory habits of certain Atlantic Coast waterfowl, do not apply this product to lawns in Nassau County, New York, between November 1 and May 20. Do not exceed maximum permitted label rates. Application rates above those recommended significantly increase potential hazards to birds and waterfowl. Avoid overlapping granules. Where irrigation (watering) is recommended in the directions on if waterfowl, i.e., ducks or geese, can be expected in the treated area after treatment (except spot treatment), apply a minimum of 1/4 inch of water immediately after applying this product. Stop irrigation before puddling occurs. Keep out of lakes, streams, ponds, tidal marshes and estuaries.

Do not apply directly to water or wetlands (swamps, bogs, marshes and potholes). Runoff may be hazardous to aquatic organisms in neighboring areas.

Shrimp and crab may be killed at application rates recommended on this label. Do not apply where fish, shrimp, crab and other aquatic life are important resources. Do not contaminate water by cleaning of equipment or disposal of equipment wash waters.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with it's labeling.

BEST AVAILABLE COPY

TURF CARE GRANULAR LAWN INSECT CONTROL PLUS LAWN FOOD 29-3-9 KILLS:

- | | | |
|---------------------|--------------|-------------------|
| Ants | Crickets | Springtails |
| Armyworms | Cutworms | Sod Webworms |
| Bermuda Grass Mites | Digger wasps | Sowbugs |
| Billbugs | Earwigs | White grubs of: |
| Brown Dog Ticks | Fleas | - Japanese Beetle |
| Chiggers | Lawn moths | - European chafer |
| Chinch bugs | Leafhoppers | - Southern chafer |
| Clover mites | Millipedes | |

OVERALL LAWN APPLICATION

To control the following lawn insects on both grass and dichondra lawns, this product should be applied at 3.0 lbs. per 1000 sq. ft.

Ants - Armyworms - Bermudagrass mites - Brown Dog Ticks - Chiggers - Chinch bugs - Clover mites - Crickets - Cutworms - Earwigs - Fleas - Lawn moths(sod webworms) - Leafhoppers - Millipedes - Sowbugs - Springtails(Collembola)

Precautions: Birds, especially waterfowl, feeding or drinking on treated areas may be killed. Apply this product only as specified on this label. Because of the migratory habits of certain waterfowl, do not apply in Nassau County, New York between November 1 and May 20. Do not exceed maximum permitted label rates, since rates above those recommended significantly increase potential hazards to birds. Avoid overlapping treated areas. If waterfowl, i.e., ducks, geese, can be expected to enter the treated area after treatment (except spot treatments), water lawn with at least 1/4 inch water immediately after application, however, stop watering before puddling occurs.

Billbugs: White grubs of Japanese beetle, European chafer, Southern chafer: Apply 3.6 lbs. per 1000 sq.ft. of lawn. Water grass thoroughly after application. For Billbug control, apply when activity is first observed or when chewed or brown grass indicates damage from these insects. Repeat as necessary. For grub control treat any time between late July and early October. Water grass thoroughly with 1/4-1/2 in. of water after application. Treat again in late Summer or early Fall if a second generation occurs.

Hyperodes Weevils

Apply 3.0 lbs. per 1000 sq.ft. of grass. Water grass thoroughly after application. Treat problem areas in mid-April and again in mid-May.

SUGGESTED SPREADER SETTINGS

Spreader	Speed	Coverage Width	Settings			
			Full Rate		Half Rate	
			3.0	3.6	3.0	3.6
Cyclone	3 MPH	6 ft.	4	4 1/4	3 3/4	3 3/4
Scotts	3 MPH	6 ft.	F 1/2	G	E	E 1/2

NOTE: Above spreader settings are approximate. Differences may occur due to condition of spreader, speed at which applied and roughness of area treated. Calculate the size of area to be treated and do not over or under apply. Be sure to shut off spreader while turning or stopping to prevent accidental over-application and burning of grass. Fill spreader on driveway or sidewalk to eliminate chance of spillage on grass. Do not hand spread.

STORAGE AND DISPOSAL

Storage: Store in original container in a cool, dry, well-ventilated area. Store product in an area inaccessible to children and domestic animals. Do not store near fertilizers, herbicides, other insecticides, seeds, food or feed.
Pesticide Disposal: Securely wrap original container in several layers of newspaper and discard in trash.
Container Disposal: Do not reuse empty bag. Discard bag in trash.

WARRANTY STATEMENT

MANUFACTURER warrants that this product (1) conforms to the ingredient statement on the label and (2) is reasonably fit for the purposes set forth in the Directions for Use. EXCEPT AS SO WARRANTED, THE PRODUCT IS SOLD AS IS. MANUFACTURER MAKES NO OTHER WARRANTY EXPRESS OF IMPLIED.

The manufacturer's directions regarding use of this product are based upon tests believed to be reliable. All statements made concerning this product apply only when used as directed, under normal use conditions. FOLLOW DIRECTIONS CAREFULLY. Timing and method of application, weather and crop conditions, mixture with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the manufacturer. Buyer assumes all risks of use, storage or handling of this product.

Manufactured by:

THE ANDERSONS
LAWN FERTILIZER DIVISION
P.O. BOX 119
MAUMEE, OHIO 43537

:9196-45
4/12/90

