

9198-50

4.4.2007

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

NOTIFICATION

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

APR 04 2007

Dawn L. Walters
Regulatory Administrator
The Andersons Lawn Fertilizer Division, Inc.
D/b/a Free Flow Fertilizer
P.O. Box 119
Maumee, OH 43537

APR 4 2007

SUBJECT: ✓ Applications for Pesticide Notification - Optional Marketing Claims
The Andersons Fertilizer with 3.5% Tupersan EPA Reg. No. 9198-50
The Andersons BiCarb Insecticide + Fertilizer EPA Reg. No. 9198-235
Applications Dated March 5, 2007 and February 21, 2007, respectively

Dear Ms. Walters:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the products above. The Registration Division (RD) has conducted a review of these requests for their applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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

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	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 9198-50	2. EPA Product Manager Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Andersons Fertilizer with 3.5% Tupersan	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) The Andersons Lawn Fertilizer Division, Inc. d/b/a Free Flow Fertilizer PO Box 119 Maumee, OH 43537 <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.

NOTIFICATION

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Explanation: Use additional page(s) if necessary. (For section I and Section II.)


Notification of label change per PR Notice 98-10: added optional front panel fertilizer marketing claim. See cover letter for details.

This notification is consistent with the guidance of PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR 156.10 and 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 guidance of PR Notice 98-10 and the requirements of 40 CFR 156.10 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.

Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container		
* Certification must be submitted			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) _____
			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		5. Location of Label Directions <input type="checkbox"/> On Label	
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 Dawn L. Walters	Title Regulatory Administrator	Telephone No. (Include Area Code) 419-351-3717
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 	3. Title Regulatory Administrator	
4. Typed Name Dawn L. Walters	5. Date 3/5/07	



The Andersons, Inc.

P.O. Box 119 • Maumee, Ohio 43537 • 419/893/5050

March 5, 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7505P)
US Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

NOTIFICATION

APR 04 2007

RE: Notification of Minor Label Change

SUBJECT: The Andersons Fertilizer with 3.5% Tupersan
EPA Reg. No. 9198-50

Per PR Notice 98-10 enclosed is EPA Form 8570-1, an application notifying the Agency of a revision to the labeling for the subject registration. One copy of the revised labeling is enclosed with the additions underlined and marked in blue.

We have added the following optional marketing claims to the commercial use labeling:

1. "Excellent starter fertilizer analysis to help grow-in the turf"

Please enclosed complete the card indicating the acceptance or rejection of this notification and return via mail. If there are any questions or comments regarding this notification, please contact me.

Sincerely,
The Andersons Lawn Fertilizer Division, Inc.

Dawn L. Walters

Dawn L. Walters
Regulatory Administrator
Phone: 334-262-2766
Fax: 334-265-5703
Email: dawn_walters@andersonsinc.com

enclosures

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NOTIFICATION

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9198-50C
Page 1 of 4

(FRONT PANEL)
COMMERCIAL USE ONLY

(The above is for internal use only and will not appear on the final label copy)

THE ANDERSONS FERTILIZER WITH 3.5% TUPERSAN®

- Keeps out crabgrass, foxtail, barnyardgrass by killing the sprouting seed
- May be used on freshly seeded bluegrass, perennial ryegrass, fescue and certain other grasses
- Easy to apply with standard seed and fertilizer spreaders
- Excellent starter fertilizer analysis to help grow-in the turf

ACTIVE INGREDIENT:

Siduron* 3.5%

OTHER INGREDIENTS 96.5%

TOTAL **100.0%**

Tupersan is a registered trademark of Gowan Co.

*CAS No. 1982-49-6

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS

NET WEIGHT __ LBS.
TREATS _____ SQ. FT.

EPA Reg. No. 9198-50
EPA Est. 9198-OH-1M, 9198-OH-2B, 9198-AL-001A
Underlined letter is first letter used in run code on bag

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(BACK PANEL)
COMMERCIAL USE ONLY

(The above is for internal use only and will not appear on the final label copy)

NET WEIGHT __ LBS.
TREATS ____ SQ. FT.

THE ANDERSONS FERTILIZER WITH 3.5% TUPERAN

Guaranteed Analysis

Total Nitrogen (N) XX%
Available Phosphate (P₂O₅) XX%
Soluble Potash (K₂O) XX%

Plant nutrients derived from:

For products being sold into states with requirement in fertilizer law:

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-ap.com/> or 1-800-XXX-XXXX

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Avoid contact with skin, eyes and clothing. Wash thoroughly after using. Avoid breathing dust. Do not contaminate water used for irrigation or domestic purposes. Do not contaminate feed, foodstuffs or ponds. Do not store near seed, other fertilizers, insecticides or fungicides. Do not apply to vegetable crops.

FIRST AID

If in eyes Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contacts, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

If swallowed Call a poison control center or doctor for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

If on skin 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 inhaled Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-757-8951 for emergency medical treatment information.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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. Drift of dust may cause injury to nearby susceptible plants.

(BACK PANEL)
COMMERCIAL USE ONLY

(The above is for internal use only and will not appear on the final label copy)

DIRECTIONS FOR USE

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

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

WHEN TO APPLY

Apply prior to germination of weed grasses in the spring. Precise time of application for a specific area will vary due to climate and individual cultural practices. Generally, application during February or March will give best results. Control can be expected by applications up to the time that Forsythias bloom in Spring. If in doubt, check with your Agricultural Extension Service. For newly seeded areas, apply as the last step before watering.

HOW TO APPLY

For best results, this product must be applied without skips or misses. Determine the correct amount for your lawn area. For freshly seeded grass apply at the rate of 2.6-3.3 pounds per 1,000 square feet. For established turf apply at 5.2-6.6 pounds per 1,000 square feet. The best results are obtained by using the two-step procedure at the recommended half rate settings. Apply half the required amount in one direction and the other half at right angles to the first application. This procedure will minimize the chances of color streaking and erratic crabgrass control. Use the suggested spreader settings as a guide, being sure to check the application rate at the start of each application. At least ½ inch of water must be provided by rainfall or watering within 3 days of treatment in order to carry the chemical into the root zone of germinating needs.

SUGGESTED SPREADER SETTINGS (AVAILABLE AT FINAL PRINTING)

Optional (in place of spreader settings):

Please consult your Professional Turf Products Spreader Setting Card.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container closed and away from food, feedstuffs, and domestic water supplies.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal Law and may contaminate groundwater. 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 at the nearest EPA Regional Office for guidance. **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 or local authorities, by burning. If burned, stay out of smoke.

IMPORTANT: READ BEFORE USE:

Read the entire Directions for Use and the Warranty Disclaimer and Limitation 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 Warranty Disclaimer and Limitation of Liability:

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(BACK PANEL)
COMMERCIAL USE ONLY

(The above is for internal use only and will not appear on the final label copy)

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. Where permissible, 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. 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.

LEGAL RIGHTS:

THIS LIMITED WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS; YOU MAY HAVE OTHER RIGHTS THAT VARY FROM STATE/JURISDICTION TO STATE/JURISDICTION. (RVamd062802)

Manufactured by:

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

Date Printed	3/5/07
Date Approved	11/18/03
Supersedes	5/26/94
Label Changes	Notification - fert bullet
Filename	9198-50C
Label Code	RVamd062802