

9198-65

02/21/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mrs. Clair Engelbert
Product Development Technical
The Andersons Lawn Fertilizer Division, Inc.
d/b/a Free Flow Fertilizer
P.O. Box 119
Maumee, OH 43537

FEB 21 2009

Subject: Notification(s) for Label Revisions under PRN 98-10 and PRN 2007-4

Dear Mrs. Engelbert:

~~The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated, December 3, 2008 for:~~

EPA Registration: 9198-65

The Andersons Crabgrass Preventer with
4.7% Tupersan

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 9198-65	2. EPA Product Manager Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Andersons Crabgrass Preventer with 4.7% Tupersan	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) The Andersons Lawn Fert. Div. Inc. d/b/a Free Flow Fert. 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: NOTIFICATION EPA Reg. No. _____ FEB 21 2009 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.)

1. Notification of Label change per PR Notice 98-10: Revised warranty. 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 153.10 and 40 CFR 152.46 and not 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.

Continued on page 2

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 type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container 1-100 lbs.	5. Location of Label Directions <input checked="" type="checkbox"/> On label <input type="checkbox"/> On label accompanying product
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Pocket

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Mr. Clair Richard Engelbert	Title Product Development Technician	Telephone No. (Include Area Code) 419-891-2780
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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.

2. Signature <i>Clair Engelbert</i>	3. Title Product Development Technician	6. Date Application Received (Stamped)
4. Typed Name Mr. Clair Richard Engelbert	5. Date 12/31/08	



The Andersons, Inc.

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

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December 3, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Notification of Minor Label Changes

SUBJECT: The Andersons Crabgrass Preventer with 4.7% Tupersan
EPA Reg No. 9198-65

1. Per PR Notice 98-10 we are proposing to revise the warranty statement per Agency's Guidance on Warranty Statements, dated October 10, 2006. Please see previous and revised warranty below.

Previous warranty:

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.

Revised warranty:

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.

2. As consistent with the guidance in PR Notice 2007-4, "Labeling Revisions Required by the Final Rule 'Pesticide Management and Disposal; Standards for Pesticide Containers and Containment", we have added the following statements to our Storage and Disposal section: "Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available."

Enclosed is EPA Form 8570-1 (2 pages), an application notifying the Agency of a revisions to the labeling for the subject registration. A Copy of the revised labeling is enclosed with the additions underlined and marked in blue and deletions marked in red strikethrough. Subject registration has both Homeowner and Commercial versions of this label. Copies of both versions are included.

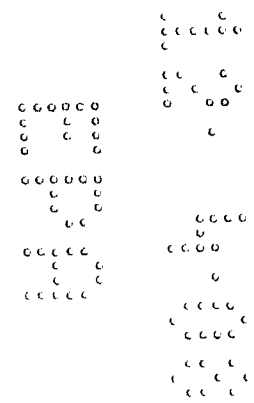
If there are any questions or comments regarding this notification, please contact me.

Sincerely,
The Andersons Lawn Fertilizer Division, Inc.



Clair Richard Engelbert
Product Development Technician
Phone: 419-891-2780
Fax: 419-891-2745
Email: clair_engelbert@andersonsinc.com

Enclosures



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Homeowner label
(for internal use only-will not appear on final label)
Front Panel

THE ANDERSONS CRABGRASS PREVENTER WITH 4.7% TUPERSAN

A preemergent herbicide for the control of common crabgrass in established and newly seeded lawns.

Active Ingredient:

Siduron*	4.70%
Other Ingredients	<u>95.30%</u>
Total	100.00%

*CAS No. 1982-49-6

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS

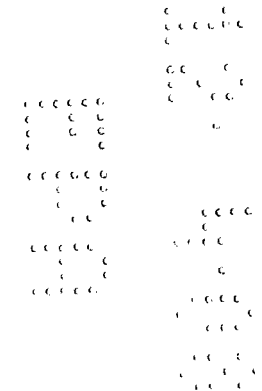
Net Weight 10 lbs. (4.5 kg)

Treats 2,000 sq. ft. (Established lawns)
Treats 4,000 sq. ft. (Newly seeded lawns)

NOTIFICATION

FEB 21 2009

EPA Reg. No. 9198-65
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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Homeowner label
(for internal use only-will not appear on final label)
Back panel

Net Weight 10 lbs. (4.5 kg)

THE ANDERSONS CRABGRASS PREVENTER WITH 4.7% TUPERSAN

KEEP OUT OF REACH OF CHILDREN
PRECAUTIONARY STATEMENTS
CAUTION

FIRST AID

- 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 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 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.

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Avoid contact with skin, eyes, and clothing. Avoid breathing dust.
ENVIRONMENTAL HAZARDS

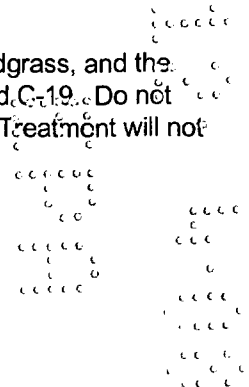
This product is toxic to fish. Do not apply to water. Do not contaminate water when disposing of equipment washwaters or rinsate. Drift of dust may cause injury to nearby susceptible plants.

GENERAL INFORMATION

This product is formulated to prevent the growth of both smooth and hairy crabgrass in either a newly seeded or well established lawn. It will also aid in controlling certain other annual weed grasses such as Foxtail and Barnyard grass. This product will not damage most of the commonly used lawn grasses even if applied at time of seeding.

IMPORTANT:

Use only on bluegrass, fescue, redtop, smooth brome, perennial ryegrass, orchardgrass, and the following strains of bentgrass: Penncross, Seaside, Astoria, Nimisila, C-1, C-7, and C-19. Do not use on other bentgrass strains nor on Bermudagrass, as injury to turf may result. Treatment will not control annual bluegrass (*Poa annua*), clover, or most broadleaf weeds.



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Homeowner label
(for internal use only-will not appear on final label)
Back panel

DIRECTIONS FOR USE

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

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in ornamental gardens or parks, or on golf courses or lawns.

Apply to the lawn during the spring of the year prior to the germination of crabgrass. Best results are obtained when application is made approximately 2-3 weeks before crabgrass appears. It is, therefore, suggested that application be avoided during February or early March.

NEWLY SEED LAWNS

1. Apply contents evenly over 4,000 square feet immediately after seeding (2 1/2 lbs. per 1,000 sq. ft.). For best results repeat applications in 4 weeks.
2. Provide sufficient moisture to insure germination of new grass seed.

ESTABLISHED, OVERSEEDED OR PATCHED LAWNS

1. Apply contents evenly over 2,000 square feet immediately after seeding (5 lbs. per 1,000 sq. ft.).
2. For best results, the lawn should be watered thoroughly within 3 days after application.
3. Before application, lawn should be raked to remove extraneous material and insure uniform application. In order to obtain expected results, this product should be evenly applied with no skips or misses.

NOTE-DO NOT RAKE LAWN or DISTURB SOIL SURFACE after application. Application of a turf food is recommended in the Summer and Fall.

RESTRICTIONS

Do not contaminate water used for irrigation or domestic purposes. Do not contaminate feed, foodstuff, or ponds. Do not store near seed, other fertilizers, insecticides, or fungicides. Do not apply to vegetable crops. DO NOT HAND SPREAD.

SUGGESTED SPREADER SETTINGS (AVAILABLE FOR FINAL PRINTING)

NOTE: These suggestions are for your guidance, and are in no sense a guarantee of exact application. Age, condition of spreader, speed of operation and roughness of terrain can cause variations in the rates applied.

Be sure to calibrate your spreader with each application.

STORAGE AND DISPOSAL

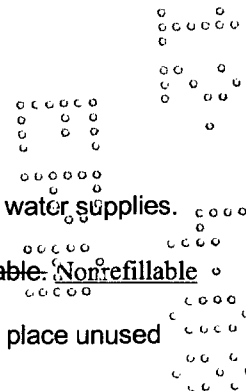
Do not contaminate water, food, or feed by storage and disposal.

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

DISPOSAL:

If empty: ~~Do not reuse this container. Place in trash or offer for recycling if available.~~ Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.

If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.



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Homeowner label
(for internal use only-will not appear on final label)
Back panel

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:

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 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.

LEGAL RIGHTS:

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

NOTIFICATION

FEB 21 2009

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

Date Printed	12/03/08
Date Approved	1/5/04
Supersedes	5/26/94
Label Changes	Notification - Container and Warranty
Filename	9198-65H
Label Code	RVamd062802

