

9198-157

8-14-2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms. Dawn Walters  
Product Registration  
The Andersons Lawn Fert. Div., Inc  
PO Box 119  
Maumee, OH 43537

AUG 14 2008

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request Warranty Statement Changes  
EPA Reg. No. 9198-157  
Application Dated July 7, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/07/08 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 read "Linda Arrington".

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



The Andersons, Inc.

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

July 7, 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 Change

**SUBJECT:** The Andersons GC Fertilizer Plus 0.029% Bifenthrin  
EPA Reg. No. 9198-157

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. A copy of the revised labeling is enclosed with the additions underlined and marked in blue and deletions marked in red strikeout.

We are proposing to revise the warranty statement per Agency's Guidance on Warranty Statements, dated October 10, 2006.

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.

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

Sincerely,  
The Andersons Lawn Fertilizer Division, Inc.

*Dawn Walters*

Dawn L. Walters  
Regulatory Administrator  
Phone: 419-897-6790  
Fax: 419-891-2745  
Email: dawn\_walters@andersonsinc.com

Enclosures

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United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 9198-157	2. EPA Product Manager LaRocca	3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) The Andersons GC Fertilizer Plus 0.029% Bifenthrin	PM# 13	
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: <b>NOTIFICATION</b> EPA Reg. No. _____ AUG 14 2008 Product Name _____	

**Section - II**

Amendment - Explain below.  Final printed labels in response to Agency letter dated \_\_\_\_\_

Resubmission in response to Agency letter dated \_\_\_\_\_  "Me Too" Application.

Notification - Explain below.  Other - Explain below.

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

Notification of Label change per PR Notice 98-10: Revised warranty per EPA guidance. 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 <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" Unit Packaging wgt. _____ No. per container _____	If "Yes" Package wgt. _____ No. per container _____

3. Location of Net Contents Information  
 Label  Container

4. Size(s) Retail Container \_\_\_\_\_

5. Location of Label Directions  
 On Label

6. Manner in Which Label is Affixed to Product  
 Lithograph  Paper glued  Stenciled  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) 419-897-6790
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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>Dawn Walters</i>	3. Title Regulatory Administrator	6. Date Application Received (Stamped)
4. Typed Name Dawn L. Walters	5. Date 7/7/08	



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Back Panel (for internet use only, will not appear on final label)

# The Andersons Fertilizer Plus 0.029% Bifenthrin

Net Weight 50 lbs. (22.68 kg)  
Covers 12,500 Sq. Ft.

## Guaranteed Analysis

Total Nitrogen (N) .....	XX%
Available Phosphate (P <sub>2</sub> O <sub>5</sub> ) .....	XX%
Soluble Potash (K <sub>2</sub> O) .....	XX%

Plant nutrients derived from:

*For products being sold into Washington state:*

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

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

### ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. 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 apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when cleaning equipment or when disposing of equipment washwaters.

FIRST AID	
If swallowed	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor for treatment advice</li> <li>• Have person sip a glass of water if able to swallow</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If on skin	<ul style="list-style-type: none"> <li>• Take off contaminated clothing</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes</li> <li>• Call a poison control center or doctor for treatment advice</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• 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</li> <li>• Call a poison control center or doctor for treatment advice</li> </ul>
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible</li> <li>• Call a poison control center or doctor for treatment advice</li> </ul>
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.	
<b>Note to Physician:</b>	
This product is a pyrethroid. If large amounts have been ingested, milk cream and other digestible fats and oils may increase absorption and so should be avoided.	

**READ ALL DIRECTIONS PRIOR TO APPLICATION OF THE PRODUCT**

## 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 turf being grown for sale or other commercial use as sod, or grass grown for seed, or for research purposes.

In New York State, the product may NOT be applied to any grass or turf areas within 100 feet of a water body (lake, pond, river, stream, wetland or drainage ditch). In New York State, do make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

Do not apply by air.

Do not apply more than 800 lbs. of this product per acre per year.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

This product can be used to control the following lawn insects:

Annual Bluegrass Weevil ( <i>Hyperodes</i> ) (Adult)	Ants
Armyworms	Billbugs (Adult)
Black Turfgrass <i>Ataenius</i> (Adult)	Centipedes
Chinch bugs	Cutworms
Fire Ants	Imported Fire Ants
Leafhoppers	Mealybugs
Millipedes	Mole Crickets
Pavement Ants	Pillbugs
Red Ants	Sod Webworms (Lawn Moth)
Sowbugs	Ticks
Weevils	

Treat when insects first appear. Apply this product at a rate of 4 to 8 pounds per 1000 square feet evenly over the turfgrass area using a properly calibrated drop or rotary spreader. Check frequently to make sure the equipment is working properly and the granules are being evenly distributed. A more uniform application may be achieved by spreading half of the required amount of product over the area and then applying the remaining half in swaths at a right angle to the first. Best results will occur if the treated area is thoroughly irrigated with water immediately after application.

For more difficult to control pests such as ants, fleas, imported fire ants, mole crickets and ticks, a higher application rate may be needed. In this case, apply 8 to 16 pounds per 1000 square feet.

### Comments:

Armyworms, Cutworms, and Sod Webworms: For best results, the treated area should be irrigated immediately after application with up to 0.1 inches of water to activate the insecticide.

Annual Bluegrass Weevil: Treatment should be made to control the adult weevils as they migrate from their overwintering sites and move into grass areas. Contact your State Cooperative Extension Service for more specific information.

Billbugs: Apply when adult billbugs are first observed during April and May. Consult your State Cooperative Extension Service for information on degree days and timing in your region.

*Back Panel (for internal use only, will not appear on final label)*

**Black Turfgrass Ataenius:** Apply treatments during May and July to control both generations of adults. The May application should be made at the same time as the full bloom stage of Vanhoutte spiraea and the Horse chestnut. The July application should coincide with the blooming of Rose of Sharon.

**Chinch Bugs:** These bugs infest the base of the plant and are usually found in the thatch layer. Watering the treated area with up .25 inches immediately after application will result in quicker control.

**Flea Larvae:** These larvae develop in the soil and shady areas. Irrigate the treated area with up to 0.5 inches of water immediately after application.

**Imported Fire Ants:** The best control will be reached by a combination of broadcast applications and mound drenching. When mound drenching, a product such as Talstar GC Flowable, must be used. Irrigation should be performed prior to application if the soil is not moist. For best results, apply in cool weather. The early morning or late evening hours should suffice.

**Mole Cricket Adults:** These adults can be difficult to control because of their extremely active stage in the early spring. Applications should be made as late in the day as possible and be watered up to 0.5 inches immediately after treatment. If the soil is not moist prior to application, it should be irrigated to ensure best control.

**Mole Cricket Nymphs:** Optimum control can be reached by treating young nymphs because they are more susceptible to the insecticide. Irrigate soil if it is not moist before application. Treatment should be made as late in the day as possible. Water the treated area with up to 0.5 inches directly after application.

**Ticks:** Do not make spot applications. Treat the entire area where ticks may occur. The higher application rate might be needed if heavy leaf litter or dense ground cover exists. Retreatment might also be necessary due to animals reintroducing new populations.

**Deer Ticks:** These ticks have a life cycle that ranges over a two year period and involves four life stages. Treatments should be applied in mid- to late-spring to control larvae and nymphs that are present on the soil.

**American Dog Ticks:** These ticks tend to gather along paths or roadways where humans are likely to be found.

#### **SUGGESTED SPREADER SETTINGS**

*Note: following will be a list of application spreaders and appropriate settings. This list will vary dependent on market of spreaders. (this note will not appear on final printed label).*

Note: These spreader settings were established using standard equipment available from the spreader manufacturer at swath widths and speeds typically used within the industry. It is recommended that all spreader equipment be calibrated at the time of application to achieve the desired application rate.

#### **STORAGE AND DISPOSAL**

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

**STORAGE:** Keep out of reach of children and animals. Store in original container only. Store in cool, dry place and avoid excess heat.

