

9198-225

9/27/2010

10/10



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Debbie Ziehr
The Andersons, Inc.
P.O. Box 119
Maumee, Ohio 43537

SEP 27 2010

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Ms. Ziehr:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice PRN 98-10 dated June 2, 2010 for:

**The Andersons 0.15% Granular Bifenthrin EPA Reg. No. 9198-225
Insecticide**

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

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda A. DeLuise".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

2010

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

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 9198-225	2. EPA Product Manager LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Andersons 0.15% Granular Bifenthrin Insecticide	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: 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.)

Notification of Inert Ingredient changes 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:				2. Type of Container	
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		<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 <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 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 Debbie Ziehr	Title Regulatory Administrator	Telephone No. (Include Area Code) 419-891-6671	
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 both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Administrator		
4. Typed Name Debbie Ziehr	5. Date 6/2/10		

30910



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

June 2, 2010

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 0.15% Granular Bifenthrin Insecticide
EPA Reg. No. 9198-225

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.

The changes are as follows: Revised the warranty statement per Agency's Guidance on Warranty Statements, dated October 10, 2006

Previous warranty:

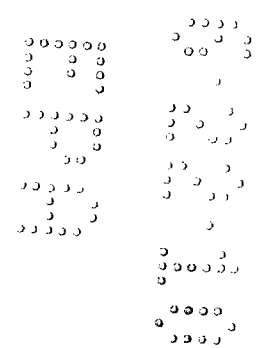
WARRANTY DISCLAIMER and LIMITATION of LIABILITY:

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.



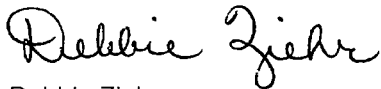
40810

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

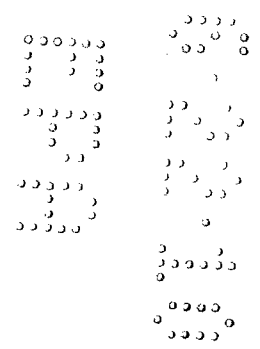
Sincerely,

The Andersons Lawn Fertilizer Division, Inc.



Debbie Ziehr
Regulatory Administrator
Phone: 419-891-6671
Fax: 419-891-2745
Email: debbie_ziehr@andersonsinc.com

Enclosures



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

The Andersons 0.15% Granular Bifenthrin Insecticide

Optional front panel claims:

- Ideal for Adult Mole Crickets

Active Ingredients

Bifenthrin† 0.15%

Other Ingredients..... 99.85%

Total 100.00%

*Cis isomers 97% minimum, trans isomers 3% maximum

US Patent No. 4,238,505

FCAS No. 82657-04-6

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Net Weight XX lbs. (XX kg)

Covers Up To XX,XXX Sq. Ft.

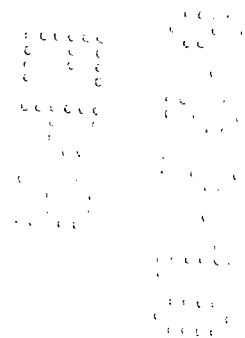
EPA Reg. No. 9198-225

EPA Est. 9198-OH-1M, 9198-OH-2B, 9198-AL-001A

Underlined letter is first letter used in run code on bag

NOTIFICATION

SEP 27 2010



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

The Andersons 0.15% Granular Bifenthrin Insecticide

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • 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 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 in eyes	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.	
Note to Physician:	
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.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. 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. To protect the environment, do not allow pesticide to enter or run off 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 of water bodies or drainage systems.

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 plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants being intended for aesthetic purposes or climate modification, and being grown in interior landscapes, ornamental gardens or parks, or lawns or grounds.

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

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

than two weeks after the first application. Do not apply more than 0.2 lbs. active ingredient (133 lbs. of this product) per acre per year.

Do not apply by air.

Do not apply more than 0.4 lbs. AI (266 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.

Not for use on golf courses, sod farms, nurseries, commercial greenhouses or grass grown for seed.

Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make applications during rain.

If product is watered in after application do not allow children or pets to enter the area until dry.

Application Directions

Treat when insects first appear. Apply this product at the rate indicated 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. Best results will occur if the treated area is thoroughly irrigated with water immediately after application.

Do not apply more than 3.0 lbs. of product per 1,000 sq. ft. (0.2 lb. active ingredient per acre) per application on residential use sites (i.e. around private home, apartment buildings, condominiums, non-agricultural outbuildings, non-commercial greenhouses, pre-schools or day care facilities). May be applied up to 6.1 lbs. of product per 1,000 sq. ft. (0.4 lb. active ingredient per acre) per application on non-residential use sites (i.e. around institutional, public, commercial or industrial buildings; parks; recreational areas or athletic fields).

Application Rates

Pest	Lbs. AI / acre	Lbs. product per acre	Lbs. product per 1,000 sq. ft.
Armyworms Cutworms Sod Webworms	0.05 - 0.1	33 - 66	0.7 - 1.5
Annual Bluegrass Weevil (<i>Hyperodes</i>) (Adult) Billbugs (Adult) Black Turfgrass Ataenius (Adult) Leafhoppers Mealybugs	0.05 - 0.2	33 - 133	0.7 - 3.0
Chinch Bugs:	0.05 - 0.4	33 - 266	0.7 - 6.1

Faint, illegible text or markings at the bottom right of the page.

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

Ants	0.2 – 0.4	133 – 266	3.0 – 6.1
Centipedes			
European Crane Fly			
Fleas (Adults)			
Flea (Larvae)			
Imported Fire Ants (Adults)			
Imported Fire Ants (Mounds)			
Millipedes			
Mole Cricket (Adult)			
Mole Cricket (Nymph)			
Ticks			
Deer Ticks			
American Dog Ticks			
Pillbugs (Sowbugs)	0.4	266	6.1

Comments:

Armyworms, Cutworms, 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 (*Hyperodes*) (Adult): Treatment should be made to control the adult weevils as they migrate from their overwintering sites and move into grass areas. This movement generally begins when Forsythias bloom and ends when flowering dogwoods are in bloom. Contact your State Cooperative Extension Service for more specific information.

Billbugs (Adult): 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. In temperate regions, spring applications targeting billbug adults will also provide control of overwintered chinch bugs.

Black Turfgrass Ataenius (Adult): 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 (*Spirea vanhouttei*) and Horse chestnut (buckeye tree) (*Aesculus hippocastanum*). The July application should coincide with the blooming of Rose of Sharon (*Hibiscus syriacus*).

Chinch Bugs: These bugs infest the base of the plant and are usually found in the thatch layer. Watering the treated area with up 0.25 inches immediately after application will result in quicker control. Chinch bugs can be a difficult pest to control. Higher application rates may be required to control both nymphs and adults during the summer or in warm season turf areas.

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. If soil is not moist, then it is important to irrigate before application. Broadcast application should apply up to 0.4 lb. AI/A. Mounds should be treated by applying 5/8 cup of this product per mound and then drenching the mound with 1 to 2 gallons of water. The mounds should be treated with sufficient force to break their apex and allow the insecticide solution to flow into the ant tunnels. A four foot diameter circle around the mound should also be treated. For best results, apply in cool weather (65-80°F) or in early morning or late evening hours. This treatment will kill the queen within 24 hours of application. Application of 0.25 AI (166 lbs.) per acre of this product will provide six months residual activity for control of foraging Imported Fire Ants and newly mated Fly-In Queens.

Mole Cricket Adults: Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

Mole Cricket Nymphs: Grass areas that received intense adult mole cricket pressure in the spring should be treated immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized.

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. Do not allow public use of treated areas during application.

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 and leaf litter.

American Dog Ticks: These ticks tend to gather along paths or roadways where humans are likely to be found. Treatments should be made from mid-spring to early fall to control larvae, nymphs and adults.

Suggested Spreader Settings						
These suggested spreader settings are not intended to replace calibration. Please calibrate your spreader before applying product.						
XX lbs. treats X,XXX sq. ft. at the 33 lbs. product/acre - LIGHT RATE (0.7 lbs./1,000 sq. ft. rate)						
XX lbs. treats X,XXX sq. ft. at the 66 lbs. product/acre - LOW RATE (1.5 lbs./1,000 sq. ft. rate)						
XX lbs. treats X,XXX sq. ft. at the 133 lbs. product/acre - MEDIUM RATE (3.0 lbs./1,000 sq. ft. rate)						
XX lbs. treats X,XXX sq. ft. at the 266 lbs. product/acre - HIGH RATE (6.1 lbs./1,000 sq. ft. rate)						
SPREADER	GROUND OR PTO SPEAD	WIDTH OF COVERAGE	SPREADER SETTINGS			
			LIGHT 0.05 lbs. ai/A	LOW 0.1 lbs. ai/A	MEDIUM 0.2 lbs. ai/A	HIGH 0.4 lbs. ai/A
Andersons AccuPro 2000, SR-2000 (cone X)	X mph	XX ft/	X	X	X	X
Andersons AccuPro 1000	X mph	XX ft	X	X	X	X
Scotts R-8A (cone X)	X mph	XX ft	X	X	X	X
Andersons SS-2 Drop	X mph	overlap wheels	X	X	X	X
Lely Models WTR, WFR, HR 1250 (PTO at 450 rpm)	X mph	XX ft	X	X	X	X

Note: This list of spreaders and settings will vary dependent on market availability of spreaders. (this note will not appear on final 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.
PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original container only. Store in cool, dry place and avoid excess heat.
PESTICIDE DISPOSAL: Wastes resulting from the use of the product may be disposed of on site or at an approved waste disposal facility.
CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and 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:

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.

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

Date Printed	6/2/10
Date Approved	4/12/05
Supersedes	8/8/08
Label Changes	Notification - warranty
Filename	9198-225
Label code	RVnot060210