

9688-165

4/30/2010

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Eric D. Smith  
Chemisco, Division of  
United Industries Corporation  
P.O. Box 142642  
St. Louis, MO 63114

APR 30 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2008-1, 2007-4, and 98-10

Dear Mr. Smith:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2008-1, 2007-4, and 98-10 dated April 8, 2010 for:

**EPA Registration 9688-165**

**Chemisco Fungicide Concentrate 3000**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2008-1, 2007-4, and 98-10 and finds that the label changes requested falls within the scope of PR Notices 2008-1, 2007-4, and 98-10. 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 Nicole Williams of my staff at 703-308-5551.

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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# Chemsico

Division of United Industries  
P.O. Box 142642  
St. Louis, MO 63114-0642

April 8, 2010

Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
United States Environmental Protection Agency  
Room S4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202-4501

Attention: Ms. Mary Walker  
Product Manager 21

**Subject: NOTIFICATION: Label Notification per PRN 2007-4, PRN 2008-1, & PRN 98-10  
Chemsico Fungicide Concentrate 3000  
EPA Reg. No. 9688-165**

Please find the enclosed application for notification of the following registration amendments:

A. Pesticide Registration Notice (PR) 2007-4, Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment:

We have adopted the exact language set forth in PRN 2007-4.

*This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. 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 the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.*

B. Pesticide Registration Notice (PRN) 2008-1, Environmental Hazard General Labeling Statements on Outdoor Residential Use Products:

We have adopted the exact language set forth in PRN 2008-1.

*This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80, 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*

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*the guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80, 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.*

**C. Pesticide Registration (PR) Notice 98-10:**

We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements.

*This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 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 terms of PR Notice 98-10 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.*

The following documents are enclosed in support of this submission:

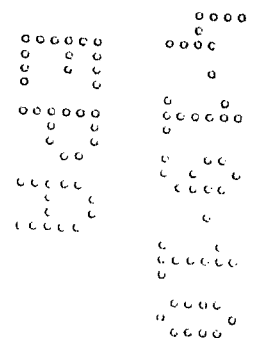
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 or via email: [eric.smith@spectrumbrands.com](mailto:eric.smith@spectrumbrands.com), if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith  
Regulatory Affairs Manager



# CHEMSICO

## Fungicide

### Concentrate 3000

**NOTIFICATION**

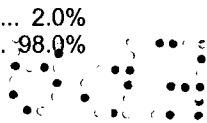
**APR 30 2010**

[Do-it-yourself disease control • Prevents and cures all major lawn diseases • Controls brown patch, crown rot, powdery mildew, leaf spot, rust, Summer patch and more • Systemic action • Systemic action - Can't be washed off by rain once dried • Rainproof - Can't be washed off [away] by rain once dried • Protects for up to 2 weeks • Treats 3,000 sq ft • Just connect to your [garden] hose and spray • Easy-to-use spray ready nozzle • No spreading . . . No complicated mixing • Water-based • Easy-View [Clear-View] measuring window • Guaranteed Results or your money back\* ]

Active Ingredient:

Myclobutanil ..... 2.0%

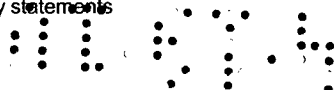
Other Ingredients ..... 98.0%



**KEEP OUT OF REACH OF CHILDREN**

**CAUTION** See back [booklet] for additional precautionary statements

**Net [Contents] 1 qt (32 fl oz/946 mL)**



#### OPTIONAL MARKETING LANGUAGE

[Chemsico Fungicide Concentrate 3000 prevents and cures all major diseases on lawns. Because it works systemically, it can't be washed off by rain or sprinklers once dried and it works for weeks. Use this product on your lawn to keep it thriving.

Prevents and cures . . . Brown Patch, Dollar Spot, Powdery Mildew, Rust, Blight, Leaf Spot . . . and more!]

One [32 oz] bottle of this formula will treat 3,000 sq ft]

#### [CONTROLS] [DISEASES CONTROLLED]

[Use [Chemsico Fungicide Concentrate 3000] as directed to treat the following diseases in your lawn:]

[Chemsico Fungicide Concentrate 3000] prevents and cures anthracnose, brown patch, copper spot, dollar spot, leaf spot (including septoria, zonate), melting out, crown rot, leaf smuts, powdery mildew, rust, red thread, Spring dead spot, necrotic ring spot and Summer patch.

[PEEL HERE, PRESS TO RESEAL.

Read all instructions inside before using.]

#### [OPTIONAL PRODUCT FACT BOX]

##### PRODUCT FACTS

**What it Does:**

Prevents and cures all Major Lawn Diseases including Anthracnose, Brown Patch, Copper Spot, Dollar Spot, Leaf Spot (including Septoria, Zonate), Melting Out, Crown Rot, Leaf Smuts, Powdery Mildew, Rust, Red Thread, Spring Dead Spot, Necrotic Ring Spot and Summer Patch

**Where to Use:** (grass icon)

Lawns

**When To Use:**

Start Treating When Grass Begins to Turn Green in Spring or When Signs of Diseases are First Noticed

**Questions & Comments** (phone icon) (computer icon)

Call 1-800-332-5553 or Visit our Website at [www.spectracide.com](http://www.spectracide.com)

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**STOP. READ ENTIRE LABEL BEFORE USE.****DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. *For home lawn use only.*



Keep people (other than applicator) or pets off treated areas until spray has dried.

**WHEN TO USE**

This product is highly effective when it is used to prevent diseases or applied at the first sign of disease. Start treating when grass begins to turn green in the spring or when signs of diseases are first noticed. For best disease control, treat every 2 weeks.

**RESTRICTIONS**

Do not apply more than 13 treatments per year. In Nassau and Suffolk Counties in New York State, do not apply more than 3 times per given area per year.

Do not treat lawns during periods of stress, i.e. heat, drought, flooding, insects, excessive fertilizer, herbicides or pesticide use, etc.

Do not apply when temperatures are above 85°F as injury to lawn can occur.

If it rains before product has dried, reapply.

If you need more information, contact your local County Extension Service.

**HOW TO USE**

Determine the size of the area (lawn) to be treated. To calculate square feet, multiply length by width.

Start at the farthest point to be treated and work backward so you don't walk over treated area. Walk at a steady pace and spray using a side-to-side [arc] motion, slightly overlapping the treated area.

The entire [32 oz] bottle will treat 3,000 sq ft of lawn. Refer to [sight gauge] [Easy-View] [Clear-View] measuring window to guide coverage. When bottle is half empty, you should have covered half the area.

**ENTIRE LAWN****HOSE END SPRAYER INSTRUCTIONS [Dial Button]**

1. **Shake container well before using.**
2. Connect a garden hose to the Ready Spray nozzle. Make sure the dial on the nozzle is in the "OFF" position with the [green] safety tab in the valve notch.
3. Turn on water at faucet. Extend hose to the farthest area to be treated and work back toward the faucet so you don't come in contact with the treated area.
4. To BEGIN spraying, point nozzle toward lawn or plants to be treated and 1.) bend the [green] safety tab (located at right of [yellow] dial) back and hold, 2.) using your other hand, QUICKLY turn the dial clockwise until it stops and [green] tab engages into notch. Water will automatically mix with the product.
5. Spray lawn or plants thoroughly. Walk at a steady pace while spraying using an even sweeping motion, slightly overlapping treated areas. One quart will treat 3,000 sq ft. Calculate square feet by multiplying length by width. Refer to sight gauge to guide coverage (example: when bottle is half empty, you should have covered half the area).
6. To STOP spraying, QUICKLY turn the dial in the opposite direction of "ON" (counter clockwise) until it stops and the safety tab engages into the notch. Turn water off at faucet. To relieve pressure before removing nozzle from hose, bend the safety tab back and turn dial "ON" until water stops spraying.
7. To STORE unused product, make sure the dial is in the "OFF" position with the green safety tab in the valve notch. Place in a cool area away from heat, sunlight or open flame.

Rainproof – rain or watering 2 hours after application will not wash away effectiveness. [If rainfall occurs within 2 hours of application, the product should be reapplied.]

*NOTE: This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray may contact home siding (vinyl siding in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed.*

**STORAGE AND DISPOSAL**

**Storage:** Store in a cool, dry area away from heat and open flame.

**Disposal:** **If empty:** 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.

**PRECAUTIONARY STATEMENTS****Hazards to Humans and Domestic Animals**

**CAUTION.** Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if swallowed. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

**First Aid**

**If in Eyes:** Hold eye open and rinse slowly and gently with water for 15 – 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. Call a Poison Control Center or doctor for treatment advice. **If Swallowed:** Call a Poison Control Center or doctor immediately 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.

Have the product container or label with you when calling the Poison Control Center or doctor, or going for treatment.

**Environmental Hazards**

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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

**NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.**

[\*Guaranteed Results – If you are not satisfied with the product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

**Questions or comments?** Call 1-800-332-5553 or visit [www.website.com](http://www.website.com)

Made in the USA by Chemsico, Division of United Industries Corporation, P.O. Box 142642, St. Louis, MO 63114-0642

EPA Reg. No. 9688-165

EPA Est. No. 9688-MO-1

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