

10404-14

12/31/2001

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Ms. Bernadine Javorek  
Lesco, Inc.  
15885 Sprague Road  
Strongsville, OH 44136-1799

DEC 31 2001

Dear Ms. Javorek:

Subject: Amendment - Comply with 2000 Diazinon MOA;  
Limit Use to Home Lawns;  
Update First Aid per PR Notice 2001-1; and  
Update CSF/replacement diazinon source  
Lesco Diazinon 3.33% + X-X-X Fertilizer  
EPA Registration Number 10404-14

Your submissions dated June 29 and August 31, 2001

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(a), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
  - a. The label must contain a STORAGE and DISPOSAL section with the appropriate heading (there are type size requirements), subheadings, and associated text consistent the homeowner nature of this product.
  - b. Revise the front panel site limitation "For outdoor use on the home lawn and in the home garden only." to read "For outdoor use on the home lawn only."
  - c. In the ingredients statement, "ACTIVE INGREDIENT" and "INERT INGREDIENTS" must appear in the same type style and size.
  - d. Relocate "Brush off walks and painted surfaces following application to avoid discoloration." from beneath the Guaranteed Analysis to appear instead in the Directions for Use after "Application should be made when grass is dry."

- e. The master heading PRECAUTIONARY STATEMENTS should appear above the subheading HAZARDS TO HUMANS AND DOMESTIC ANIMALS. Revise the text for this section to read as follows:

CAUTION: Harmful if swallowed, inhaled, or absorbed through skin. Causes moderate eye injury. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before smoking or eating. Do not store near food or feed products. Do not contaminate ornamental fish ponds, Do not allow children or pets on treated areas until granules have been watered into the soil and the grass or soil is dry.

- f. In the Environmental Hazards, . Replace the sentence beginning "Do not apply directly to water, to areas where..." with just "Do not apply directly to water."
- g. Under the heading Directions for Use, slightly revise the reformulation limitation to read "Reformulation or repackaging of this product is prohibited."
- h. In the Special Precautions to Reduce Risks to Birds, in item "5" replace "stop water if puddling occurs" with "stop watering before puddling occurs".
- i. In the Directions for Use, in the first paragraph under the list of lawn pests, revise "Apply at a rate of 3 pounds per 1,00 sq. ft." to "Apply at a rate of 3 pounds per 1,000 sq. ft."
- j. In the directions for control of Billbugs, for consistency add the missing comma so that "Apply 3 lbs./1000 ft. of lawn" appears as "Apply 3 lbs./1,000 sq. ft. of lawn". Also, in these directions, replace "Repeat as necessary." with "If necessary, repeat application at 3-week intervals. Make no more than 4 applications per year."
3. Submit three (3) copies of your final printed labeling before you release the product for shipment.
4. Comply with all applicable provisions of the 2000 Memorandum of Agreement Regarding Pesticide Products Containing Diazinon (i.e., the Diazinon MOA). In accordance with the Diazinon MOA you have requested the following revisions to the conditions of registration for this diazinon product with outdoor non-agricultural (i.e., home and garden) uses:
- a. You have requested under section 6(f) of FIFRA that this registration be voluntarily canceled on a date not later than December 31, 2004.
- b. You may not manufacture, label, or release for shipment this product after June 30, 2003.
- c. You may not sell or distribute this product after August 31, 2003.

- d. The registration for this product shall expire and be canceled on December 31, 2004.
- e. You will send to every person who directly purchases this product (i.e., to every seller) a notification of Product Recovery Program to be conducted by Syngenta and Makhteshim after December 31, 2004.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

The Alternate Confidential Statement of Formula (CSF) dated June 29, 2001 which identifies a replacement diazinon source Manufacturing Use Product is acceptable and has been added to this product's registration file.

Sincerely,

George T. LaRocca  
Product Manager 13  
Insecticide Branch  
Registration Division (7505C)

