

10404-66

8-11-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
10404-66

Date of Issuance:
AUG 11 2010

NOTICE OF PESTICIDE:
 Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance: Unconditional

Name of Pesticide Product:
Lesco Horticultural Oil
Insecticide

Name and Address of Registrant (include ZIP Code):

LESCO, Inc.
1385 East 36th Street
Cleveland, OH 44114
ATTN: Susan E. Spencer, Regulatory Specialist

S 880175
6761

~~Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.~~

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

The Confidential Statement of Formula (CSF) of July 14, 2010 for the "Basic Formulation" is accepted and replaces all other CSFs previously accepted for this product.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments in this letter.

See page 2 for required label changes.

Submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Notice or the next printing of the label whichever occurs first, must bear the new revised label. A stamped copy of the label is enclosed for your records. If you have any questions, contact William Jacobs at 703-305-6406 or jacobs.bill@epa.gov.

Signature of Approving Official:
Venus Eagle, Product Manager 01
Insecticide-Rodenticide Branch
Registration Division (7505P)

Date:
AUG 11 2010

Labeling Change for EPA Reg. No. 10404-66

The change identified below must be made to the container label coded "Clean: 7/14/10".

1. The first sentence of the "**How Much to Use:**" paragraph (page 4) is inconsistent with the use table that follows it. To fix this problem, replace that sentence with the sentence shown below.

Do not exceed the highest rate in gallons of this product per 100 gallons of water that is indicated in the table below for each use site.



Horticultural Oil Insecticide

DO NOT USE on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. This product is 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 and grounds, or on residential fruit trees.

A highly refined superior spray oil for control of insects and mites on fruit trees and ornamentals

ACTIVE INGREDIENT:

Mineral Oil*..... 98.80%

OTHER INGREDIENTS:..... 1.20%

TOTAL..... 100.00%

*Contains petroleum distillates

EPA Reg. No. 10404-66

EPA Est. No. 52467-WI-1

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
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 swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to a person. • Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • 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. • 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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact Chemtrec at 1-800-424-9300 for emergency medical treatment.	
NOTE TO PHYSICIAN	
Contains petroleum distillate. May pose an aspiration pneumonia hazard.	

See additional precautionary statements below.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

ACCEPTED

With COMMENTS PERSONAL PROTECTIVE EQUIPMENT (PPE)
In EPA Letter Dated:

AUG 11 2010

Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

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Some materials that are chemical-resistant to this product are barrier laminate, nitrile rubber, neoprene rubber, or viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators, and other handlers must wear:

- Long-sleeve shirt and long pants, and
- Shoes plus socks
- Chemical resistant gloves

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

User Safety Recommendations

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

PHYSICAL AND CHEMICAL HAZARDS

Do not use, pour, spill, or store near heat or open flame.

ENVIRONMENTAL HAZARDS

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 contaminate water when disposing of equipment washwater or rinsate.

Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

DIRECTIONS FOR USE

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

Do not apply this product by use of aircraft. Do not apply this product through any type of irrigation system. Do not apply this product to produce agricultural plants on farms, forests, nurseries, or greenhouses. Do not use this product in sod production.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Do not enter or allow others to enter until sprays have dried.

Only protected handlers may be in the area during application.

Pests Controlled

This product controls listed mite and insect pests in the egg stage, including: spider mites, eriophyid mites, armored scales, soft scales, mealybugs, psyllids, whiteflies, aphids, leafrollers, leaf tiers, webworms, cankerworms, plant bugs, leafhoppers, and adelgids. This product will also kill other immature forms if the spray covers the insect.

Mixing Directions

Partially fill tank with water, and start agitator. Add oil, then add remaining water. Continue agitation to thoroughly mix oil and water. Agitate continuously, or if this is not possible, agitate periodically throughout application to ensure that oil and water remain mixed.

Application Instructions

To obtain adequate pest control, spray to obtain thorough coverage until thoroughly wet but without significant runoff. Apply 100 – 400 gallons of spray solution per acre **using ground-based spray equipment.**

Spray Drift Management:

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, and relative humidity) and method of application (e.g. ground) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Wind Speed: Do not apply at wind speeds greater than 15 mph at the application site.

Temperature Inversions: If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exists at or below nozzle height. Do not make applications into areas of temperature inversions.

Droplet Size: Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

Ground-based Equipment Application: Apply using a nozzle height of no more than 4 feet above the ground. Do not apply at wind speeds greater than 15 mph at the application site. Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

When to Apply

Follow the spray schedule outlined in the use table on this label.

TANK MIXES

Users are required to read and follow all directions and restrictions on the labels of the proposed tank-mix-products. Use 1% Horticultural Oil Insecticide (1 Gallon Horticultural Oil per 100 Gallons of finished solution) in combination with other products. Test all combinations prior to use to ensure compatibility. LESCO waives all liability for any such use to the extent allowed by law. User assumes all risk for any such use.

Ornamental Plants

Oil might remove the glaucous (blue) bloom from such evergreens as Colorado Blue Spruce and Koster Spruce. Use with caution and reduced dosage for summer application on Japanese Red Maple, Amur Maple, and Black Walnut. Use with caution and reduced dosage for dormant application on Sugar Maple, Redbud, Japanese Holly, *Cryptomeria*, *Chamaecyparis*, Red Cedar and Smoke Tree.

Citrus

Oils applied after October may increase cold damage to trees; applied in August and September may affect solid contents, may retard color.

Use Precautions

Apply this product only when the temperature is above 40°F and there is no danger of freezing. Do not apply this product if the temperature exceeds, or is expected to exceed, 90°F.

Roll drum before use. All horticultural oils interfere with or slow plant transpiration and respiration during the period of evaporation. Do not apply during periods of drought or when plants exhibit moisture stress. Phytotoxicity may result if sprayed on plants during periods of prolonged high temperature and high relative humidity. Do not use in combination with or immediately before or after spraying with dinitro compounds, fungicides such as Captan[®], folpet, Dyrene[®], Morestan[®] or any other product containing sulfur. Spray no more than 4 times during the growing season; two week minimum application interval. Do not spray when buds have fully opened and shoot elongation is occurring. Do not spray when there is obvious moisture deficit in leaves, or the plant is under stress. Keep away from open blooms; bleaching and spotting have been observed with the open blooms of certain plants.

How Much to Use: For all fruit trees, except Citrus, use this product at the rate of 1.0 to 4.0 gallons per 100 gallons of water. Apply to control the listed insects. Observe **"When to Apply"** for each crop. Note: All rates are calculated for mature trees with normal foliage cover, unless otherwise indicated. Reduce rates proportionally for smaller trees.

PLANT	PEST	gal Oil /100 gal Water†	TIME OF APPLICATION
Shade Trees, Ornamental Trees and Shrubs including Conifers, Deciduous Broadleaf Evergreens, and Woody Ornamentals in landscapes and along City Streets or Other Rights-of-Way	Aphids Adelgids Bugs (immature) Eriophyid Mites Gall Mites Lace Bug Leaf Beetle Larvae Leaf Miner Mealybug Psyllids (immature) Sawfly (larvae) Scale (immature)	2-4 1-3	Winter dormant period as needed Summer (foliar or cover) as needed
	Flowers and Foliage Plants including Roses and other flowering shrubs, Foliage Ornamentals and Bedding Plants	Spider Mites Whiteflies (immature)	2-3 1-2
Residential Fruit trees: Apples, Pears, Pecans, Peaches, Plums & Prunes	Apple Red Bug European Fruit Lecanium Scale Fruit Tree Leaf Roller European Red Mite San Jose Scale Scurfy Scale Pear Leaf Blister Mite Pear Psylla Obscure Scale Cottony Cushion Scale Spider Mites Plant Bugs	1-3	Winter dormant period as needed Summer (foliar or cover) as needed
Residential Citrus	Scales: California Red, Glover (long) Chaff, Purple, Red, Yellow, Snow, Brown, Soft; Rust Mite; Greasy Spot; Spot & Sooty Mold; Spider Mites; Rust Mite; Whiteflies	1-3	Apply Post Bloom
	California Red Scale	1.3 - 1.6	

† For smaller applications, 1.3 oz Horticultural Oil Insecticide per gallon of water is approximately equivalent to 1 gal Horticultural Oil Insecticide/100 gal water.

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STORAGE AND DISPOSAL

Do not contaminate water, food, feed or seed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Store in a cool, dry, locked area out of the reach of children. Keep container tightly closed in storage to prevent entry of water

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

Nonrefillable Containers 5 Gallons or Less: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Nonrefillable containers larger than 5 gallons: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or for reconditioning, if appropriate. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. If recycling or reconditioning is not available, puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully and completely. It is impossible to eliminate all risks inherently associated with the use of this product. To the extent consistent with applicable law, Buyer and/or User assume all risks of ineffectiveness or other unintended consequences or damages that may result from conditions outside or beyond the control of LESCO, Inc. including but not limited to, such factors as manner of use or application, weather or weather conditions outside the range considered normal at the application site or for the time period in which the product is applied, the presence of other materials, incompatible products, or other influencing factors which are beyond the control of LESCO, Inc. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and/or User, and Buyer and/or User agrees to hold LESCO, Inc. harmless for any claims relating to such factors.

LESCO, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with the Directions for Use under normal use conditions. To the extent consistent with applicable law, this warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of LESCO, Inc. and Buyer and/or User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LESCO, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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Manufactured for:
LESCO, Inc.
1385 East 36th Street
Cleveland, OH 44114-4114