

10404-98

10/02/2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Susan E. Spencer
LESCO, Inc.
1301 East 9th Street, Ste., 1300
Cleveland, OH 44114-1849

OCT 2 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10
1. Updated warranty statement

Dear Ms. Spencer:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated August 28, 2009 for:

EPA Registration 10404-102	LESCO PRE-M 0.75% Plus Fertilizer
EPA Registration 10404-100	LESCO PRE-M 0.86% Plus Fertilizer
EPA Registration 10404-101	LESCO PRE-M 1.00% Plus Fertilizer
EPA Registration 10404-82	LESCO PRE-M 1.31% Plus Fertilizer
EPA Registration 10404-98	LESCO PRE-M 1.50% Plus Fertilizer

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-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,

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

OK

Application for Pesticide - Section I

1. Company/Product Number 10404-98	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) LESCO PRE-M 1.50% Plus Fertilizer	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) LESCO, Inc. 1301 East 9th Street, Suite 1300 Cleveland, OH 44114-1849 <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

Amendment - Explain below.

Resubmission in response to Agency letter dated 9/23/09

Notification - Explain below.

Final printed labels in response to Agency letter dated **NOTIFICATION**
"Me Too" Application.

Other - Explain below.

OCT - 2 2009

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

Notification of label change per PR Notice 2007-4 and PR Notice 1998-10. This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 98-10 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 for 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 requirements of PR Notice 98-10 and 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

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" 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
50 - 1000#

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 Susan E. Spencer	Title Regulatory Specialist	Telephone No. (Include Area Code) 216-706-9250 ext 2343
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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.

6. Date Application Received
(Stamped)

2. Signature Susan E. Spencer <small>Digitally signed by Susan E. Spencer DN: cn=Susan E. Spencer, o=United States Landmark, ou=Regulatory Affairs, email=susan.spencer@epa.gov, c=US Date: 2009.09.25 14:53:23 -0400</small>	3. Title Regulatory Specialist
4. Typed Name Susan E. Spencer	5. Date 9/25/09

PRE-M 1.5% Plus Fertilizer

4/5

PRE-EMERGENT WEED CONTROL

For Use on Turfgrasses, Ornamentals, Landscape or Grounds Maintenance, and Non-cropland Areas. Contains LESCO® Poly Plus® Sulfur Coated Urea to provide a uniform growth with extended nitrogen feeding.

Active Ingredient:

Pendimethalin, N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzamide*	1.50%
Inert Ingredients:	98.50%
Total	100.00%

*Licensed under one or more of the following U.S. Patents: 3,920,742; 4,066,441.



GUARANTEED ANALYSIS

Total Nitrogen (N)	XX.XX%
XX.XX% Ammoniacal Nitrogen (N)	
XX.XX% Urea Nitrogen (N)*	
Available Phosphate (P ₂ O ₅)	XX.XX%
Soluble Potash (K ₂ O)	XX.XX%
Magnesium (Mg) Total	XX.XX%
XX.XX% Water Soluble Magnesium (Mg)	
Sulfur (S) Total	XX.XX%
XX.XX% Free Sulfur (S)	
XX.XX% Combined Sulfur (S)	
Iron (Fe) Total	XX.XX%
Manganese (Mn) Total	XX.XX%
XX.XX% Water Soluble Manganese (Mn)	
DERIVED FROM:	
Chlorine (Cl) Max	XX.XX%
*XX.XX% Slowly Available Urea Nitrogen from Polymer Coated Sulfur Coated Urea.	
Produced under the following U.S. Patent: 5,750,130	F160

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUTION

See back of label for a complete list of plants to which this fertilizer is not to be applied. (If you do not understand this label, find someone to explain it to you in detail.) See below for additional precautionary statements.

In case of emergency endangering life or property involving this product, call day or night, Chem-Trec 1-800-424-9300.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

FIRST AID

If swallowed	<ul style="list-style-type: none"> 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. Child's told to by the poison control center or doctor. 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 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 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 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 Chem-Trec at 1-800-424-9300 for emergency medical treatment information.

NOTE TO PHYSICIAN

Because of increased risk of chemical pneumonia or pulmonary edema caused by aspiration of the hydrocarbon solvent, vomiting should be induced only under professional supervision.

Personal Protective Equipment (PPE):

- Applicator and other handlers must wear:
 - Long-sleeved shirt and long pants
 - Chemical resistant gloves
 - Shoes plus socks

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

USER SAFETY RECOMMENDATIONS

- Users should:
 - Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
 - Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do NOT apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in adjacent aquatic sites. DO NOT contaminate water by cleaning of equipment or disposal of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This labeling must be in the possession of the user at time of pesticide application. DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical resistant gloves
- Shoes plus socks

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter or allow others to enter treated area until dusts have settled.

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN POOR WEED CONTROL, CROPPY INJURY OR RESIDUES.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal. Pesticide Storage: DO NOT store above 120°F. Store in original container and keep closed; re-seal opened bag by folding top down and securing. Store in a cool, dry place. Store this product only in its original container in a dry, cool, secured storage area. Do not contaminate water, food, feed, soil, or seed by storage or disposal. Pesticide Disposal: Wastes resulting from the use of this product that cannot be used or chemically reprocessed should may be disposed of on-site or at an approved waste disposal facility in a landfill approved for pesticide disposal or in accordance with applicable Federal, State, or local procedures. Or call 1-800-CLEANUP for disposal instructions. Never place unused product down a drain or in a ditch. Container Disposal: Non-refillable containers: Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling or disposal 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. SPILL: In case of spill, sweep up material and dispose of material according to "pesticide disposal" directions listed above.

Observe all cautions and limitations on this label and on the labels of products used in combination with this herbicide. Do not use this herbicide other than in accordance with the instructions set forth on this label. The use of this herbicide not consistent with this label can result in injury to turf, animals, or persons. Keep Container closed to avoid spills and contamination.

GENERAL INFORMATION

This product is a combination pre-emergent herbicide and fertilizer formulated to provide pre-emergence control of most annual grasses and certain broadleaf weeds as they germinate in any turfgrass site (lawns, sod, turf areas). Examples of such sites include, but are not limited to: grounds or lawns around residential and commercial establishments, multifamily dwellings, military and other installations, parks, airports, roadsides, schools, picnic grounds, athletic fields, houses of worship, cemeteries, golf courses; prairiegrass areas; and sod farms.

This product can be used in and around field, liner, and container grown ornamental nurseries; established landscape ornamentals and ornamental gardens; listed groundcovers and bulbs; nonbearing fruit and nut trees; conifer and hardwood seedling nurseries; and for plantation site preparation and maintenance.

In addition, this product can be applied for general grounds maintenance around areas such as parking lots, driveways and roadsides, alleys, bike and jogging paths, vacant lots, buildings, stone gardens and gravel yards, markers and fence lines, mulch beds and other similar areas. It may be used under asphalt or concrete treatments as part of a site preparation program.

This product is recommended for pre-emergence control of most annual grasses and certain broadleaf weeds as they germinate in any non-cropland area such as railroad, utility, highway, and pipeline rights-of-way, highway guardrails, delineators, and sign posts; bridge abutments and approaches; utility substations; petroleum tank farms; pumping installations; storage areas; fence rows; windbreaks and shelterbelts; paved or gravel surfaces; established wildflower plantings, and other similar areas where weed control is desired.

This product controls weeds as they germinate but will not control established weeds. Therefore, areas to be treated should be free of established weeds. For the control of established weeds, this product may be used in conjunction with herbicides registered for post-emergence use. Consult the labels of those herbicides for use rates, timings, and precautions or restrictions. Unusually cold, excessively wet, or hot and dry conditions that delay germination or extend germination over a long period of time can reduce weed control.

The efficacy of this product will improve if the application is followed by one-half inch of rainfall or its equivalent in sprinkler irrigation. If this product is not activated by rainfall or irrigation within 30 days, erratic weed control may result.

Applied according to label directions and under normal growing conditions, this product will not cause turf injury. Over-application can result in turf stand loss, turf injury, or soil residues. Uneven application can decrease weed control or cause turf injury. Seeding diseases, cold weather, excessive moisture, high soil pH, high soil salt concentration, or drought can weaken turfgrass and increase the possibility of turf damage from this product.

APPLICATION

Apply product uniformly at the recommended rate using a properly calibrated spreader (see table below for approximate settings). Check application routinely to determine proper calibration. Avoid overlaps that will increase rates above those recommended. Avoid application when winds may cause drift. Avoid contact of product with porous surfaces such as driveways, stone, or wood. Removing particles will help prevent staining.

SUGGESTED SPREADER SETTINGS

Spreader	Calibration Gauge	1.5 (67)	2.3 (109)*	3.1 (133)	4.6 (209)	5.4 (233)**
LESCO Rotary		#XX	#XX	#XX	#XX	#XX
Cyclone® or Spyr®		XX	XX	XX	XX	XX

*Delivers 1.5 lb a/w and X.XX lb N/1,000 sq ft
**Delivers 3.5 lb a/w and X.XX lb N/1,000 sq ft

IMPORTANT: Spreader settings are only approximate. Age, condition of spreader, and operator speed can cause wide variation in application rate. Spreader should be calibrated prior to each application by the operator.

TURFGRASS APPLICATION CHART

Turfgrass Species	Weeds	Rate of PRE-M 1.5% Plus Fertilizer	Comments:
NORTHERN GRASSES			
Kentucky bluegrass	crabgrass	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre)	Apply a repeat application of 1.5 to 2.3 lb/1,000 sq ft (67-100 lb/acre) after a minimum of 4 weeks for extended control or where heavy weed infestations are expected.
Perennial ryegrass	foxtail		
Fine fescue	Poa annua		
Tall fescue	barnyardgrass		
	tall panicum		
	oxalis		
	prostrate spurge		
	purslane		
	knottedweed		
	evening primrose		
	hop clover		
	goosegrass	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre) in the spring prior to weed germination.	Apply a repeat application of 1.5 lb/1,000 sq ft (67 lb/acre)
	cudweed	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre)	Apply in late summer or early fall prior to weed germination.
	Poa annua		
	chickweed		
	lawn burweed		
	henbit		
	corn speedwell		
Bestgrass and established Poa annua (1/2 inch height or taller)	crabgrass	2.3 to 4.6 lb/1,000 sq ft (100-200 lb/acre) in the spring prior to weed germination.	Apply a repeat application of 1.5 to 2.3 lb/1,000 sq ft (67-100 lb/acre) after a minimum of 4 weeks for extended control or where heavy weed infestations are expected.
	foxtail		
	Poa annua		
	barnyardgrass		
	tall panicum		
	oxalis		
	prostrate spurge		
	purslane		
	knottedweed		
	evening primrose		
	hop clover		
	goosegrass	2.3 to 3.1 lb/1,000 sq ft (100-133 lb/acre) prior to weed germination in the spring.	Apply a repeat application of 2.3 lb/1,000 sq ft (100 lb/acre) after a minimum of 4 weeks.
	cudweed	2.3 to 3.1 lb/1,000 sq ft (100-133 lb/acre)	Apply in late summer or early fall prior to weed germination.
	Poa annua		
	chickweed		
	lawn burweed		
	henbit		
	corn speedwell		
SOUTHERN GRASSES			
Bermudagrass	crabgrass	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre) prior to weed germination in the spring.	Apply a repeat application of 1.5 to 2.3 lb/1,000 sq ft (67-100 lb/acre) after a minimum of 4 weeks if necessary.
St. Augustinegrass	foxtail		
Buffalograss	Poa annua		
Barnyardgrass	barnyardgrass		
Tall fescue	tall panicum		
	oxalis		
	prostrate spurge		
	purslane		
	knottedweed		
	evening primrose		
	hop clover		
	goosegrass	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre) prior to weed germination in the spring. Apply a repeat application 2.3 to 3.1 lb/1,000 sq ft (100-133 lb/acre) after a minimum of 4 weeks.	An additional application of 1.5 lb/1,000 sq ft (67 lb/acre) may be applied for extended control a minimum of 4 weeks after the second application.
	cudweed	2.3 to 5.4 lb/1,000 sq ft (100-233 lb/acre)	Apply in late summer or early fall prior to weed germination.
	Poa annua		
	chickweed		
	lawn burweed		
	henbit		
	corn speedwell		

*Not for use on greens or tees

The efficacy of this product will be improved if the application is followed by one-half inch of rainfall or its equivalent in sprinkler irrigation. If this product is not activated by rainfall or irrigation within 30 days, erratic weed control may result.

This product can be applied before or after post-emergence herbicides used to control emerged weeds in turfgrasses. For annual grass control applications can be made with Acclaim Extra¹ or MSMA to control emerged weeds. Broadleaf weeds can be controlled using Trimec¹, Three-Way¹, 2,4-D, and other similar products.

TURFGRASS PRECAUTIONS

Use only on well established turfgrass with a dense and uniform stand. On newly planted areas, application should not be made until the turfgrass has filled in and has been mowed at least four times. On turf that has been thinned or damaged due to winter injury, excessive moisture, etc., allow for turf recovery prior to making an application.

Applications made to overseeded warm-season turfgrasses may cause thinning or injury of the overseeded species.

Do not use on bentgrass or Poa annua (greens and tees) or injury may occur. Delay reseeding or winter overseeding treated turfgrass for at least 2 months following application. Do not spray turfgrass for 3 months after application.

INDUSTRIAL (unimproved) TURF

Industrial, or unimproved turf areas often have a different spectrum of weeds to be controlled than those found in fine turf as described elsewhere in this leaflet. This product will control annual grasses and broadleaf weeds mentioned in that section of this label as well as the following weeds that might germinate in established grasses in rights-of-way, roadsides, construction sites, parks, substations, lots, or similar areas:

- Crowfootgrass, Crabgrass, Johnsongrass (from seed), Junglerice, Lovegrass, Browmtop Panicum, Texas Panicum, Field Sandbur, Signalgrass, Mexican Sprangletop, Red Sprangletop, Witchgrass, Woolly Cyngrass, Carpetweed, Filideneck, Filaree, Kochia, Lambsquarters, Pigweed, Puncturevine, Florida Pusley, London Rocket, Shepherd's purse, Pennsylvania Smartweed, Annual Spurge, and Velvetleaf.

Apply before weeds germinate. A post-emergence herbicide such as 2,4-D, MSMA, or similar product is recommended to control established weeds.

#XXXXXX (front)

Net Weight: XX lb (XX kg)

