

10404-100

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

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10404-100	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) LESCO PRE-M 0.86% 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

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION OCT - 2 2009
<input checked="" type="checkbox"/> Resubmission in response to Agency letter dated <u>9/23/09</u>	<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 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:				2. Type of Container	
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		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 - 1000#		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued 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 Susan E. Spencer	Title Regulatory Specialist	Telephone No. (Include Area Code) 216-706-9250 ext 2343
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=John Deere Landscapes, email=spencer_s@jdl.com, ou=US Date: 2009.09.25 14:38:41 -0400</small>	3. Title Regulatory Specialist	
4. Typed Name Susan E. Spencer	5. Date 9/25/09	



③
Section III
OK

Phone: 216.706.9250
800.321.5325
www.lesco.com

August 28, 2009

Document Processing Desk (NOTIF)
Office of Pesticide programs (7504P)
Mr. Jim Tompkins, PM25
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

SUBJECT: Notifications for Commercial Labels:
LESCO PRE-M 0.75% Plus Fertilizer, EPA Reg. No. 10404-102
LESCO PRE-M 0.86% Plus Fertilizer, EPA Reg. No. 10404-100
LESCO PRE-M 1.00% Plus Fertilizer, EPA Reg. No. 10404-101
LESCO PRE-M 1.31% Plus Fertilizer, EPA Reg. No. 10404-82
LESCO PRE-M 1.50% Plus Fertilizer, EPA Reg. No. 10404-98

Dear Mr. Tompkins:

Enclosed please find Notifications for your review and acceptance to address the following:

- Storage & Disposal Statement – updated to bring into compliance with PRN 2007-4, ‘Standards for Pesticide Containers and Containment’ dated 10/29/07 and revised 4/29/08

In addition, we have taken this opportunity to ensure our updated Warranty and Disclaimer Statement is in compliance with Agency ‘Guidance on Warranty Statements’ dated 10/17/06.

The following documentation is provided in support of the above:

- 8570-1 for each registration
- One (1) highlighted label copy for each registration noting the above actions
- Five (5) clean label copies for each registration for Agency files

Thank you for your assistance in this matter. If you should have any questions, or require additional information, please feel free to contact me at sspencer@johndeere Landscapes.com or at 216.706.9250, ext 2343.

Sincerely,

Susan E. Spencer
Regulatory Specialist
enclosures

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

PRE-M® 0.86% Plus Fertilizer

4/5

Not for use on turf being grown for sale or for other commercial use as sod, or for commercial seed production, or for research purposes. For control of specified weeds in or on residential lawns, corporate lawns, parks, recreational areas, golf courses, cemeteries, and athletic fields.

- Preemergent control of crabgrass, goosegrass, foxtail, chickweed, oxalis, spurge, knotweed, and *Poa annua*.
 - Provides quick green-up from soluble nitrogen.
 - Prevents annual grassy and broadleaf weeds.
- 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-dinitrobenzenamine*	0.86%
Other Ingredients:	99.14%
Total	100.00%

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

NOTIFICATION

OCT - 2 2003

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 or rinsate.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof materials, such as butyl rubber > 14 mils, nitrile rubber >14 mils, or neoprene rubber > 14 mils, shoes plus socks. Follow manufacturers' instructions for changing/maintaining PPE. If no such instructions exist 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. 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. Remove contaminated clothing and wash separately before reuse.

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.
- Observe all cautions and limitations in this leaflet and on the labels of products used in combination with this product. Do not use this product other than in accordance with the instructions set forth on this label. The use of this product not consistent with this label can result in injury to turf, animals, or persons. Keep container closed to avoid spills and contamination.
- DO NOT apply this product through any type of irrigation system.
- Do not enter or allow others to enter the treated area until dusts have settled.
- Do not apply this product in a way that will contact any person or pets, either directly or by drift.
- Do not allow dust to drift from the application site and contact people, structures people occupy at the time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals.

GENERAL INFORMATION

This product is a combination pre-emergent herbicide and fertilizer formulated to provide control of most annual grasses and certain broadleaf weeds found in turfgrass. This product is labeled for use on the following turfgrass species: Kentucky Bluegrass, Perennial Ryegrass, Fine Fescue, Tall Fescue, Bentgrass, *Poa annua* (except putting greens and tees), Bermudagrass, St. Augustinegrass, Bahiagrass, Centipedegrass, and Zoysiagrass.

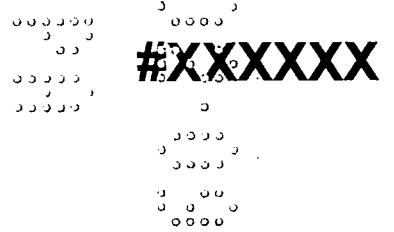
This product controls weeds as they germinate but will not control established weeds. Unusually cold, excessively wet, or hot and dry conditions that delay germination or extend germination over a long period of time can reduce weed control.

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.

Seedling 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 properly calibrated spreader (see table below for approximate settings). 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. This will remove the product from the turfgrass foliage and establish a pre-emergent herbicide barrier in the soil. Avoid contact of product with porous surfaces such as driveways, stone, or wood. Removing particles will help prevent staining.



X-X-X

GUARANTEED ANALYSIS

TOTAL NITROGEN (N)	XX.XX%
XX.XX% Ammoniacal Nitrogen (N)	
XX.XX% Urea Nitrogen (N)*	
XX.XX% Water Insoluble Nitrogen (N)	
XX.XX% Water Soluble Controlled Release Nitrogen (N)	
AVAILABLE PHOSPHATE (P₂O₅)	XX.XX%
SOLUBLE POTASH (K₂O)	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)	
COPPER (Cu) Total	XX.XX%
XX.XX% Water Soluble Copper (Cu)	
IRON (Fe) Total	XX.XX%
XX.XX% Water Soluble Iron (Fe)	
MANGANESE (Mn) Total	XX.XX%
XX.XX% Water Soluble Manganese (Mn)	
ZINC (Zn) Total	XX.XX%
XX.XX% Water Soluble Zinc (Zn)	
DERIVED FROM:	
CHLORINE (Cl) Max.	XX.XX%
*X.XX% Slowly available Urea Nitrogen from Polymer Coated Sulfur Coated Urea.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

KEEP OUT OF REACH OF CHILDREN
CAUTION

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 unless 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.

PRE-M® 0.86% Plus Fertilizer

S/S

APPLICATION RATES: RATE AND APPLICATION CHART

Turfgrass Species	Weeds	Rates of 0.86% PRE-M Plus Fertilizer	Comments:
NORTHERN GRASSES Kentucky Bluegrass Perennial Ryegrass Fine Fescue Tall Fescue	crabgrass foxtail <i>Poa annua</i> barnyardgrass fall panicum oxalis prostrate spurge purslane knotweed evening primrose hop clover	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre) as the initial application prior to weed germination in the spring.	Apply a repeat application of 2.7 to 4.0 lb/1,000 sq ft (118 – 174 lb/acre) after a minimum of 4 weeks for extended control or where heavy weed infestations are expected.
	goosegrass	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre) in the spring prior to weed germination.	Apply a repeat application of 4.0 lb/1,000 sq ft (174 lb/acre)
	cudweed <i>Poa annua</i> chickweed lawn burweed henbit corn speedwell	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre)	Apply in late summer or early fall prior to weed germination.
Bentgrass and established <i>Poa annua</i> * (1/2 inch height or taller)	crabgrass foxtail <i>Poa annua</i> barnyardgrass fall panicum oxalis prostrate spurge purslane knotweed evening primrose hop clover	4.0 lb/1,000 sq ft (174 lb/acre) in the spring prior to weed germination.	Apply a repeat application of 2.7 to 4.0 lb/1,000 sq ft (118 – 174 lb/acre) after a minimum of 4 weeks for extended control or where heavy weed infestations are expected.
	goosegrass	4.0 lb/1,000 sq ft (174 lb/acre) prior to weed germination in the spring.	Apply a repeat application of 4.0 lb/1,000 sq ft (174 lb/acre) after a minimum of 4 weeks.
	cudweed <i>Poa annua</i> chickweed lawn burweed henbit corn speedwell	4.0 lb/1,000 sq ft (174 lb/acre)	Apply in late summer or early fall prior to weed germination.
SOUTHERN GRASSES Bermudagrass** St. Augustinegrass Bahiagrass Zoysiagrass Centipedegrass Tall Fescue	crabgrass foxtail <i>Poa annua</i> barnyardgrass fall panicum oxalis prostrate spurge purslane knotweed evening primrose hop clover	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre) prior to weed germination in the spring.	Apply a repeat application of 2.7 to 4.0 lb/1,000 sq ft (118 – 174 lb/acre) after a minimum of 4 weeks if necessary.
	goosegrass	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre) prior to weed germination in the spring. Apply a repeat application of 4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre) after a minimum of 4 weeks.	An additional application of 4.0 lb/1,000 sq ft (174 lb/acre) may be applied for extended goosegrass control a minimum of 4 weeks after the second application.
	cudweed <i>Poa annua</i> chickweed lawn burweed henbit corn speedwell	4.0 to 5.3 lb/1,000 sq ft (174 – 231 lb/acre)	Apply in late summer or early fall prior to weed germination.

*Not for use on greens or tees.
 ** Rates do not apply to Bermudagrass greens and tees.
DO NOT apply more than 5.3 lb of this product per 1,000 sq ft per application, and no more than 15.9 lb of this product per 1,000 sq ft per year.
 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 14 days, erratic weed control may result.

SUGGESTED SPREADER SETTINGS

Recommended Rates in lb per 1,000 sq ft

Spreader	2.7 lb	4.0 lb	5.3 lb
LESCO Rotary Calibration Gauge	#XX	#XX	#XX
Cyclone® or Spyker®	XX	XX	XX
SCOTT'S® R8-A	XX	XX	XX
Lely®	XX II	XX II	XX II

EPA REG. NO. 10404-100
 EPA EST. NO. 82757-FL-001 (S), 82757-OH-001 (M)
 First letter of lot code indicates manufacturing site.

#XXXXXXXX

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.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.
PESTICIDE STORAGE: Store this product only in its original container in a dry, cool, secured storage area. Do not contaminate water, foodstuffs, feed or seed by storage or disposal.
PESTICIDE DISPOSAL: Wastes resulting from the use of this product that cannot be used or chemically reprocessed should be disposed of 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 any indoor or outdoor drain.
CONTAINER DISPOSAL: Do not reuse bag. Dispose of emptied bag(s) in a sanitary landfill approved for pesticide disposal, or by incineration. Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfills 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.

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 sprig turfgrass for 3 months after application.

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.
 TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE BUYER AND/OR USER AND THE EXCLUSIVE LIABILITY OF LESCO, INC. FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF LESCO, INC. REPLACEMENT OF THE PRODUCT, OR IF NOT ACQUIRED BY PURCHASE, REPLACEMENT OF SUCH QUANTITY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL LESCO, Inc. BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES.

LESCO, Inc. offers this product, and Buyer and/or User accepts it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of LESCO, Inc.

Information concerning the raw materials composing this product can be obtained by writing to: LESCO, Inc., Attn: RA Dept., 1301 East 9th Street, Suite 1300, Cleveland, Ohio 44114-1849, referring to the item number found on this bag.

Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.regulatory-info-a1.com>.

Poly Plus is comprised of Polymer Coated Sulfur Coated Urea. ○○○○
 LESCO, Pre-M and Poly Plus are registered trademarks and the sweeping design is a trademark of LESCO Technologies, LLC. SCOTT'S is a registered trademark of The SCOTT Company. Cyclone and Spyker are registered trademarks of Spyker Spreaders, LLC. Lely is a registered trademark of C. Van Der Lely N.V.

G:\REGULWP\Regul Private\MstrLbl_ERIEVIEW_ADDRESS\New EPA Approved\Pre-M 0.86%.doc
 (113004) Rev. 11/12/07 DB-8/26/09 ○○○○

Net Weight: XX lb (XX kg) ○○○○

F1560

Distributed by: **LESCO, Inc.**
 1301 East 9th Street
 Cleveland, OH 44114-1849