10404-101

10/02/20



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 EPA Registration 10404-100 EPA Registration 10404-101 EPA Registration 10404-82 EPA Registration 10404-98 LESCO PRE-M 0.75% Plus Fertilizer LESCO PRE-M 0.86% Plus Fertilizer LESCO PRE-M 1.00% Plus Fertilizer LESCO PRE-M 1.31% Plus Fertilizer 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 <u>nonrefillable</u> 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,

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

Please read instructions on reverse before completi Corm.	. Form A	pproved. C***B	No. 2070-006	30, Approval expires 2-28-
United State Environmental Protein Washington, DC	ection Agency		stration ndment r	OPP Identifier Number
Applica	ation for Pesticide - Se	ction I		
1. Company/Product Number 10404-101	2. EPA Product M J. Tompkins	lanager	3. P	roposed Classification
4. Company/Product (Name) LESCO PRE-M 1.00% Plus Fertilizer	PM# 25	.		None Restricted
5. Name and Address of Applicant (Include ZIP Code) LESCO, Inc. 1301 East 9th Street, Suite 1300 Cleveland, OH 44114-1849 Check if this is a new address	(b)(i), my produc to:	ct is similar or i	dentical in c	n FIFRA Section 3(c)(3) omposition and labeling
	Section - II			
Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below.	Agency I	nted labels in rep letter dated " Application. Explain below.	NC	DTIFICATION ICT - 2 2009
Notification of label change per PR Notice 2007-4. This notification at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, a regulations at 40 CFR 152.46. Also W & D to bring into complia been made to the labeling or the confidential statement of form	iance with Agency Guidance on War	ranty Statements	dated 11/17/6	. No other changes have
regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, a	iance with Agency Guidance on War nula for this product. I understand th ed label is not consistent with the red	ranty Statements at it is a violation quirements of 40	dated 11/17/6 of 18 U.S.C. S CFR §§ 156.10	. No other changes have ec. 1001 to willfully make any), 156.140, 156.144, 146.146
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EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

Yellow - Applicant Copy



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 spencer@johndeerelandscapes.com or at 216.706.9250; ext 2343.

Sincerely,

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Susan E. Spencer ⁴ Regulatory Specialist enclosures

> Corporate Office: 1301 East Ninth Street, Suite 1300 • Cleveland, Ohio • 44114-1849

PRE-M[®] 7.00% Plus Fc?tilizer

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 provid NOTEFECATION
This product is toxic to fish. DO NOT apply directly to water, to areas where surface with extended nitrogen feeding. Active Ingredient OCT - 2 2009

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Pendimethalin, N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzenamine*......1.00% Other Ingredients: 99.00%

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)	
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)	VV VV0/
COPPER (Cu) Total XX.XX% Water Soluble Copper (Cu)	٨٨.٨٨%
IRON (Fe) Total	XX XXM
XX.XX% Water Soluble Iron (Fe)	٨٨.٨٨ //
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 (CI) Max.	XX.XX%
*X.XX% Slowly available Urea Nitrogen from Polymer Coated Su	Ifur Coated
Urea	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

TINOTAL			
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 the poison control center or doctor.		
 Do not give anything by mouth to an unconscious person. 			
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.		
	 Call a poison control center or doctor for treatment advice. 		

If on skin or	Take off contaminated clothing.
clothing	Rinse skin immediately with plenty of water for 15-20 minutes.
	 Call a poison control center or doctor for treatment advice.
If inhaled	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.
Have the prod	luct container or label with you when calling a poison control center or
doctor or goin	g for treatment. You may also contact Chem-Trec at 1-800-424-9300

for emergency medical treatment information.

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 iniury.

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. 0000

APPLICATION

Apply product uniformly at the recommended rate using a 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 sold. Avoid Schract of product with porous surfaces such as driveways, stense crowood. Remeining particles will help ้อย prevent staining.

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PRE-M° 0.00% Plus Fertilizer APPLICATION RATES: RATE AND APPLICATION CHART

Comments:

application of 2.3 to 3.5 lb/1,000 sq ft (100

- 152 lb/acre) after a

minimum of 4 weeks

for extended control

infestations are

Apply a repeat application of 3.5

lb/1,000 sq ft (152

Apply in late summer

or early fall prior to

weed germination.

Apply a repeat

application of 2.3 to

3.5 lb/1,000 sq ft (100

- 152 lb/acre) after a

minimum of 4 weeks

for extended control

infestations are

Apply a repeat

application of 3.5

lb/1,000 sq ft (152

expected.

or where heavy weed

expected.

lb/acre)

or where heavy weed

Apply a repeat

SUGGESTED SPREADER SETTINGS

	Reconnicenceu r	ales in in per 1,00	u sy n		
Spreader		2.3 lb	3.5 lb	4.6 lb	
LESCO Rotary	Calibration Gauge	#XX	#XX	#XX	
Cyclone® or Spy	'ker [®]	XX	XX	XX	
SCOTTS® R8-A		XX	XX	XX	
Lely®		XX II	XX I	XX II	

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 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.

PRECAUTIONS

Use only on well-established turforass with a dense and uniform stand. On newly planted areas, application should not be made until the turgrass 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 turgrasses 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 turgrass 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 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 Sake 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., Attr. RA Dept., 1301 East 9th Street, Suite 1300, Cieveland, Ohio 44114-1849, referring to the item number found on this bag.

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 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. Poly SCOTTS is a registered trademark of The SCOTT Company. Cyclone and Spyker are registered trademarks of Spyker. Spreaders, dLG, Lely is a registered trademark of C. Van Der Lely N.V. G:\REGUL\WP\Regul Private\MstrLbl_ERIEVIEW &DDRESS\New EPA Approved\Pre-M 1.00%

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formatted.doc (113004) Rev. 11/13/07 DB 8/26/09 Net Weight: XX Ib (XX kg) F1560 Distributed by: LESCO, Inc. 1301 East 9th Street

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EPA REG. NO. 10404-101 EPA EST. NO. 82757-FL-001 (S), 82757-OH-001 (M) First letter of lot code indicates manufacturing site.



Cleveland, OH 44114-1849

	the spring.	Ib/acre) after a minimum of 4 weeks.
cudweed Poa annua chickweed lawn burweed henbit corn speedweli	3.5 lb/1,000 sq ft (152 lb/acre)	Apply in late summer or early fall prior to weed germination.
crabgrass foxtail <i>Poa annua</i> barnyardgrass fall panicum oxalis prostrate spurge purslane knotweed evening primrose hop clover	3.5 to 4.6 lb/1,000 sq ft (152 – 200 lb/acre) prior to weed germination in the spring.	Apply a repeat application of 2.3 to 3.5 lb/1,000 sq ft (100 – 152 lb/acre) after a minimum of 4 weeks if necessary.
goosegrass	3.5 to 4.6 lb/1,000	An additional

Rates of 1.00% PRE-M Plus

Fertilizer

3.5 to 4.6 lb/1,000

application prior to weed germination in

3.5 to 4.6 lb/1,000

3.5 to 4.6 lb/1,000

so ft (152 - 200

3.5 lb/1,000 sq ft

3.5 lb/1,000 sq ft

(152 lb/acre) prior to

weed germination in

dermination.

(152 lb/acre) in the

spring prior to weed

lb/acre) in the spring prior to weed

sq ft (152 - 200

germination.

lb/acre)

so ft (152 - 200 Ib/acre) as the initial

the spring.

Weeds

craborass

Poa annua

barnyardgrass

prostrate spurge

fall panicum

foxtail

oxalis

purslane

knotweed

hop clover

cudweed

Poa annua

chickweed

crabgrass

Poa annua

henbit

foxtail

oxalis

, purslane

knotweed

hop clover

goosegrass

evenina primrose

lawn burweed

corn speedwell

barnyardgrass fall panicum

prostrate spurge

goosegrass

evenina primrose

	St. Augustinegrass Bahiagrass Zoysiagrass Centipedegrass Tall Fescue	Poa annua barnyardgrass fall panicum oxalis prostrate spurge purslane knotweed evening primrose hop clover	bl/acre) prior to weed germination in the spring.	3.5 lb/1,000 sq ft (100 – 152 lb/acre) after a minimum of 4 weeks if necessary.	
		goosegrass	3.5 to 4.6 lb/1,000 sq ft (152 – 200 lb/acre) prior to weed germination in the spring. Apply a repeat application of 3.5 to 4.6 lb/1,000 sq ft (152 – 200 lb/acre) after a minimum of 4 weeks.	An additional application of 3.5 lb/1,000 sq ft (152 lb/acre) may be applied for extended goosegrass control a minimum of 4 weeks after the second application.	
		cudweed Poa annua chickweed lawn burweed henbit	3.5 to 4.6 lb/1,000 sq ft (152 – 200 lb/acre)	Apply in late summer or early fall prior to weed germination.	

corn speedweil *Not for use on greens or tees.

4.4

Turfgrass Species

Kentucky Bluegrass Perennial Ryegrass

GRASSES

Fine Fescue

Tall Fescue

Bentgrass and

or taller)

SOUTHERN GRASSES

Bermudagrass**

established Poa

annua* (1/2 inch height

**Rates do not apply to Bermudagrass greens and tees.

DO NOT apply more than 4.6 lb of this product per 1,000 sq ft per application, and no more than 13.8 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.

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