

PM 23

32802-24

1/13/99

1 of 6

JAN 13 1999

Mr. Thomas J. Schmit
Howard Johnson's Enterprises, Inc.
700 w. Virginia Street, #222
Milwaukee, WI 53204-1548

Dear Mr. Schmit:

Subject: Excel-N-Plus w/Crabgrass Control + Lawn Food
EPA Registration No. 32802-24 ✓
Hi-Tech Crabgrass Control
EPA Registration No. 32802-33
Your 8 Month Response To the TREFLAN RED, Product
Chemistry and Acute Toxicology Studies and Your
Response To the "Preliminary Label Assessment
Enclosed in Our Letter Dated November 3, 1998

The proposed labeling submitted in response to this Agency's letter dated November 3, 1998 has been reviewed and found acceptable as an amendment to the subject pesticide product registrations under Section 3 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended; provided that you:

1. Revise the entry restrictions on each of the labels by adding: "If the treated area is watered or irrigated following application for most effective weed control, do not enter or allow others to enter the treated area until the surface is dry."
2. Revise the "General Information" and the "When To Apply" sentences that bear the phrase "since established weeds will not be controlled." to read: "because established weeds will not be controlled."
3. Submit one (1) copy of the final printed label before releasing these products for shipment under the subject labeling.

If these conditions are not complied with, these registrations will be subject to cancellation in accordance with FIFRA, Section 6(e). Your release for shipment of these products constitutes acceptance of this condition.

A stamped copy of each of the labels is enclosed for your records.

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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Reregistration of these product under Section 4 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, must await the issuance of a Reregistration Evaluation Document (RED) for benefin which is an active ingredient in each of these products.

Sincerely yours,

Joanne I. Miller
 Product Manager (23)
 Herbicide Branch
 Registration Division (7505C)

Enclosures (3)

E.Wilson:Diskette Trifuralin: 11-03-98

CONCURRENCES

SYMBOL								
SURNAME								
DATE								

"Occupational Use" Label Version

EXCEL-N-PLUS

WITH CRABGRASS CONTROL + LAWN FOOD

WITH TEAM* HERBICIDE FOR PRE-EMERGENCE CONTROL OF CRABGRASS, FOXTAIL, GOOSEGRASS, ANNUAL BLUEGRASS (POA ANNUA) AND OTHER ANNUAL WEED GRASSES AND BROADLEAF WEEDS IN ESTABLISHED LAWNS AND ORNAMENTAL TURF

ACTIVE INGREDIENTS:

benefin:	
N-butyl-N-ethyl- α,α,α -trifluoro-2,6-dinitro-p-toluidine	0.77%
trifluralin:	
α,α,α -trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine	0.38%
INERT INGREDIENTS:	98.85%
TOTAL:	100.00%

Contains 0.575 pounds active ingredient per 50 pound bag

Reg. No. 32802-24
EPA Est. No. 32802-WI-1 (A), 32802-MO-1 (B)
First letter of bag code shows establishment where manufactured.
See tag attached to bag for fertilizer guaranteed analysis.
Manufactured by:

HOWARD JOHNSON'S ENTERPRISES, INC.
700 W. Virginia Street, Milwaukee, WI 53204-1548

*TEAM is a trademark of Dow AgroSciences LLC

KEEP OUT OF REACH OF CHILDREN
WARNING: See back panel for further cautions,
first aid information and directions for use.

NET WEIGHT:

ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN 13 1999
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
32802-24

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Do not get in eyes or clothing. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some persons.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear goggles or face shield, long-sleeved shirt, long pants, shoes and socks, chemical resistant gloves when handling. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse. Follow manufacturer's instructions for cleaning/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 remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. User 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.

FIRST AID

IF IN EYES: Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention.

IF SWALLOWED: Do not induce vomiting. Call physician or Poison Control Center. Give person a large quantity of milk, egg white, gelatin solution, or if these are not available, large quantities of water. Avoid alcohol.

Note to physician: Probable mucosal damage may contraindicate the use of gastric lavage.

ENVIRONMENTAL HAZARDS: This pesticide is extremely toxic to freshwater, marine and estuarine fish, and aquatic invertebrates including shrimp and oyster. Do not apply in a manner that will directly expose canals, lakes, streams, ponds, marshes or estuaries to aerial drift. 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 washwaters.

DIRECTIONS FOR USE: It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

Entry restrictions: Do not enter or allow others to enter the treated area until dusts have settled.

GENERAL INFORMATION: This product contains turf food plus a preemergence herbicide for pre-emergence control of annual weed grasses and broadleaf weeds in established turf. Apply to turf before germination of weed seeds, since established weeds will not be controlled.

WEEDS CONTROLLED:
Annual grasses: annual bluegrass (*Poa annua*), smooth crabgrass (*Digitaria ischaemum*), large or hairy crabgrass (*Digitaria sanguinalis*), goosegrass (silver crabgrass or crowfootgrass) (*Elyusine indica*), barnyardgrass (watergrass) (*Echinochloa crus-galli*), green foxtail (*Setaria viridis*), yellow foxtail (*Setaria glauca*).

Broadleaf weeds: common chickweed (*Stellaria media*), prostrate knotweed (*Polygonum aviculare*), common lambsquarter (*Chenopodium album*), pigweed (*Amaranthus spp.*), common purslane (*Portulaca oleracea*).

Weeds suppressed: Texas panicum (*Panicum texanum*) Florida pusley (*Richardia scabra*), prostrate spurge (*Euphorbia humistrata*), spotted spurge (*Euphorbia maculata*), creeping spurge (*Euphorbia serpens*), creeping woodsorrel (*Oxalis corniculata*), woodsorrel (*Oxalis spp.*).

WHERE TO APPLY: This product may be applied to the following established turfgrass species:

Established cool season turfgrass: bentgrass fairways, Kentucky bluegrass, perennial ryegrass, fescues.

Established warm season turfgrass: bahia, bermuda, centipede, tall fescue, St. Augustine, zoysia.

Important precautions: Do not apply this product to golf course putting greens, dichondra, or newly sprigged area of bermuda, St. Augustine, centipede or zoysiagrass. Apply only to healthy, established turf. Do not apply in spring to turfgrass planted the previous fall. Will not harm most nearby ornamental trees, shrubs and flowers. 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.

WHEN TO APPLY: Successful preemergence weed control requires proper timing of the application. This product must be applied 1 to 2 weeks before the germination of weed seeds, since established weeds will not be controlled. All annual weed grasses do not germinate at the same time. For most effective weed control, apply at the proper time:

- Northern areas:
 - For crabgrass, foxtail, barnyardgrass, etc., apply Mar. 1 through June 1
 - For goosegrass, which germinates later, apply May 15 through July 1
 - For annual bluegrass, apply July 1 through Oct. 1
- Southern areas:
 - For crabgrass, foxtail, barnyardgrass, etc., apply Feb. 1 through June 1
 - For goosegrass, which germinates later, apply April 1 through July 1
 - For annual bluegrass, apply Oct. 1 through Feb. 1

APPLICATION RATES: Apply in spring applications to control spring-to-summer germinating annual weeds, or fall applications (to control fall-germinating weeds). A single application will usually provide season-long weed control. Apply this product at the rate of 3 to 6 pounds per 1000 square feet. Make a single application 1 to 2 weeks before the expected germination of weed seeds.

To control goosegrass or annual bluegrass, apply 4 to 6 pounds per 1000 square feet, in late spring or early summer 1 to 2 weeks prior to onset of conditions favorable to weed seed germination. Better control may be possible by using the higher rate.

Apply this product evenly over the turf, using a properly calibrated granular fertilizer spreader which will uniformly distribute the product. Avoid skips and excessive overlaps as poor weed control or turfgrass injury may occur. For the most effective weed control, water or irrigate the treated areas soon after application. Cultural practices that disturb the soil, such as aerification, should be done before application.

WATER APPLICATIONS FOR FULL SEASON WEED CONTROL: A second or split application is recommended when the initial application is made well in advance of weed germination, or where an extended period of weed control is required (areas with longer growing seasons). In cool season turfgrass areas and the northern half of warm season turfgrass areas, apply 3 pounds per 1000 square feet plus a second application of 3 pounds per 1000 square feet. Make first application in spring 1 to 2 weeks prior to expected time of weed germination, and make the second application 8 to 10 weeks later.

In the southern half of warm season turfgrass areas, apply 4 pounds per 1000 square feet plus a second application of 4 pounds per 1000 square feet. Make first application in spring 1 to 2 weeks prior to expected time of weed germination, and make the second application 10 to 12 weeks later.

RESEEDING: This product will inhibit germination of grass seed if seeded too soon after application. When reseeding, follow good cultural practices such as soil cultivation, irrigation and fertilization. Delay reseeding treated areas for a minimum of:

- 8 to 10 weeks after last application of 3 pounds/1000 square feet
- 10 to 12 weeks after last application of 4 pounds/1000 square feet
- 12 to 16 weeks after last application of 6 pounds/1000 square feet

When soil testing or professional advice indicates the need for additional plant nutrients, make additional applications of fertilizer products over the growing season.

This product may stain driveways, walks, patios, pools, etc. Wash or sweep off thoroughly immediately after each use.

SPREADER SETTINGS	to apply at the listed pounds per 1000 square feet		
	3 lbs	4 lbs	6 lbs
Spreader A	X	X	X
Spreader B	X	X	X
Spreader C	X	X	X
Spreader D	X	X	X

(May contain additional spreader brands/models, spreader settings and spreader use instructions as appropriate for the product)

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

STORAGE: Store in original container in a locked storage area out of reach of children and domestic animals.

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: Completely empty bag into application equipment. Then 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.

GUARANTEE: This product is unconditionally guaranteed.

(Alternate wording for warranty statement:)

NOTICE: Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label.

(Alternate wording for warranty statement:)

WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. Manufacturer/seller makes no other warranty, expressed or implied, and shall not be liable for indirect or consequential damages.

(Alternate wording for warranty statement:)

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(Alternate wording for warranty statement:)

WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. No other warranty, expressed or implied, is made concerning the merchantability or fitness for a particular purpose. Manufacturer/seller's liability shall be limited to the purchase price of the product. In no case shall manufacturer/seller be liable for consequential or incidental damages or loss. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. Products not accepted under these terms should be returned within 20 days in the original, unopened container for return of purchase price.

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"Household Use" Label Version

EXCEL-N-PLUS

WITH CRABGRASS CONTROL + LAWN FOOD

WITH TEAM* HERBICIDE FOR
PRE-EMERGENCE CONTROL OF CRABGRASS,
FOXTAIL, GOOSEGRASS, ANNUAL BLUEGRASS AND
OTHER ANNUAL WEED GRASSES & BROADLEAF WEEDS
IN ESTABLISHED LAWNS

PREVENTS CRABGRASS & OTHER WEEDS (AS LISTED)
FROM SPROUTING IN YOUR LAWN

ACTIVE INGREDIENTS:

- benefin:
- N-butyl-N-ethyl- α,α,α -trifluoro-2,6-dinitro-p-toluidine 0.77%
- trifluralin:
- α,α,α -trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine 0.38%
- INERT INGREDIENTS: 98.85%
- TOTAL: 100.00%

EPA Reg. No. 32802-24
EPA Est. No. 32802-WI-1 (A), 32802-MO-1 (B)

First letter of bag code shows establishment where manufactured.
Manufactured by:

HOWARD JOHNSON'S ENTERPRISES, INC.
700 W. Virginia Street, Milwaukee, WI 53204-1548

*TEAM is a trademark of Dow AgroSciences LLC

KEEP OUT OF REACH OF CHILDREN
WARNING: See back panel for further cautions,
first aid information and directions for use.

NET WEIGHT:

GUARANTEED ANALYSIS

- Total Nitrogen (N) X%
- Available Phosphate (P2O5) Y%
- Soluble Potash (K2O) Z%

(May contain additional fertilizer Guaranteed Analysis information as required by fertilizer composition and state registration and labelling requirements.)

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 13 1989

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
32802-24

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Do not get in eyes or clothing. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some persons. Wear goggles or face shield, long-sleeved shirt, long pants, shoes and socks, chemical resistant gloves when handling. 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 wash clothing before reuse.

FIRST AID

IF IN EYES: Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention.

IF SWALLOWED: Do not induce vomiting. Call physician or Poison Control Center. Give person a large quantity of milk, egg white, gelatin solution, or if these are not available, large quantities of water. Avoid alcohol.

Note to physician: Probable mucosal damage may contraindicate the use of gastric lavage.

ENVIRONMENTAL HAZARDS: This pesticide is extremely toxic to freshwater, marine and estuarine fish, and aquatic invertebrates including shrimp and oyster. Do not apply in a manner that will directly expose canals, lakes, streams, ponds, marshes or estuaries to aerial drift. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE: It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

Entry restrictions: Do not allow people or pets to enter the treated area until dusts have settled.

GENERAL INFORMATION: This product contains turf food plus a preemergence herbicide for pre-emergence control of annual weed grasses and broadleaf weeds in established turf. Apply to turf before germination of weed seeds, since established weeds will not be controlled.

WEEDS CONTROLLED:

Annual grasses: annual bluegrass (*Poa annua*), smooth crabgrass (*Digitaria ischaemum*), large or hairy crabgrass (*Digitaria sanguinalis*), goosegrass (silver crabgrass or crowfootgrass) (*Eleusine indica*), barnyardgrass (watergrass) (*Echinochloa crus-galli*), green foxtail (*Setaria viridis*), yellow foxtail (*Setaria glauca*).

Broadleaf weeds: common chickweed (*Stellaria media*), prostrate knotweed (*Polygonum aviculare*), common lambsquarter (*Chenopodium album*), pigweed (*Amaranthus spp.*), common purslane (*Portulaca oleracea*).

Weeds suppressed: Texas panicum (*Panicum texanum*) Florida pusley (*Richardia scabra*), prostrate spurge (*Euphorbia humistrata*), spotted spurge (*Euphorbia maculata*), creeping spurge (*Euphorbia serpens*), creeping woodsorrel (*Oxalis corniculata*), woodsorrel (*Oxalis spp.*).

WHERE TO APPLY: This product may be applied to the following established turfgrass species:

Established cool season turfgrass: bentgrass fairways, Kentucky bluegrass, perennial ryegrass, fescues.

Established warm season turfgrass: bahia, bermuda, centipede, tall fescue, St. Augustine, zoysia.

Important precautions: Do not apply this product to golf course putting greens, dichondra, or newly sprigged area of bermuda, St. Augustine, centipede or zoysiagrass. Apply only to healthy, established turf. Do not apply in spring to turfgrass planted the previous fall. Will not harm most nearby ornamental trees, shrubs and flowers. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.

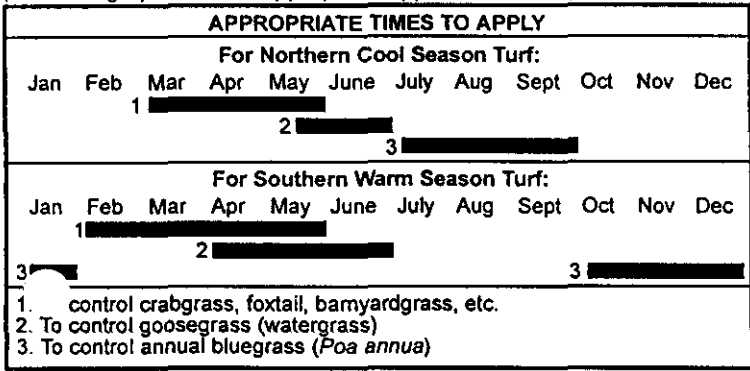
(Label for EPA Reg. No 32802-24, PAGE 3 OF 4)

93168 (Household use)

WHEN TO APPLY: Successful preemergent weed control requires proper timing of the application. This product must be applied 1 to 2 weeks before the germination of weed seeds, since established weeds will not be controlled. All annual weed grasses do not germinate at the same time. For most effective weed control, apply at the proper time:

- Northern areas:**
 For crabgrass, foxtail, barnyardgrass, etc., apply Mar. 1 through June 1
 For goosegrass, which germinates later, apply May 15 through July 1
 For annual bluegrass, apply July 1 through Oct. 1
- Southern areas:**
 For crabgrass, foxtail, barnyardgrass, etc., apply Feb. 1 through June 1
 For goosegrass, which germinates later, apply April 1 through July 1
 For annual bluegrass, apply Oct. 1 through Feb. 1

(alternate graph to show appropriate application dates:)



APPLICATION RATES: Apply in spring applications to control spring-to-summer germinating annual weeds, or fall applications (to control fall-germinating weeds). A single application will usually provide season-long weed control. Apply this product at the rate of 3 to 6 pounds per 1000 square feet. Make a single application 1 to 2 weeks before the expected germination of weed seeds.

To control goosegrass or annual bluegrass, apply 4 to 6 pounds per 1000 square feet, in late spring or early summer 1 to 2 weeks prior to onset of conditions favorable to weed seed germination. Better control may be possible by using the higher rate.

Apply this product evenly over the turf, using a properly calibrated granular fertilizer spreader which will uniformly distribute the product. Avoid skips and excessive overlaps as poor weed control or turfgrass injury may occur. For the most effective weed control, water or irrigate the treated areas soon after application. Cultural practices that disturb the soil, such as aerification, should be done before application.

SPLIT APPLICATIONS FOR FULL SEASON WEED CONTROL: A second or split application is recommended when the initial application is made well in advance of weed germination, or where an extended period of weed control is required (areas with longer growing seasons). In cool season turfgrass areas and the northern half of warm season turfgrass areas, apply 3 pounds per 1000 square feet plus a second application of 3 pounds per 1000 square feet. Make first application in spring 1 to 2 weeks prior to expected time of weed germination, and make the second application 8 to 10 weeks later. In the southern half of warm season turfgrass areas, apply 4 pounds per 1000 square feet plus a second application of 4 pounds per 1000 square feet. Make first application in spring 1 to 2 weeks prior to expected time of weed germination, and make the second application 10 to 12 weeks later.

RESEEDING: This product will inhibit germination of grass seed if seeded too soon after application. When reseeding, follow good cultural practices such as soil cultivation, irrigation and fertilization. Delay reseeding treated areas for a minimum of:
 8 to 10 weeks after last application of 3 pounds/1000 square feet
 10 to 12 weeks after last application of 4 pounds/1000 square feet
 12 to 16 weeks after last application of 6 pounds/1000 square feet

When soil testing or professional advice indicates the need for additional plant nutrients, make additional applications of fertilizer products over the growing season.

This product may stain driveways, walks, patios, pools, etc. Wash or sweep off thoroughly immediately after each use.

SPREADER SETTINGS	to apply at the listed pounds per 1000 square feet		
	3 lbs	4 lbs	6 lbs
Spreader A	X	X	X
Spreader B	X	X	X
Spreader C	X	X	X
Spreader D	X	X	X

(May contain additional spreader brands/models, spreader settings and spreader use instructions as appropriate for the product)

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
STORAGE: Store in original container in a locked storage area out of reach of children and domestic animals.
PESTICIDE DISPOSAL: Securely wrap original container in several layers of newspaper and discard in trash.
CONTAINER DISPOSAL: Do not reuse bag. Fold empty bag and discard in trash.

GUARANTEE: This product is unconditionally guaranteed.
 (Alternate wording for warranty statement)
NOTICE: Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label.

(Alternate wording for warranty statement)
WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. Manufacturer/seller makes no other warranty, expressed or implied, and shall not be liable for indirect or consequential damages.

(Alternate wording for warranty statement)
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(Alternate wording for warranty statement)
WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. No other warranty, expressed or implied, is made concerning the merchantability or fitness for a particular purpose. Manufacturer/seller's liability shall be limited to the purchase price of the product. In no case shall manufacturer/seller be liable for consequential or incidental damages or loss. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. Products not accepted under these terms should be returned within 20 days in the original, unopened container for return of purchase price.