

DEC 3 2002

Kresti A. Lyddon  
Director of Regulatory Affairs  
Howard Johnson's Enterprises, Inc.  
700 W. Virginia Street  
Suite 222  
Milwaukee, WI 53204

SUBJECT: Application for Amendment  
Pro-Tek Turf Fungicide  
EPA Reg. No. 32802-41  
Your Submission Dated July 23, 2002

Dear Ms. Lyddon:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable provided that you make the following labeling changes:

1. Under "Directions for Use" delete the section beginning with "This product controls:.... It is a duplication of the section above the "Ingredient Statement".
2. Under "Storage and Disposal" section the subheading "Storage" must be changed to read "Pesticide Storage."
3. Move the "First Aid" section and the "Net Weight" to the front panel.

Submit one (1) copy of your final printed labeling before you release the product for shipment.

Sincerely,

A handwritten signature in black ink, appearing to be 'C/P' or similar initials, enclosed in a large, stylized bracket.

Cynthia Giles-Parker  
Product Manager (22)  
Fungicide Branch  
Registration Division (7505C)

# PRO-TEK LAWN FUNGICIDE

## CONTAINS BAYLETON® FUNGICIDE

Controls Dollar Spot, Copper Spot, Powdery Mildew, Red Thread, Rusts, Brown Patch/Rhizoctonia Blight, Anthracnose, Striped Smut, Gray Snow Mold, Typhula Blight, Pink Snow Mold, Fusarium Patch, Fusarium Blight, Summer Patch, Zoysia Patch and Southern Blight on Bluegrass, Fescue, Ryegrass, Bermudagrass, Zoysiagrass, St. Augustinegrass & Bentgrass lawns & ornamental turf.

**ACTIVE INGREDIENT:**  
1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)-2-butanone . . . . . 1%  
**INERT INGREDIENTS:** . . . . . 99%  
**TOTAL:** . . . . . 100%

EPA Reg. No. 32802-41  
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

BAYLETON® is a registered trademark of BAYER CORP.

**KEEP OUT OF REACH OF CHILDREN**  
**PRECAUTIONARY STATEMENTS**  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
**CAUTION:** Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or dust. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating or smoking. Wash contaminated clothing before reuse.  
**ENVIRONMENTAL HAZARDS:** Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by disposal of equipment washwaters. Do not apply when weather conditions favor drift from target area. Do not use on crops grown for food or forage. Do not use clippings from treated areas for animal feed.

For the entire "Directions for Use" and Warranty Statements" before using this product. If terms are not acceptable, return the unopened product at once to the seller.

**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.

This product controls: Dollar Spot, Copper Spot, Powdery Mildew, Red Thread, Rusts, Brown Patch/Rhizoctonia Blight, Anthracnose, Striped Smut, Gray Snow Mold, Typhula Blight, Pink Snow Mold, Fusarium Patch, Fusarium Blight, Summer Patch, Zoysia Patch and Southern Blight on Bluegrass, Fescue, Ryegrass, Bermudagrass, Zoysiagrass, St. Augustinegrass and Bentgrass lawns and ornamental turf.

This product is absorbed rapidly and works systemically from within the plant. Rainfall or sprinkler irrigation soon after application will assure rapid systemic uptake. Control will be less effective in turf suffering from drought stress. For maximum fungus control, the turf should be maintained in a vigorously growing state through good cultural practices. Apply when turf is fully established and actively growing. Applications should be made at recommended intervals to maintain control.

Apply this product with a standard fertilizer spreader which has been

calibrated to uniformly apply the recommended amount of product per 1000 square feet. Make application when turf is dry and following the mowing operation. Do not mow until a minimum of 1/4 inch of water has been applied to treated area. Poor disease control may result from uneven or improper application.

DISEASE	APPLICATION RATE AND REMARKS
DOLLAR SPOT ( <i>Sclerotinia homoeocarpa</i> )	PREVENTIVE RATE: 1-1/2 pounds per 1000 square feet. Apply at 30 day intervals. Protective activity may extend for up to 60 days depending on environmental conditions. PREVENTIVE RATE: 3/4 pounds per 1000 square feet. Apply at 14 day intervals. Protective activity may extend up to 30 days, depending on environmental conditions. CURATIVE RATE: 3 pounds per 1000 square feet. To control existing infections, apply curative rate. Subsequent applications should be made at preventive rate and schedule. Re-application should be no closer than 14 days.
COPPER SPOT ( <i>Gloeocercospora sorgi</i> ) POWDERY MILDEW ( <i>Erysiphe graminis</i> ) RED THREAD ( <i>Laetisaria fuciformis</i> ) RUSTS ( <i>Puccinia spp.</i> ) BROWN PATCH/ RHIZOCTONIA BLIGHT ( <i>Rhizoctonia solani</i> ) (Suppression)	PREVENTIVE RATE: 1-1/2 pounds per 1000 square feet. Apply at 15 to 30 day intervals. When environmental conditions favor light to moderate disease development, use longer interval. Protective activity may be greater than 30 days, depending on environmental conditions. CURATIVE RATE: 3 pounds per 1000 square feet. To control existing infections, apply curative rate. Subsequent applications should be made at preventive rate and schedule. Re-application should be no closer than 14 days.
ANTHRACNOSE ( <i>Colletotrichum graminicola</i> )	PREVENTIVE RATE: 3 pounds per 1000 square feet. Apply at 30 day intervals and repeat as necessary for seasonal control. Protective activity may extend to 45 days, depending on environmental conditions. PREVENTIVE RATE: 1-1/2 pounds per 1000 square feet. Apply at 30 day intervals and repeat as necessary for seasonal control. Protective activity may extend for 30 days, depending on environmental conditions. CURATIVE RATE: 3 pounds per 1000 square feet. To control existing infections, apply curative rate. Subsequent applications should be made at preventive rate and schedule. Re-application should be no closer than 14 days.
STRIPED SMUT ( <i>Ustilago striiformis</i> )	PREVENTIVE RATE ONLY: 3 pounds per 1000 square feet. Make a single application in spring as grass growth begins.
FUSARIUM BLIGHT ( <i>Fusarium culmorum</i> ) ( <i>Fusarium poae</i> ) SUMMER PATCH ( <i>Magnaporthe poae</i> ) (Except California)	PREVENTIVE RATE ONLY: 3 pounds per 1000 square feet. Make first application in mid-June or 30 days prior to time this blight normally becomes evident. Apply at 30 day intervals.
FUSARIUM BLIGHT ( <i>Fusarium culmorum</i> ) ( <i>Fusarium poae</i> ) SUMMER PATCH ( <i>Magnaporthe poae</i> ) (California only)	PREVENTIVE RATE ONLY: 3 to 6 pounds per 1000 square feet. Make first application in mid-June or 30 days prior to time this blight normally becomes evident. Apply at the 3 pound rate at 15 day intervals, or at the 6 pound rate at 30 day intervals.
ZOYSIA PATCH LARGE PATCH OF ZOYSIA ( <i>Rhizoctonia solani</i> )	PREVENTIVE RATE ONLY: 3 to 6 pounds per 1000 square feet. Make first application in early fall (mid-September to mid-October) prior to development of disease symptoms. A second application in early spring may be necessary in areas of heavy disease pressure.
GRAY SNOW MOLD/ TYPHULA BLIGHT ( <i>Typhula incarnata</i> ) (Except California)	PREVENTIVE RATE ONLY: 6 pounds per 1000 square feet. Apply in fall 30 days prior to turf dormancy. If turf breaks dormancy during winter months, make a second application. Do not apply over snow cover or when turf is dormant.
PINK SNOW MOLD/ FUSARIUM PATCH ( <i>Microdochium nivale</i> ) SOUTHERN BLIGHT ( <i>Sclerotium rolfsii</i> ) (Except California)	PREVENTIVE RATE ONLY: 3 to 6 pounds per 1000 square feet. Apply before conditions favorable for infection occur. Repeat as needed at 30 to 90 day intervals. Do not apply over snow cover or when turf is dormant. Use higher rate on turf with a history of severe disease damage. •••••

SPREADER SETTINGS to apply at the listed pounds per 1000 square feet				
	0.75 lbs	1.5 lbs	3.0 lbs	6.0 lbs
Spreader A				
Spreader B				
Spreader C				
Spreader D				
Spreader E				

*(This chart may contain additional spreader brands/models, spreader settings, and instructions for spreader use and calibration, 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.

*(Alternate wording for household use)*

**If empty:** Do not reuse this container. Place in trash or offer for recycling if available.

**If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain or toilet.

Note: Several different warranty statements are offered here, to accommodate different kinds of sale situations and supplemental registrants. Since the buyer is cautioned to read the entire "directions for use" and "warranty statement" before use, and to return the product, unopened, if the warranty is not acceptable, this statement ensures compliance with UCC Articles (Sections 2-719 and 2-316) that apply to the claims for limitation or remedy in the warranty statements.

**GUARANTEE:** This product is unconditionally guaranteed.

*(Alternate wording for warranty statement)*

**GREEN GUARANTEED:** Your satisfaction is guaranteed when this product is used in accordance with instructions. If product performance is less than satisfactory, seller will refund the full purchase price with evidence of purchase.

*(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.

*(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.

*(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.

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
 DEC 3 2002

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

32802-41

NET WEIGHT: 7.5 lbs (or 15, 18, 24, 30, 36, 45, 48 or 50 lb)

First Aid	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or physician immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or physician.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>Hot line number:</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Telecommunications Network at 1-800-858-7378.	
<b>NOTE TO PHYSICIAN:</b> No specific antidote is available. Treat symptomatically.	