

32802-73



1/15/2002

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

1/4

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Kresti A. Lyddon
Director of Regulatory Affairs
Howard Johnson's Enterprises, Inc.
700 W. Virginia St., Suite 222
Milwaukee, WI 53204-1548

JAN 15 2002

Dear Ms. Lyddon:

Subject: Turf Food With Crabgrass Provender
EPA registration No. 32802-73
Application and Letter Received December 12, 2001,
Request To Amend Registration by Revising the First
Aid Statements and the Disposal Statements on the
Labeling in Compliance with PR Notices 2001-1 and
2001-6; and To Add Minor Marketing Claims and Text
Required by State Fertilizer Regulations

The proposed subject amendments to the registration of
"Turf Food With Crabgrass Preventer" have been reviewed and found
acceptable under the Federal Insecticide, Fungicide and
Rodenticide Act, (FIFRA) as amended, provided that you:

1. Revise the 'Optional Marketing Claims' as described here:

- o Delete the claim: "Kills Crabgrass -- even after germination." This is not a universally true statement.
- o Delete the claim: "Provides crabgrass control all season long. Again, this is not a universally true statement.
- o Delete both statements regarding the use of Drop and Rotary Spreaders. There is no need for overlapping application. This would be anti-thematic to the proper application of a pesticide product.

2. With any of the alternate wording for warranty statements you must add the commonly used language: "Read the entire "Directions for Use" and "Warranty Statements" before using this product. If terms are not acceptable, return the unopened product container at once to the seller." (You may specify a reasonable time limitation, if "at once" is not preferred.). The above requirement is to assure that you have complied with UCC Articles (Sections 2-719 and 2-316) that apply to the claims for limitation of remedy in the warranty statements.

24

-2-

3. Submit one (1) copy of your final printed labeling prior to your shipment of the subject pesticide product under the enclosed stamped label.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the proposed label is enclosed for your records.

Please note that the amendments allowed do not involve exclusive use data, therefore a letter of authorization was not required.

Sincerely yours,

Eugene W. Wilson

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

Enclosure

EPA Reg. No. 32802-73
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

DIMENSION® is a trademark of Dow AgroSciences

KEEP OUT OF REACH OF CHILDREN

CAUTION: See (back, side, other) panel for further cautions, first aid information and directions for use.

NET WEIGHT: 18 lbs (or 20, 24, 30, 36, 40, 50 or 60 lbs)

KEEP OUT OF REACH OF CHILDREN

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes eye irritation. Harmful if inhaled. Avoid contact with eyes or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Prolonged or frequently repeated skin contact while handling this material may cause allergic reaction in some individuals.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and highly toxic to other aquatic organisms including oysters and shrimp. Use with care when applying to turf areas adjacent to any body of water. Drift or runoff may adversely affect aquatic organisms in adjacent aquatic sites. 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 apply when weather conditions favor drift from treated areas. 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 plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

GENERAL INFORMATION: This product controls crabgrass and other annual grasses and broadleaf weeds, and also contains fertilizer for proper turf growth in established lawns. It can be applied 2 to 4 weeks later than other crabgrass preventers, and provides up to 3 to 5 months control of crabgrass and other weed grasses and broadleaf weeds in home lawns. It can be applied according to these directions to the following turfgrasses:

Cool season grasses: creeping bentgrass, Kentucky bluegrass, fine fescue, tall fescue, perennial ryegrass;

Warm season grasses: bahiagrass, bermudagrass, buffalograss, carpetgrass, centipedegrass, kikuyugrass, St. Augustinegrass, zoysiagrass.

Apply only to lawns that are well established. Use of this product on lawns that are not well established, or weakened by weather, pests or mechanical stress, may increase the chance for turf injury. This product will not harm nearby established ornamentals when used according to label directions.

When to apply: This product can be applied 2 to 4 weeks later than other crabgrass preventers, because Dimension® herbicide in this product provides preventive (pre-emergence) control when spread on lawns prior to germination of the weed seeds. It also provides post-emergence control of crabgrass when applied 2 to 4 weeks after crabgrass germination. Post-emergence control is limited to crabgrass only. Application of this product later than 4 weeks after crabgrass germination will result in reduced control of crabgrass. For control of the weed grasses and broadleaf weeds listed on this label (other than crabgrass), it must be applied as a preventative treatment before the weed seeds germinate. ONLY crabgrass can be controlled with delayed application after germination.

product to pastures. Keep people and pets off treated areas until dust has settled. Reseeding, overseeding, or sprigging of treated areas within 4 months after application of this product may inhibit the establishment of desirable turfgrasses. When seeding, follow good cultural practices such as soil cultivation, irrigation and fertilization. For best results, use "slit seeders" designed to give good seed-to-soil contact.

TIPS FOR IMPROVED CONTROL: For best results, apply this product within a few days after mowing and delay mowing again for a few days after the application. For improved weed control, water or irrigate treated areas within a few days after application. Aerification, raking or dethatching of lawns should be done before application of this product.

WEEDS CONTROLLED: This product will control (at post-emergence rates) or suppress (at pre-emergence rates) these weed grasses and broadleaf weeds when applied before weeds emerge in lawns: crabgrass, annual bluegrass (*Poa annua*), barnyardgrass, crowfootgrass, foxtail (yellow & green)*, goosegrass, kikuyugrass (seedling), common lespedeza, buttercup oxalis, creeping oxalis, yellow woodsorrel, pineappleweed, purslane (common), ryegrass (annual & perennial), smutgrass (seedling), corn speedwell, prostrate spurge, spotted, spurge, bittercress, chickweed, Carolina geranium, henbit, parsley-piert.

*Foxtail is also controlled at the pre-emergence rates.

TABLE 1: RATES FOR 2 TO 3 MONTHS OF CRABGRASS CONTROL*

Region	Preemergence	Postemergence
North	3.6 pounds per 1000 square feet	7.2 pounds per 1000 square feet
South	7.2 pounds per 1000 square feet	9.6 pounds per 1000 square feet

TABLE 2: RATES FOR 3 TO 5 MONTHS OF CRABGRASS CONTROL*

Region	Preemergence	Postemergence
North	4.8 pounds per 1000 square feet	9.6 pounds per 1000 square feet
South	9.6 pounds per 1000 square feet	9.6 pounds per 1000 square feet

*Southern states include AL, AR, AZ, CA, FL, GA, HI, LA, MS, NC, NM, NV, OK, SC, TN, TX, VA, and southern areas of IL, IN and OH. All other states included as North Region.

First Aid	
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 eye.• 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.
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 swallowed	<ul style="list-style-type: none">• Call a poison control center or physician immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to do so by the poison control center or physician.• Do not give anything by mouth to an unconscious person.

Hot line number:

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.

4/4

SPREADER SETTINGS to apply at the listed pounds per 1000 square feet				
	3.6 lbs	4.8 lbs	7.2 lbs	9.6 lbs
Spreader A	X	X	X	X
Spreader B	X	X	X	X
Spreader C	X	X	X	X
Spreader D	X	X	X	X

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

(Optional wording for fertilizer registration in various states:)
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.

Optional Marketing Claims:

Kills Crabgrass -- even after germination

Provides crabgrass control all season long.

PCT (Poly Coated Technology) Slow-release Nitrogen for extended feeding.

Premium Fertilizer

Hand Spreaders: First apply two strips at ends. Then apply product along the length of the lawn, overlapping slightly, and shutting off spreader when turning.

Rotary Spreader: Apply in a circular path, starting on the outside and working toward the center, overlapping slightly.

Fertilizer may stain driveways, walks, patios, pools, etc. Sweep off thoroughly immediately after each use.

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.wa.gov/agr/>

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 homeowner use:)

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:)

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 directions for use on 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 directions for use on 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:)

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 directions for use on this label. 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.

(Alternate wording for warranty statement:)

NOTICE: Manufacturer/seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with the use of this product. Plant injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of manufacturer/seller. In no case shall manufacturer/seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the buyer. Except as expressly provided, manufacturer/seller makes no other warranties or representations, expressed or implied, or by usage of trade, statutory or otherwise, including, but not limited to, merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. Buyer's or user's exclusive remedy for loss or damage resulting from this product shall be limited to the cost of the product.

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 15 2002
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
32802-73