

32802-82

4/26/2012

1 of 10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 26 2012

NOTIFICATION

APR 26 2012

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Name Ms. Kim Davis
Authorized Agent for Gro Tec, Inc. d/b/a Howard Johnson's Enterprises, Inc.

Company RegWest Company, LLC

Address 8203 West 20th St., Suite A
Greeley, CO 80634-4696

Subject: Notification: Label revisions per PR Notices 83-3 and 2007-4
Howard Johnson's Turf Fertilizer Plus Acelepryn Insecticide
EPA Registration Number 32802-82
Your submission pin punched March 26, 2012

Dear Ms. Davis:

The Agency is in receipt of your Application dated March 23, 2012 for Pesticide Notification under Pesticide Registration Notices (PRN) 93-3 and 2007-4 for the product Howard Johnson's Turf Fertilizer Plus Acelepryn Insecticide. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-308-8291.

Sincerely,

Rita Kumar

Rita Kumar
Senior Regulatory Specialist
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs
E-mail: kumar.rita@epa.gov

2010

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060.



United States
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

- Registration
- Amendment
- Other

OPP Identifier Number
Notification

Application for Pesticide – Section I

1. Company/Product Number 32802-82		2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/ Product (Name) Howard Johnson's Turf Fertilizer Plus Acelepryn Insecticide		PM # 1	
5. Name and Address of Applicant (Include ZIP Code) Gro Tec, Inc. d/b/a Howard Johnson's Enterprises, Inc. c/o RegWest Company, LLC 8203 West 20th St., Suite A Greeley, CO 80634-4696 <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: NOTIFICATION APR 26 2012 EPA Reg. No. 352-734 Product Name DuPont E2Y45 0.067G Insecticide Plus Fertilizer	

Section – II

<input type="checkbox"/> Amendment – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<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.)

**Submit Label Revision Notification per PR Notices 83-3 and 2007-4.
Refer to the Reference Label for an illustration of all label revisions.**

Notification of label change per PR Notices 83-3 and 2007-4. This notification is consistent with the guidance in PR Notices 83-3 and 2007-4 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 the EPA. I further understand that if the notification is not consistent with the requirements of 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:			
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify): _____
*Certification must be submitted		If "Yes" Unit Packaging Wt.	No. Per Container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 to 50 pounds	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling Accompanying Product	
		<input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other Printed; Self-adhesive	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application).

Name Kim Davis	Title Consultant/Agent	Telephone No. (Include Area Code) 970.353.0611 kim@regwest.com
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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 	3. Title Consultant/Agent
4. Typed Name Kim Davis	5. Date March 23, 2012

Label Revision Notification



March 23, 2012

NOTIFICATION
APR 26 2012

Venus Eagle, Product Manager 1
Document Processing Desk – **NOTIF**
Office of Pesticide Programs – **7504P**
U.S. Environmental Protection Agency
One Potomac Yard (South Building), Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

Dear Ms. Eagle:

Subject: Gro Tec, Inc. d/b/a Howard Johnson's Enterprises, Inc.
Howard Johnson's Turf Fertilizer Plus Acelepryn Insecticide, EPA Reg. No. 32802-82

One behalf of **Gro Tec, Inc. d/b/a Howard Johnson's Enterprises, Inc.**, RegWest Company, LLC is submitting the attached materials as a notification of label revision per PR Notices 83-3 and 2007-4. RegWest will act as sole agent in this endeavor.

Attached are the following items:

1. Application for Pesticide: **Other (Notification)**
2. Agent authorization letter
3. One **Reference Label** (illustrating the revisions)
4. Two **New Labels** (incorporating the revisions)

The purposes of this submission are to: 1) add missing "Storage and Disposal" statement; 2) revise company address per EPA "Change of Name and Ownership of Company Number" letter dated August 16, 2011; and 3) other minor changes as noted in the attached **Reference Label**.

Please contact me or Mary Beth Endres at 970.353.0611 or marybeth@regwest.com if you have any questions or require additional information.

Regards,
RegWest Company, LLC



Kim Davis,
Consultant/Agent

Attachments

cc: HJE – Hacker, S.



NOTIFICATION
APR 26 2012

Howard Johnson's

Turf Fertilizer Plus Acelepryn Insecticide

INTENDED FOR USE BY COMMERCIAL APPLICATORS ONLY.

For systemic control of white grubs and other listed pests infesting landscape and recreational turfgrass (including golf courses) as well as landscape ornamentals, interior plantscapes and sod farms.

Not for Sale into, Distribution and/or Use in Nassau, Suffolk, Kings, Queens Counties of New York State

Group	28	Insecticide
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Active Ingredient:

Chlorantraniliprole* 0.067%

Other Ingredients

99.933%

Total 100.000%

*3-Bromo-N-[4-chloro-2-methyl-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridiny1)-1H-pyrazole-5-carboxamide

Chlorantraniliprole belongs to the anthranilic diamide chemical class.

EPA Reg. No. 32802-82 EPA Est. _____

Net Weight _____ Lbs.

[Manufactured by:] [Manufactured for:]
Howard Johnson's Enterprises, Inc.
P.O. Box 290, Madison, GA 30650

X-X-X
Guaranteed Analysis

{Guaranteed analysis using standard formats used for fertilizers inserted.}

{Following are optional referral statements for Florida BMP Information sources}

[In the state of Florida, it is recommended that the user of this product follow the Green Industries and Golf Course Best Management Practices found at: http://www.dep.state.fl.us/water/nonpoint/docsinonpoint/BMP_Book_final.pdf]

Keep out of Reach of Children
CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

First Aid

If in Eyes: hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after first 5 minutes then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the container or label with you when calling a poison center or doctor, or going for treatment. You may also contact 1-800-441-3637 for emergency medical treatment information.

PRECAUTIONARY STATEMENT
Hazards to Humans & Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Thoroughly wash with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

Personal Protection Equipment

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

After the product has been loaded into properly calibrated application equipment, shirt, pants, socks and shoes are sufficient personal protective equipment.

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables are available, 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. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This pesticide is toxic to aquatic invertebrates, oysters and shrimp. Do not apply directly to water. Drift and runoff may be hazardous to aquatic organisms in water adjacent to use sites.

Surface Water Advisory:

This product may contaminate water through runoff. This product has a high potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water table are more prone to produce runoff that contains this product. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

Ground Water Advisory:

This chemical has properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

DIRECTIONS FOR USE

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

Read and understand the entire label before using this product. HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE must be used only in accordance with specifications on this label or in separate Howard Johnson's supplemental labeling that may be made temporarily available through local distributors, as a result of new EPA approvals.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on the label about personal protective equipment, restricted-entry interval, and notification to workers (as applicable).

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.

For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 4 hours.

For early entry into treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are not within the scope of the Worker Protection Standard for agricultural pesticides, 40 CFR part 170. The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Professional applications to golf courses, residential, industrial and commercial lawns and sports fields are not within the scope of the Worker Protection Standard.

Do not allow other workers to enter the treated area while application is in progress.

Product Information

HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE may be applied for the control of white grubs and other listed pests infesting landscape and recreational turfgrass (including golf courses) as well as landscape ornamentals and interior landscapes.

HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE may be used on plants or turfgrasses that are being grown for aesthetic or recreational purposes or climatic modification in or around home lawns, commercial lawns, industrial facilities, residential dwellings, business and office complexes, shopping complexes, multi-family residential complexes, institutional buildings, airports, cemeteries, interior landscapes, ornamental gardens, parks, wildlife plantings, playgrounds, schools, day-care facilities, golf courses (tee box areas, roughs, fairways, greens, collars etc.), athletic fields, sod farms and other landscaped areas.

Do not apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE when the soil is saturated with water because adequate distribution of the active ingredient vertically in the soil profile cannot be achieved under this condition.

HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE is in Group 28 of the EPA's Insecticide and Acaricide Groups based on Target Site of Action (EPA PR Notice 2001-5) and may be used in rotational resistance management programs.

Consult your local Howard Johnson's Enterprises representative, Cooperative Extension Service specialist or pest control advisor for regionally specific information regarding application timing.

Application Equipment

Apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE with drop-type, rotary-type, or hand-held application equipment. The application equipment must be properly calibrated according to the manufacturer's directions to ensure uniform coverage over the treated area. During application, check equipment periodically to confirm that it is working properly and that granules are being uniformly distributed.

Application Timing

White Grubs: Apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE from early April to early September for preventative and early curative control all of the major white grub species infesting turfgrass. The need for an application may be based on historical monitoring of the site, previous records or experiences, current season adult trapping or other methods. The higher rate listed for white grub control in Table 1 may be required [for early season (April and May) applications where a long residual is required or] in late August or early September when less sensitive mid-instar grubs are present at the time of application. Irrigate turf immediately after application or allow rainfall to move the product into the soil.

Annual Bluegrass Weevil: Apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE when overwintered adult annual bluegrass weevils are observed in late April or early May to prevent damage from first generation larvae in late-May and June. An application of HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE at this time will also provide white grub control. The higher rates listed in Table 1 may be required for applications made after mid-May.

Billbugs: HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE when overwintered adult billbugs are first observed. This will usually occur in late April or early May in regions with cool-season turfgrasses. An application of HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE at this time will also provide white grub control. The higher rates listed in Table 1 may be required for applications made after early May or when billbug species other than bluegrass billbug are present.

European Crane Fly: Apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE between September and November to control European crane fly larvae in turfgrass. The higher rate listed in Table 1 may be required to achieve control when applications are made in November.

Spittlebugs: HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE will provide control of two-lined spittlebug when applications are made in spring or summer.

Turf Caterpillars: HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE will provide curative caterpillar control in turfgrass. If the area being treated is maintained at a mowing height of greater than one inch, then the higher rate listed in Table 1 may be required during periods of high pest pressure.

Chinch Bugs: For suppression of chinch bugs, apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE before eggs hatch

Application Rates for Lawns, Golf Courses and other Recreational Turfgrass Areas

Table 1 provides the application rates that will control the listed turfgrass pests. For maximum residual effectiveness or for control of large pest infestations, apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE up to 500 pounds per acre (0.33 lb AI/A) to control any of the pests listed in Table 1. Restriction: Do not apply more than 750 pounds (equivalent to 0.5 lb of active ingredient) of product per acre per year in broadcast applications to turfgrass.

Table 1. Turfgrass Application Rates

Target Pest	Product per acre	Product per 1,000 Square Feet	lb ai per acre
White Grubs (including <i>Aphodius</i> spp., Asiatic garden beetle, black turfgrass ataenius, European chafer, green June beetle, Japanese beetle, May/June beetles (<i>Phyllophaga</i> spp.), northern masked chafer, oriental beetle and southern masked chafer)	150 to 300 lb*	3.44 to 6.88 lb.	0.1 to 0.2
Billbugs			
European cranefly			
Turf caterpillars (including armyworms, cutworms and sod webworms)			
Annual bluegrass weevil	225 to 300 lb*	5.17 to 6.88	0.15 to 0.2
Spittlebugs			
Chinchbugs (suppression only)	150 to 300 lb*	3.44 to 6.88 lb	0.1 to 0.2
*For maximum residual effectiveness or control of large pest infestations, apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE up to 500 pounds per acre (0.33 lb AI/Acre).			

Application Rates for Ornamental Plants

Table 2 provides the application rates that will control the pests of landscape ornamentals and interior plantscapes. Before application, remove black plastic or other weed barrier materials that are impermeable to water. For maximum residual effectiveness or for control of large pest infestations, apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE up to 500 pounds per acre (0.33 lb AI/A) to control any of the pests listed in Table 2. Restriction: Do not apply more than 750 pounds (equivalent to 0.5 lb of active ingredient) of product per acre per year in broadcast applications to ornamental plants.

Table 2: Ornamental Tree and Shrub (including Evergreens), Flower, Foliage Plant and Groundcover Application Rates

Target Pest	Product per acre	Product per 1,000 Square Feet	lb ai per acre
White Grubs (Asiatic garden beetle, European chafer, green June beetle, Japanese beetle, May/June beetles (<i>Phyllophaga</i> spp.), northern masked chafer, oriental beetle and southern masked chafer)	150 to 300 lb*	3.44 to 6.88 lb.	0.1 to 0.2
*For maximum residual effectiveness or control of large pest infestations, apply HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE up to 500 pounds per acre (0.33 lb AI/Acre).			

Spreader Settings

{Spreader Setting Table to be inserted here}

{Following are optional referral statements for Florida BMP Information sources}

[We recommend that you follow the Florida Green Industries BMPs at http://www.dep.state.fl.us/water/nonpoint/docs/inonpoint/BMP_Book_final.pdf]

Cleaning Application Equipment

Thoroughly clean all application equipment after use to reduce the risk of forming hardened deposits that might become difficult to remove. Thoroughly rinse application equipment with clean water. Clean all other associated application equipment. Take all necessary safety precautions when cleaning equipment. Do not clean equipment near wells, or other water sources. Dispose of waste rinse water in accordance with local regulations.

Integrated Pest Management (IPM) Programs

HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE is recommended for IPM programs on turf and landscape ornamentals because it does not directly impact natural arthropod predator and parasitoid populations including ladybird beetles, lacewings, minute pirate bugs and predatory mites. The feeding behavior of beneficial arthropods will aid in extending natural control of other insect and mite pests and will reduce the possibility of secondary pest outbreaks. HOWARD JOHNSON'S TURF FER-TILIZER PLUS ACELEPRYN INSECTICIDE will reduce the target pest species that may serve as a food source for beneficial arthropods.

Resistance Management

Some insects are known to develop resistance to products used repeatedly for control. When this occurs, the labeled dosages fail to suppress the pest population below threshold levels. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. These strategies may include incorporation of cultural and biological control practices, alternation of active classes of insecticides on succeeding generations and targeting the most susceptible life stage. Consult your local Howard Johnson's representative, Cooperative Extension Service specialist or pest control advisor for the latest information on resistance management in your area.

Restrictions

- Not for use on plants (except turfgrass on sodfarms) being grown for sale or other commercial use, or for commercial seed production.
- Do not formulate this product into other end-use products without written permission from Howard Johnson's Enterprises
- Do not apply this product in commercial nurseries and greenhouses.
- Do not apply more than 750 pounds (equivalent to 0.5 lb of active ingredient) of product per acre per year in broadcast applications to turfgrass.
- Do not apply more than 300 pounds (equivalent to 0.2 lb of active ingredient) of product per acre in a single application on sod farms.
- Wait a minimum of 7 days to retreat.
- Do not apply by air.
- The following restrictions are required to permit use of HOWARD JOHNSON'S TURF FERTILIZER PLUS ACELEPRYN INSECTICIDE in the State of New York:
 - Golf courses: Greens, tee boxes: Do not apply this product within 25 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).
 - Fairways: Do not apply this product within 50 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).
 - All other use sites: Do not apply this product within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).
- Not for Sale, Sale into, Distribution and/or Use in Nassau, Suffolk, Kings, Queens Counties of New York State.

Storage and Disposal

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

Pesticide Storage: Store product in original container only in a location inaccessible to children and pets. Do not contaminate water, other pesticides, fertilizer, food or feed in storage. Not for use or storage in or around the home. **Pesticide Disposal:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility. **Container Handling:** Non-refillable 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.

{Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.}

Warranty

Read the entire Directions for Use and Warranty before using this Product. By using this product, user or buyer accepts the following warranty.

The directions for use of this product are believed to adequate and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

HOWARD JOHNSON'S ENTERPRISES is committed to providing high quality products. To the extent consistent with applicable law, HOWARD JOHNSON'S ENTERPRISES makes no warranties express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond statements on this label. To the extent consistent with applicable law, HOWARD JOHNSON'S ENTERPRISES, the manufacturer, or the Seller shall not be liable for indirect, special, incidental or consequential damages. To the extent consistent with applicable law, the exclusive remedy of the user or buyer shall not exceed the purchase price paid.

Buyer and user assume all responsibilities for safety and use not in strict accordance with directions.

- [] Denotes alternate/optional language
- { } Denotes language that does not appear on the market labeling