53883-171

12/02/2008



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

DEC 0 2 2008

Ms Amy Warren Control Solutions, Inc 5903 Genoa-Red Bluff Pasadena, TX 77507-1041

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 7, 2008 for:

## EPA Registration 53883-171

Prodiamine .58 Plus

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. 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 nonnotification/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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

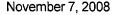
Theresa a Stone for

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

Please rene anstructions	on reverse before comple	tina form.	F	orm Approved	. OMB No. 20	70-0060	کار <u>م. Approvel expires 2-28-95</u>	
≎EPA	ر Environmenta	Inited States	Agency		Registrat Amendm Other	ion	OPP Identifier Number	
· · · · · · · · · · · · · · · · · · ·		Application	for Pesticide -	Section	l		· · ·	
1. Company/Product Number 53883 - 171			2. EPA Product Manager Joanne Miller		•	3. Pro	None Restricted	
4. Company/Product (Na Prodiamine .58 Plus			PM# 23	3				
5. Name and Address of	Applicant (Include ZIP Co	de)					FIFRA Section 3(c)(3)	
Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041			το:	(b)(i), my product is similar or identi <b>NOTIFICATION</b> <sup>d labeling</sup> to: EPA Reg. No				
Check if	this is a new address	. <u> </u>	Product N	lame				
······································			Section - II					
Amendment - Exp	esponse to Agency letter	dated	Age *Me	l printed labe oncy letter dat Too" Applica er - Explain be	ation.	to 		
amended label is not con FIFRA and I may be subj	I understand that it is a vic sistent with the requirement ect to enforcement action a	ts of 40 CFR §§ 1	56.10, 156.140, 156.14	14, 156.146, ai				
1. Material This Product							· · · · · · · · · · · · · · · · · · ·	
Ves			Water Soluble Packaging Yes Vo		2. Type of Container Metal V Plastic Glass			
<ul> <li>Certification must be submitted</li> </ul>	, If "Yes" Unit Packaging wgt	No. per . container		lo. per ontainer		Paper Other (S	pecify)	
3. Location of Net Conte	r]	4. Size(s) Retail	Container 1 pt - 50 lb			ns		
<ul> <li>✓ Label</li> <li>✓ ✓</li> <li>✓ ✓&lt;</li></ul>	Container	Lithograp Paper glu Stencileo		Other			· · · · · · · · · · · · · · · · · · ·	
			Section - IV					
1. Contact Point (Comp.	lete items directly below	for identification (		ntacted, if nec	essary, to proc	ess this	application.)	
Name Amy Warren			tle Regulatory Affairs Sp	latory Affairs Specialist		Telephone No. (Include Area Code) 800-242-5562		
	tatements   have made or t any knowlinglly false or ble law.		l attachments thereto				6. Date Application Ruceived (Stamped)	
2. Signature	Lanon	F	Title Regulatory Affairs Spec	ialist	· · · ·	· · · · · · · · · · · · · · · · · · ·		
4. Typed Name		5.	Date 11-7-0	8				

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

Yellow - Applicant Copy



Document Processing Desk (NOTIF) Office of Pesticide Programs U.S. Environmental Protection Agency One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule "Pesticide Management and Disposal" Prodiamine .58 Plus (EPA Reg. No. 53883-171) 3/13

SOLUTIONS

incorporated

Dear Sir or Madam:

Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 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 EPA. I further understand that if the amended label 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.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Amy Warren Regulatory Affairs Specialist Control Solutions, Inc.

# PRODIAMINE 0.58 PLUS FOR PRE-EMERGENCE CONTROL OF GRASS AND BROADLEAF WEEDS IN LAWNS AND ORNAMENTAL TURF (excluding golf course putting greens) LANDSCAPE ORNAMENTALS, ESTABLISHED PERENNIALS AND WILDFLOWER PLANTINGS STOPS MANY WEED GRASSES BEFORE THEY GROW PREVENTS CRABGRASS, ANNUAL BLUEGRASS, FOXTAIL

ACTIVE INGREDIENT:	
Prodiamine (CAS # 29091-21-2)	0.58%
INERT INGREDIENTS:	
TOTAL:	100.00%

# KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel for further precautions and First Aid information

#### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye injury (irritation). Harmful if inhaled or absorbed through the skin. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling. Prolonged or repeated skin contact with product may cause allergic reactions in some individuals.

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EPA REG NO. 53883-171 EPA EST. NO.

# NOTIFICATION

DEC UZ LUUD

Control Solutions, Inc. 5903 Genoa-Red Bluff Rd. Pasadena, TX 77507-1041 281-892-2500

NET CONTENT:

·····	FIRST AID
IF IN EYES:	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> </ul>
	<ul> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul>
	Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	Take off contaminated clothing.
	<ul> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>
	• Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul> <li>Call a poison control center or physician immediately for treatment advice.</li> </ul>
·	<ul> <li>Have person sip a glass of water if able to swallow.</li> </ul>
	<ul> <li>Do not induce vomiting unless told to do so by the poison control center or physician.</li> </ul>
	<ul> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF INHALED:	<ul> <li>Move person to fresh air.</li> </ul>
	<ul> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, is possible.</li> </ul>
	<ul> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
	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.

#### ENVIRONMENTAL HAZARDS

This product has low solubility in water. At the limits of solubility, this product is not toxic to fish. However, at concentrations above the level of water solubility, it may be toxic to fish. Do not apply directly to water, to areas where surface 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 sites. Do not contaminate water when disposing of equipment washwaters.

### **DIRECTION 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, for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

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

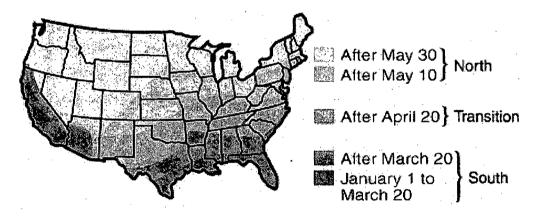
This product is a pre-emergence herbicide that provides residual control of many grass and broadleaf weeds in established lawns and ornamental turf (excluding golf course putting greens), landscape ornamentals and established perennials and wildflower plantings. It controls susceptible weeds by inhibiting weed seeds, germination and root development. When used according to directions, it will control; barnyardgrass; bluegrass; annual (*Poa annua*); carpetweed; chickweed, common; chickweed, mouseear (from seed); crabgrass (large, smooth); crowfootgrass; cupgrass, woolly; foxtails, annual; goosegrass<sup>1</sup>; henbit; itchgrass; johnsongrass (from seed); junglerice; knotweed; kochia; lambsquarter, common; lovegrass; panicum (Texas, fall, browntop); pigweed; purslane, common; pusley, Florida; rescuegrass<sup>3</sup>, shepherd's purse<sup>2</sup>, signalgrass, broadleaf; speedwell, Persian; sprangletop; spurge, prostrate; witchgrass; woodsorrel, yellow (from seed).

<sup>1</sup>In many areas a single application of 2.5 to 6 pounds/1,000 square feet (112 to 259 pounds/acre) will control goosegrass. However, under heavy goosegrass pressure and/or an extended growing season, most effective weed control may be obtained with an initial application of 2.5 to 3.9 pounds/1,000 square feet (112 to 173 pounds/acre), followed after 60 to 90 days by a second application at doses that would not exceed the maximum annual rate (see"Minimum and Maximum Application Rate by Turfgrass Species" table in the Rates of Application section of this label).

<sup>2</sup>For this weed, apply in late summer, fall or winter prior to germination.

<sup>3</sup>Suppression only.

**WHEN TO APPLY TO ESTABLISHED TURF:** This product must be applied prior to germination of weed seeds, as it will not control established weeds.



**APPLICATION DIRECTIONS:** Apply this product uniformly, using a suitable spreader that has been properly calibrated. Most effective weed control will be obtained when this product is activated by at least 0.5 inch of rainfall or irrigation, or with shallow (1-2 inches) incorporation, prior to weed seed germination and within 14 days application.

**USE PRECAUTIONS:** The following precautions apply to the use of this product in turf grasses and lawns. Application of this product may thin emerged annual bluegrass and newly overseeded grasses. Do not apply to overseeded turf within 60 days after seeding or unitil after the second mowing, whichever is longer. Injury to desirable seedlings is likely if this product is applied before seedling secondary roots are in the second inch of soil (not thatch plus soil). Do not apply to newly set sod until the following year. Application to turf stressed by drought, lowfertility, or pest damage may result in turf injury. Disturbing the herbicide barrier with cultural

## THIS MAP SHOWS APPROXIMATE CRABGRASS GERMINATION DATES

practices (such as core aeration) may result in reduced weed control. Do not apply to putting greens, or areas where dichondra, colonial bentgrass, velvet bentgrass or annual bluegrass (*Poa annua*) are desirable species. Do not apply through any type of irrigation system. Do not apply aerially. Do not graze or feed livestock forage cut from treated areas.

**RATES OF APPLICATION:** This product is recommended for use on the turf grass species listed in the following table. The maximum amount of this product that may be applied per year is given for each turf grass species. Do not exceed the maximum yearly rate listed:

MINIMUM AND MAXIMUM APPLICATION RATES (by Turf Grass Species)					
Turf Species	Minimum Rate	Maximum Annual Rate <sup>1</sup>			
Bahiagrass, Bermudagrass <sup>2</sup> Centipedegrass, Zoysiagrass, Seashore Paspalum, St. Augustinegrass Tall Fescue (including turf- Type)	4 lbs/1,000 sq. ft. (175 lbs/acre)	6 lbs/1,000 sq. ft. per year (259 lbs/acre per year)			
Buffalograss Kentucky Bluegrass Perennial Ryegrass	2 lbs/1,000 sq. ft. (87.5 lbs/acre)	4 lbs/1,000 sq. ft. per year (173 lbs/acre per year)			
Creeping Red Fescue	1.5 lbs/1,000 sq. ft. (65.3 lbs/acre)	2.9 lbs/1,000 sq. ft. per year (130 lbs/acre per year)			
Creeping Bentgrass	1.5 lbs/1,000 sq. ft. (65.3 lbs/acre)	2.5 lbs/1,000 sq. ft. per year (112 lbs/acre per year)			

<sup>1</sup>These are the maximum rates per calendar year.

<sup>2</sup>May be used on newly sprigged or plugged Bermudagrass at rates not to exceed 2 pounds/1,000 square feet (87.5 pounds/acre). Newly sprigged or plugged Bermudagrass stolon rooting may be temporarily retarded. Suppression only of foxtail, goosegrass and rescuegrass due to reduced rates used in sprigging situations.

This product may be applied as a single application or in sequential applications to control weeds germinating throughout the year. Sequential applications may be made so long as the total amount of product applied does not exceed the maximum annual application rates recommended for each turf species. The length of time of residual weed control provided by this product is related to the rate applied. Use the higher rates listed for longer periods of weed control.

WHEN TO OVERSEED AFTER APPLICATION: This product will inhibit germination of turf seed if overseeded too soon after application. Follow rates and intervals in table for best overseedling/reseeding results. (See map above)

USE RATE	MONTHS BEFORE OVERSEEDING				
	North	Transition	South		
1.9 pounds/1,000 sq. ft. (86 pounds/acre)	4	. 4	4		
2.5 pounds/1,000 sq. ft. (112 pounds/acre)	5	4	4		
2.9 pounds/1,000 sq. ft. (130 pounds/acre)	6	5	5		
3.16 pounds/1.000 sq. ft. (138 pounds/acre)	-	6	6		
4 pounds/1,000 sq. ft. (173 pounds/acre)	-	7	7		
4.5 pounds/1,000 sq. ft. (197pounds/acre)	-	• •	9		
5.14 pounds/1,000 sq. ft. (224 pounds/acre)	-	-	10		
5.94 pounds/1,000 sq. ft. (259 pounds/acre)	-	-	12		

**LANDSCAPE ORNAMENTALS:** (including established perennials and wildflower plantings): This product may be applied for residual pre-emergence weed control in ornamentals. <sup>2</sup>Apply at the rate of 2.5 to 5.94 pounds/1,000 square feet (112 to 259 pounds/acre) in fall and/or spring. Use higher rates of application for longer control periods. Sequential applications may be made so long as the total amount of product applied does not exceed the maximum annual application rate of 5.94 pounds/1,000 square feet (259 pounds/acre) per year.

SPREADER SETTINGS to apply at the listed pounds per 1,000 square feet						
	1.9 lbs.	2.5 lbs.	3.16 lbs.	4 lbs.	5 lbs.	6 lbs.
Spreader A	Х	X	Х	X	X	X
(May contain add	ditional spread	der brands/mo	dels, spreader	settings and	spreader use	instructions

as appropriate for the product)

**APPLICATION TIMING AND INFORMATION:** This product may be applied to newly transplanted and established ornamentals a broadcast, over the top or directed application. Around new transplants, delay application to allow soil to settle and water thoroughly before applying. Apply after cuttings form roots and become established. Apply before budding/grafting or after buds/grafts have taken to avoid any inhibition of the tissue union. This product is a preemergence herbicide and will not control emerged weeds. Most effective weed control in ornamentals will be obtained when this product is activated by at least 0.5 inch of rainfall or irrigation, or with shallow (1 to 2 inch) mechanical incorporation, prior to weed seed germination and within 14 days following application. Best weed control is obtained when applied to soil free of clods, weeds and debris such as leaves. Prior to application, control existing vegetation by hand weeding, cultivation or the use of an appropriate post-emergence herbicide.

**TOLERANT ORNAMENTAL SPECIES:** This product will not harm most trees, shrubs, vines and flowers. The species listed below are tolerant to this product. Best results will be obtained when product is uniformly applied to the soil surface; avoid applying to ornamental shoots which may defeat the effort to get uniform distribution on the soil surface. This product may be applied over the top of these species. When plants are under stress (such as heat, drought or frost damage) some cultivars of listed plants may be sensitive to this product.

#### SCIENTIFIC NAME

Abies spp. Abelia grandflora Acer palmatum A. Platanoides Achillea spp. Actindia chinensis Agapanthus africanus Agapanthus orientalis Akebiag guintata Allium cemuum Anemone hybrida Aquillegia spp. Arctostaphylos densiflora Arctotheca calendula Artemesia spp. Aster spp. Aster X Frikartii Athrium Filiz-femina Aucuba japonica Begonia spp. Berberis gladwynensis B. Julianae B. mentorensis B. Thunbergil B. Verruculosa

#### COMMON NAME

Fir species\*\* (Balsam, Frasier, Noble, etc.) Abelia: Sherwood Japanese Maple Norway Maple Yarrow: King Edward Kiwi\* Lily-of-the-Nile (African Lily)

Five-leaf or Chocolate Vine Lady's Leek, Nodding Onion Japanese Anenome Aquilegia: Red and Gold Vine Hill Manzanita Cape Weed Wormwood; Silver Mound, Castle Aster: Bonnie Blue, Purple Dome

Lady Fern; Fern Lady Japanese Aucuba Fibrous Begonia: Hardy Grandis Barberry Wintergreen Barberry Mentor Barberry Japanese Barberry Warty Barberry

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Bergenia cordifolia Boltonia asteroides Buddleia davidii Buxus microphylla Callistemon viminalis Calluna vulgaris Campanula carpatica Campis X Tagliabuana Carpobrotus edulis Cassia artemisoides Ceanothus rigidus Ceratostigma plumbagonoides Chamaecyparis pisifera Clevera japonica Citrus spp. Coreopsis spp. Cornus florida C. Stolonifera Cortaderia selloana Cotoneaster apiculatus C. buxifolius C. dammeri C. Microphyllus Cretaegus spp. Crocosmia spp. Cupressus sempervirens Delosperma alba Delosperma spp. Delphinium spp. Dianthus deltoides D. gratianopolitanus Dodonea viscosa Echinacea purpurea Elaeagnus pungens Euonymus fortunei E. japonica E. kiautschovica Fatsia japonica Forsythia intermedia Forsythia suspensa F. viridissima Gaillardia spp. Gardenia jasminoides Gaura spp. Gentiana dahurica Geranium cinereum Gladiolus spp. Gypsophilia repens Hedera helix Hellanthemum spp. Hemerocallis spp. Hibiscus Hibiscus spp. Hibiscus rosa-sinensis Hosta plantaginea H. Sieboldiana

Snowbank Butterfly-Bush (Dwarf Blue); Royal Red Japanese Boxwood Weeping Bottlebrush Scotch Heather Tussock Bellflower, (White Clips) Trumpet Flower, Madame Galen Hottentot Fig (Ice Plant) Feathery Cassia Wild Lilac

False Cypress Cleyera Citrus species\* Coreopsis (Calliopsis) Early Sunrise, Moonbeam Flowering Dogwood American Dogwood Pampas Grass Cranberry Cotoneaster Cotoneaster Bearberry Cotoneaster Rockspray Cotoneaster Hawthorne Lucifer Italian Cypress White Trailing Ice Plant Cooperi Pink Larkspur: Blue Elf Dianthus: Maiden Pinks "Zing" Cheddar Pink Hop Bush Coneflower, Purple; Magnus Silverberry Wintercreeper Evergreen Euonymus Spreading Euonymus Japanese Aralia Border Forsythia Weeping Forsythia Greenstem Forsythia Gaillardia, Blanket Flower: "Goblin" Gardenia, Cape-Jasmine

Gentian Cranesbill Gladiolus species\*\* Baby's Breath English Ivy Sunrose Daylily: Aztec Gold, Stella de Ore, 'i ender Love Rose of Sharon\*\* Mallow: Disco Belle White Chinese Hibiscus Hosta, Plantain Lily (Fragrant) Hosta, "Seersucker"

6

Houttuynia cordata var. variegata Hydrangea macrophylla Ilex Bernvi llex cornuta I. crenata I. opaca I. vomitoria Inula ensifolia Iris ensata Iris siberica Iris spp. Jasminium nudiflorum Juniperus chinensis J. conferta J. davurica J. horizontalis Juglans spp. Justicia brandegeana Lagerstromia indica Lagerstromia indica X Fauriei Lantana montevidensis Lavender spp. Leonopodium alpinum Ligustrum amurense Ligustrum sinense L. japonicum L. lucidum Lilium spp. Liriope muscari Liriope muscari var. variegata Liriope spicata Lobelia Cardinalis Lonicera japonica L. tatarica Lorapetalum chinense Lythrum spp. Magnolia spp. Maleophora luteola Malus spp. Miscanthus sinensis Nandina domestica Narcissus spp. Nerium oleander Olea europaea Ophiopogon japonicus Omanthus heterphyllus Osteospermum fruticosum Oxydendrum arboreum Paeonia suffruticosa Pennisetum setaceumi Perovskia atriplicifolia Persea americana Photinia Fraseri Physotegia Virginiana Picea spp. Pieris japonica

Bigleaf Hydrangea Holly Chinese Holly Japanese Holly American Holly Yaupon Holly, Schillings

Sword-Leaved Iris; Jodlesong Siberian Iris: Cabernet Iris species\*\* Winter Jasmine Chinese Juniper; Nick's Compact, Parsonnii Shore Juniper; Blue Pacific Parsoni **Creeping Juniper** Walnut\* Shrimp Plant Crape Myrtle Crape Myrtle; Tuscarora Weeping Lantana Lavender: Munstead Edelweiss Amur Privet Chinese Privet; Variegata Japanese Privet Glossy Privet (Waxleaf) Lllv: Jazz Big Blue Lily, Silver Mound, Evergreen Giant Liriope, Variegated Liriope, Creeping Cardinal Flower, Indian Pink Japanese Honeysuckle Tatarian Honeysuckle Burgundy Loosestrife; Modern Pink Magnolia species\*\* Ice Plant Crabapple\* Yaku Jima, Silberfeder Heavenly Bamboo Narcissus species\*\* Oleander Olive\* Mondo Grass Osmanthus (False Holly); Gulf Tide Trailing African Daisy Sourwood Tree Peonv Fountain Grass (Dwarf)

Avocado\* Frasier's Photinia (Redtip) Dragonhead, False; Vivid Spruce species\*\* (Colorado Blue, Norway, etc.) Lily-of-the-Valley Bush

7.

Pinus brutia P. canariensis P. Elliottii P. halepensis P. nigra P. palustrus P. radiata P. strobus P. sylvestris P, taeda P. Thunbergiana P. Virginiana Pistachio spp. Pittosporum rhombifolium P. tobira Podocarpus macrophyllus Prunus laurocerasus Prunus spp. Pseudotsuga menziesii Pyracantha coccinea P. fortuneana P. koidzumii

P. koidzumii Pyrus spp. Quercus Shumardii Quercus spp. Raphiolepsis indica Raphiolepsis umbellata Rhododendron (including Azalea)

Rosa banksiae Rosmarinus officinalis Rudbeckia spp. Santolina virens Saxifraga spp. Scabiosa spp. Sedum album Sedum cauticola Sedum dasyphyllum Sedum spurium Spiraea bumalda Syzygium paniculatum Taxus cuspidata T. media Teucrium spp. Thalictrum diptercarpum Thuja occidentalis Trachelospermum asiatum Tsuga canadensis Tulipa spp. Veronica spp. Viburnum japonicum V. odoratissimum V. plicatum

Calabrian Pine Canary Island Pine Slash Pine Aleppo Pine Austrian Pine Longleaf Pine Monterey Pine Eastern White Pine Scotch Pine Loblolly Pine Japanese Black Pine Virginia Pine Pistachio\* Queensland Pittosporum Japanese Pittosporum Japanese Yew English Laurel Almond, Apricot, Nectarine, Peach, Plum and Prune\* Douglas Fir\*\* Firethorn (Scarlet) Firethorn Firethorn Bradford Pear spp. Oak, Shumard's Red Oak species Indian Hawthorne Yedda Hawthorne 'Coral Bells,' ' Formosa,' ' Hino-crimson,' ' PJM' 'Delaware Valley White', ' Roseum Elegans,' 'Flame Creeper', ' Girard Crimson', 'Wakeiebisu 'White Gumbo', 'George L. Tabor' Lady Bank's Rose Rosemary\* Black-Eyed Susan; Goldsturm Santolina Saxifrage: Purple Dome **Pincushion Flower** Stonecrop Stonecrop; Lidakense Stonecrop Stonecrop; Dragon's Blood Spirea; Anthony Waterer Australian Brushcherry Japanese Yew Yew Germander Meadow Rue American Arborvitae Star Jasmine Canada Hemlock Tulip species Veronica, Speedwell; Sunny Border Japanese Viburnum Sweet Viburnum Japanese Snowball

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V. rigidum V. suspensum V. tinus V. trilobium V. wrightii Vinca major Vinca Minor Vitis spp. Weigela florida Yucca aloifolia Y. filametosa Canary Island Viburnum Arrowood Viburnum Laurustinus Cranberry Bush Leatherleaf Viburnum Greater Periwinkle, Vinca Common Periwinkle, Vinca Grape\* Old Fashioned Weigela Spanish Bayonet, Yucca Adam's Needle, Yucca

\*Do not use on food producing trees, vines or plants... \*\*Not for use on container grown plants.

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: Non refillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available. If recycling is not available, then dispose of empty bag in a sanitary landfill, or if allowed by State and local authorities, by burning. If burned, say out of smoke

## CONDITIONS OF SALE AND WARRANTY

The DIRECTIONS FOR USE of this product are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop, injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of Control Solutions, Inc. or the Seller. All such risks shall be assumed by the Buyer.

Control Solutions, Inc. warrants that this product conforms to the chemical description on the label, and is reasonably fit for the purposes set forth in the DIRECTIONS FOR USE, when it is used in accordance with such directions, subject to the inherent risks mentioned above.

CONTROL SOLUTIONS, INC. NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESSED OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THIS WARRANTY EXTENDS TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNING, OR CAUTIONS. BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WIT'H RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. CONTROL SOLUTIONS, INC. and the seller offer this product, and the Buyer and User accept it, subject to the foregoing CONDITIONS OF SALE AND WARRANTY.

# NOTIFICATION DEC 0 2 2008

13/13