3/26/2010





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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

MAR 2 6 2010

Mrs. Amy Warren Regulatory Affairs Specialist Control Solutions, Incorporated 5903 Genoa-Red Bluff Pasadena, TX 77507-1041

RE: Notification of Alternate Brand Name: Martin's Garden Weed Preventer Garden Weed Preventer

Also Optional Marketing Language EPA Registration Number: 53883-234 Date of Submission: March 8, 2010

Dear Mrs. Warren:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 8, 2010, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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

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		Application for F	Pesticide - Sec	tion I			
L Company/Product Num	ber		2. EPA Product Mar	nager		3. Pre	oposed Classification
53883-234			Joanne Miller				None Restricted
l. Company/Product (Nan Weed Preventer	ne)		23				
5. Name and Address of 7 Control Solutions, I 5903 Genoa-Red E Pasadena, TX 775	nc. Bluff	nde)	(b)(i), my product to: EPA Reg. No	is similar (or identica	in co	FIFRA Section 3(c)(3) mposition and labeling
Check # 4			Product Name				
Notification - Explo Explanation: Use addit This notification is consist labeling or the confidentia EPA. I further understand	asponse to Agency letter ain below. tional page(s) if necessar ent with the provisions of I I statement of formula of ti I that if this notification is r	γ. (For section I and Se PR Notice 98-10 and EPA	Agency let "Me Too" Other - Exp ction II.) regulations at 40 CFR that it is a violation of ' ns of PR Notice 98-10	Application plain below. 152.46, and 18 USC Sec. and 40 CFR	MA MA	IFIC R 2 &	ake any false statement to
. Material This Product	Will Be Packaged In:	Sect	tion - Itl				
Child-Resistant Packaging	Unit Packaging	Water	Soluble Packaging	2.	Type of Co	nteiner	,
Yes ✓ No	Yes ✓ No		Yes No)	letai Iastic Iass	
* Certification must be submitted	lf "Yes" Unit Packaging wgt	No.per If "Yes . container Packag		ər		aper Ither (S	pecify)
	,	4. Size(s) Retail Contain 1 lb-2		5. Locatio	n of Label I	Directio	ns
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Label	is Affixed to Product	Paper glued Stenciled Sect	ion - IV				
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✓ Label . Manner in Which Label . Contact Point <i>(Completent)</i> lame Amy Warren I certify that the sta	is Affixed to Product ate items directly below atements I have made or any knowlinglly false or	Paper glued Stenciled Sect for identification of indivi	ion - IV idual to be contacted, ory Affairs Specialist ments thereto are tru	, if necessar	and corr.pl	lephone 10-242-1 etc.	No. (Include Area Code)
3. Manner in Which Label 1. Contact Point <i>(Comple</i>) Name Amy Warren I certify that the sto I acknowledge that	is Affixed to Product ate items directly below atements I have made or any knowlinglly false or	Paper glued Stenciled Section of individual for identification of individual Title Regulate Certification this form and all attach misleading statement m 3. Title	ion - IV idual to be contacted, ory Affairs Specialist ments thereto are tru	, if necessar	and corr.pl	lephone 10-242-1 etc.	a No. (Include Area Code) 5562 6. Data Application Received



March 8, 2010

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202-4501

Re: Notification per (PR) Notice 98-10, Alternate Brand Name, Optional Marketing Language EPA Reg. No. 53883-234 Weed Preventer

Dear Sir or Madam:

Enclosed is a Notification for Alternate Brand Name per (PR) Notice 98-10. See highlighted text on attached labeling.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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

WEED PREVENTER

With Trifluralin

(alt name: Martin's Garden Weed Preventer) (alt name: Garden Weed Preventer)

NOTIFICATION

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NOT FOR USE ON LAWNS

MAR 2 6 2010

[<PRODUCT NAME> contains Trifluralin, the active ingredient used in <BRAND NAME>™ or ®.] [<PRODUCT NAME> is not manufactured or distributed by <BASIC REGISTRANT / BRAND HOLDER>,seller of <BRAND>™ or ®.] [<BRAND>™ or ® is a trademark of <TRADEMARK HOLDER>>.]

ACTIVE INGREDIENT:

Trifluralin	1.47%
OTHER INGREDIENTS:	
TOTAL	

EPA Reg. No. 53883-234

EPA Est. 53883-TX-002

MANUFACTURED BY: Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507

NET WEIGHT: XX LBS. (X.XX kg) (6.25 LBS) WEEDS X,XXX SQ. FT. (1000 SQ. FT.)

KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel for additional Precautionary Statements

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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 the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact SafetyCall[®] International (866) 897-8050 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

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 which will directly expose canals, lakes, streams, ponds, marshes or estuaries to aerial drift. Do not contaminate water when disposing of equipment washwaters. Do not apply directly to water.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container closed and away from food, feedstuffs and domestic water supplies. **CONTAINER DISPOSAL:If empty:** Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Do not rinse unless required for recycling. If recycling is not available: then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. **If partly filled:** Call your local solid waste agency for disposal instructions. Never pour unused product down any indoor or outdoor drain.

GENERAL INFORMATION

Weed Preventer prevents most weeds from germinating in flower and vegetable gardens, in ground covers and around trees and shrubs. Although Weed Preventer will not kill existing weeds, it will prevent new weeds from sprouting - eliminating the need for difficult and time-consuming hand weeding. Without weeds, your valuable plants can grow larger and stronger. Your beds will stay neat and weed-free all season long!

GENERAL PRECAUTIONS AND RESTRICTIONS

NOT FOR USE ON PLANTS BEING GROWN FOR SALE OR OTHER COMMERCIAL USE, OR FOR COMMERCIAL SEED PRODUCTION OR FOR RESEARCH PURPOSES. FOR USE ON PLANTS INTENDED FOR AESTHETIC PURPOSES, OR CLIMATIC MODIFICATIONS AND BEING GROWN IN ORNAMENTAL GARDENS.

Restrictions:

• 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.

• Do not apply to Ajuga, Myrtle or Pachysandra until it is well established, as injury may result.

• Do not apply Weed Preventer to muck soils or to soils containing more than 10% organic matter.

- Do not over-apply; injury may occur to subsequent crops which are sensitive to Weed Preventer.
- Do not use with crops other than those listed on this label.

Note: This product is not for use on lawns, nor for use in enclosed areas, such as greenhouses. To prevent possible staining to unintended surfaces, ex.: concrete, stone walks, vinyl surfaces, etc., sweep up stray granules as soon as possible.

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ENTRY RESTRICTIONS

Do not allow people or pets to enter the treated area until dusts have settled. If product is watered-in, do not enter or allow others to enter the treated areas (except those involved in the watering) until the watering-in is complete and the surface is dry.

ANNUAL WEEDS CONTROLLED

Grassy weeds:

Barley, Hare; Barnyardgrass (Watergrass); Bluegrass, Annual;	Junglerice; Lovegrass; Oat, Wild; Panicum: Fall, Texas; Sandbur;
Brome; Cheat; Crabgrass; Cupgrass: Southwestern, Woolly;	Shattercane; Signalgrass (Brachiaria); Sprangletop; Stinkgrass;
Fescue, Rattail; Foxtail; Guineagrass; Goosegrass;	Wildcane; Witchgrass
Johnsongrass (from seed);	

Also controls these broadleaf weeds:

Carelessweed; Carpetweed; Chickweed; Goosefoot; Henbit;	Stinging; Pigweed; Puncturevine (Western U.S. only); Purslane;
Knotweed; Kochia; Lambsquarters; Nettle	Pusley, Florida; Thistle, Russian

FOR USE AROUND THESE ESTABLISHED PLANTS

Bulbs, Flowers, Herbs, Ground Covers & Ornamental Grasses

Aaronsbeard	Crown vetch	Ice plant: Largeleaf, Trailing,	Rockrose
Alyssum	Daffodil	Trailing rosea, White	Rose
Arctotis	Dahlia	Impatiens	Rosemary
Aster (perennial)	Daisy: African, Painted, Shasta,	Iris, Bulbous	Rudbeckia
Aster, Stoke's	Trailing African	lvy: Algerian, California, English,	Rupturewort
Baby's breath	Daylily	Needlepoint	Sage, Russian
Balsam	Descampsia	lxora	Salvia
Beard tongue	Dianthus	Jasmine: Angelwing, Asaian	Silver mound
Bee balm	Dusty miller	Lamb's ears	Snapdragon
Begonia	Fern, Asparagus	Lavender, English	Snow-insummer
Beliflower	Fescue, Blue	Lily turf: Big blue, Green/creeping,	Snow-on-the-mountain
Black-eyed susan	Floss flower (Ageratum)	Lilac beauty, Majestic, Silvery	Speedwell
Bleeding heart	Forget-me-not	sunproof, Variegated liriape, White	Spurge, Japanese
Bunge	Four o'clock	Lily-of-the-Nile	St. John's wort
Calendula	Foxglove	Lobelia	Statice
Calliopsis	Gaillardia	Lupine (Lupinus)	Stock
Cape weed	Gather	Marigold	Stonecrop (Sedum)
Carex, Variegated	Gazania	Marigold,Cape (Dimorphotheca)	Strawberry, Beach
Carnation	Geranium	Morningglory	Sunflower
Carpet bugle	Germander	Myoporum	Sweet alyssum
(Ajuga)	Geum	Narcissus	Sweet pea
Ceanothus	Gladiolus (corms more than 1" in	Nasturtium	Sweet sultan
Centaurea, Velvet	diameter)	Nicotiana	Sweet william
Chrysanthemum	Golden glow	Ozark sundrop	Thrift
Coneflower, Purple	Grass: Beech, Dwarf Mondo, Eulalia,	Periwinkle (Vinca)	Tickseed
Coral bells	Fountain, Mascarene, Mondo,	Peter Pan, Dwarf	Tulip
Coreopsis	Pampas, Ribbon, Zoysia	Petunia	Veroena
Cornflower, Purple	Guara	Phlox	Wire plant
Cosmos	Hakonechioa, Golden	Pincushion flower (Scabiosa)	Wirevine, Creeping
Cotoneaster	Hollyhock	Plumbago, Dwarf	Yarrow (Achillea)
Coyote bush,	Hosta, Albo-marginata	Poppy, California	Zinnia
Dwarf	Hyacinth	Portulaca	

Abefia: Edward Goucher, Glossy	Cherry: Carolina laurel, Dwarf	Honeysuckle: Cape, Trumpet	Rhaphiolepis: Charisma-
Acacia: Abyssinia, Prostrate,	pink flowering almond	Hopseed bush	Monruce, Enchantress-Moness,
Shoestring	Cinquefoil	Ixora	Roundleaf, Springtime-Monme
Andromeda, Japanese	Cleyera, Japanese	Jessamine, Carolina	Rhododendron
Arborvitae: American, Aureus	Cotoneaster: Bearberry,	Juniper	Robira
nano-dwarf golden, Emerald,	Cranberry, Himalayan, Praecox-	Lantana	Rose
Globosa-globe, Little giant-dwarf,	early, Pyrenees, Rock, Zabel	Laurel: American Cherry,	Rose, Ramanas
Minima glauca-dwarf, Nigra-dark	Coyotebush	Mountain	Rose of Sharon: Heart, Red
American, Pyramidalis-pyramid,	Cypress: Filifera-thread, Kosteri,	Leaf: Copper, Salarilemon	bird, Woodbridge
Rheingold, Techny	Nana-dwarf Hinoki, Torulosa	Leucothoe: Coast, Drooping	Sakaki
Azalea	Daphne, Fragrant	Lilac: Common, Chinese, Wild	Silverberry
Bamboo: Compacta-dwarf,	Deutzia	Lily-of-the-Valley: Forest flame,	Skimmia: Japanese, Reeve's
Harbour dwarf-heavenly,	Dogwood: Baileyi red osier,	Mountain fire, Snowdrift,	Smoke Tree: Royal purple,
Heavenly, Nana-compacta-	Flaviramea-yellowtwig, Sibirica-	Templebells, Valley rose, Valley	Coral beauty, Eichholz
heavenly, Nana purpurea-	Siberian	valentine	Spiraea: Anthony Waterer,
heavenly, Woods dwarf heavenly	Elaeagnus	Mahonia: Creeping, Leather leaf	Bridal wreath, Dolchia, False,
Barberry: Atropurea-redleaf	Euonymus: Canadale, Emerald'n	Maple: Amur, Coral bark	Japanese alpine, Shirobana,
Japanese, Aurea-golden	gold, Silver king, Spreading,	Japanese, Dwarf Japanese	Vanhoutte Sumac, African
Japanese, Crimson pygmy,	Sunspot, Variegated evergreen,	Mock orange	Summersweet
Japanese, Mento, Rose glow,	Winged, Wintercreeper	Myrtle: Crape, Wax	Sweetspire, Henry Garnet
William Penn	Fern: Tassel, Japanese painted	Oleander: Hardy red, Ruby lace	holly leaf
Bottlebrush: Lemon, Weeping	Firethorn (Pyracantha)	Osmanthus, Fortunes	Viburnum
Bougainvillea: Barbara Karst,	Forsythia	Palm: Areca, Chinese fountain,	Weigela
California gold, Pink pixie, Scarlett	Gardenia: August beauty,	Christmas, Pigmy date, Sago	Willow
O'Hara, Temple fire, Texas dawn	Mystery, Radican	Photinia, Fraser's	Woadwaxen
Boxwood: Common, Harlands,	Guava, Pineapple	Pieris Japonica	Woodbine: Flowering, Serotina
Japanese, Korean, Littleleaf	Hawthorn, India	Pine, Mugo-mugho	Xylosma
Broom: Hollandia-warminster,	Heather: Cornish, Purple bell,	Pittosporum: Green, Japanese,	Yew: Anglojap, Plum, Upright
Lena-Scotch	Mediterranean pink, Spring torch	Wheeler's dwarf	Japanese
Camellia: Japanese, Sasanqua	scotch	Plumbago	Yewpine
Cassia, Feathery	Hibiscus, Ross Estey	Privet	Yucca
Century plant	Holly	Red Cedar, Eastern	

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Trees

Ash: Shame!, White	Eucalyptus: Mealy, Redgum,	Mesquite, Chilean	Sourwood
Banana	Red ironbark, Silver dollar	Mulberry, White	Spruce: Colorado, Dwarf
Birch: European white, Paper,	Ficus, Mini	Oak: Bear, Live, Pin, Red,	Alberta, Dwarf globe blue,
River	Fir: Balsam, Douglas, White	Scarlet, Willow	Glauca-Colorado blue, Hoopsii-
Blackgum	Florida anise tree	Olive: Black, Russian	Hoop's blue, Koster-Koster
Bottle tree	Ginkomaidenhair tree	Palm: Mexican fan, Parlor,	blue, Norway, Pendura-
Carob	Hawthorn, Green	Queen Pine: Austrian, Beach,	weeping Norway, Repens-
Carrot wood	Hemlock: Canada, Eastern	Bosnian, Bristlecone, Canary	spreading Norway, White
Cherry, Yoshino flowering	Larch, Japanese	island, Columnar Scotch,	Sweetgum, American
Cooiibah tree	Linden	Eastern white, Eldarica,	Sycamore: American,
Cottonwood	Locust: Black, Honey,	Japanese black, Labially,	California Tab, Yellow
Crabapple	Shademaster honey	Monterey, Pumilio-shrubby	Toyon
Cypress: Arizona, Bald,	Magnolia	swiss mountain, Red, Scotch,	Tuliptree
Filicoides-fernspray, Gracilis-	Mahogany	Shore Planetree, London	Willow
slender Hinoki, Squarrosa-moss,	Maple: Albus-flowering, Flame,	Podocarpus	
Swara false	Luteus-flowering, Norway, Red,	Redbud, Eastern	
Dogwood: Cloud nine,	Red Sunset, Roseus-flowering,	Red Cedar, Eastern	
Flowering, Kousa Elm, Chinese	Silver, Sugar, Tangerine-	Sequoia, Giant	:
	flowering, Vesuvius red-flowering		

Almond	Currant	Lemon	Pecan
Apple	Dewberry	Loganberry	Pistachio
Apricot	Elderberry	Macadamia nut	Plum
Avocado	Fig	Nectarine	Pomegranate
Blackberry	Filbert	Olive	Prune
Blueberry	Gooseberry	Orange	Raspberry
Cherry: Sweet, Sour	Grape: American, European	Peach	Tangelo
Chestnut, Chinese	Grapefruit	Pear	Tangerine
	Kiwi		Walnut: Black, English

WHEN TO APPLY

Apply anytime during the growing season around established plants and transplants. Weed Preventer should not be used on flower seeds. It can be used after flowering plants have germinated and are 2-3 inches tall. Weed Preventer may also be incorporated into the soil when seeding vegetables or applied after mulching beds. Since it does not kill existing weeds, you must first remove any that have already begun to grow. By applying Weed Preventer as early as possible, you can eliminate the need for hand weeding.

Rain does not wash this product out of the soil. To keep ornamental beds weed-free all season long, reapply Weed Preventer every 9-12 weeks.

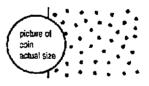
HOW TO APPLY

To avoid plant injury, do not apply Weed Preventer when foliage is wet. When plants are dry, sprinkle Weed Preventer on soil surface at rate given below for your specific planting situation. Once activated by watering or soil incorporation, Weed Preventer forms a weed control barrier in the top layer of soil, preventing weed seeds from germinating. Disturbance to the soil surface after activation may result in erratic weed control.

APPLYING AROUND ESTABLISHED PLANTS AND TRANSPLANTS

For flowers, roses, herbs, ground covers, ornamental grasses, shrubs, trees and listed vegetables at least 2-3 inches tall (see special section for use on vegetables): sprinkle Weed Preventer evenly over the entire soil surface, at the rate of 1 oz, per 10 sq. ft. (see picture below), being sure to keep granules away from plant roots and foliage. Immediately water Weed Preventer into soil surface. If watering-in is not convenient, lightly rake into soil surface. Always wash or brush off stray granules from plant foliage to avoid damage or discoloration.

Surface Application Rate Sprinkle Weed Preventer as shown on soil surface.



APPLYING WITH MULCH

For best weed control, apply Weed Preventer after spreading mulch on your flower and shrub beds. Sprinkle Weed Preventer on top of mulch at surface rate (see picture above), being sure to keep granules away from plant foliage. Immediately water Weed Preventer into mulch. If watering-in is not convenient, lightly rake into top layer of mulch. Always wash or brush off stray granules from plant foliage to avoid damage or discoloration.

FOR USE ON VEGETABLES

First remove all existing weeds, then lightly rake to prepare a smooth soil surface. Uniformly mix Weed Preventer into the top 1-2 inches of soil immediately after application, using care not to damage any emerged crops. Rate of application depends on type of soil, Apply at 1 lb. per 640 sq. ft. for heavy clay-type soils, at 1 lb. per 960 sq. ft. for medium loam soils, and at 1 lb. per 1,280 sq. ft. for light sandy soils.

BEFORE Seeding: Broccoli, Brussels Sprouts, Cabbage, Carrots, Cauliflower, Celery, Collard, Black-Eyed Peas, Field Peas, Green Peas, Kale, Lentils, Lima Beans, Mustard Greens, Okra, Radish, Southern Peas (Cow Peas), Snap Beans, Turnip Greens.

AFTER Seeding or Transplanting: Cantaloupes, Cucumbers, Watermelons. Apply after plants have developed 5 or

more leaves.

AFTER Planting: Potatoes (except in Maine) - May be applied after planting, before or after emergence. Use care not to damage seed pieces in cultivating nor allow treated soil to contact emerged plant foliage.

BEFORE Transplanting: Celery, Broccoli, Brussels Sprouts, Cabbage, Cauliflower, Eggplant, Peppers, Onions,

Tomatoes,

Perennial Vegetables:

Asparagus - Apply prior to spear emergence of established plants.

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GUARANTEE

Control Solutions, Inc. guarantees you will be satisfied with the performance of this product when used as directed, or your money back.

To the extent consistent with applicable law, the manufacturer makes no warranties, expressed or implied, concerning this product or its use, which extend beyond the description on the face hereof. All statements made concerning this product apply only when used as directed.

Optional Marketing Language:

Flower and Garden Weed Preventer

Prevents Weeds in Ornamental beds and around Bulbs, Flowers, Roses,

Herbs, Ground Covers, Ornamental Grasses, Shrubs, Trees & Vegetables

Ready To Use Granules with Built In Applicator (For plastic containers only)

Refillable Weed Preventer Canister (For plastic containers only)

Prevents weeds in one easy application.

Effective Weed Control - Prevents weeds all season long - eliminates the need for hand weeding.

Easy To Apply - Just shake on.

Apply any time throughout the growing season. Great over mulch. Stop weeds before they start!

Prevents weeds up to three months Sprinkle around flowers, vegetables, trees, shrubs

Apply anytime - spring, summer or fall

Stop[s] weeds before they start around flowers, vegetables, trees, shrubs

EASY TO USE APPLICATOR

Easy to Use Applicator Built In

With Trifluralin

Ready to Use Granules with Built in Applicator (For [Containers] [Bags] with Built in Applicator Only)