

54705-6

8/26/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 26 2009

Ms. Lynne C. Zahigian, Agent for
Lawn and Garden Products, Inc.
c/o Lynne Zahigian Regulatory Consulting
P.O. Box 1566 Fallon, NV 89407

Subject: Label Notification for Pesticide Registration Notices 2007-4 and 2008-1
(EPA Registration Number 54705-6)

Dear Ms. Zahigian,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRNs) 2007-4 and 2008-1 dated July 24, 2008 for the product Vegetable and Ornamental Weeder (EPA Registration Number 54705-6). The Registration Division (RD) has conducted its review of this request for its applicability under PRNs 2007-4 and 2008-1 and finds that the label changes requested fall within the scope of PRNs 2007-4 and 2008-1. The label submitted with the application has been 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 nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

2009

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
		<input type="checkbox"/> Amendment	
		<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 54705-6	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) VEGETABLE AND ORNAMENTAL WEEDER	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Lawn and Garden Products, Inc. c/o Lynne Zahigian Regulatory Consulting P.O. Box 1566 Fallon, NV 89407-1566 <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 EPA Reg. No. _____ Product Name AUG 26 2009	

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.)
 Notification to add the revised Residential Environmental Hazards statement and Container Handling statements per PR Notices 2007-4 and 2008-1. See cover letter for Notification statements.

Section - III

1. Material This Product Will Be Packaged in:				2. Type of Container	
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		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Pints; Quarts		5. Location of Label Directions <input checked="" type="checkbox"/> On container	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Lynne C. Zahigian	Title Agent	Telephone No. (Include Area Code) (775) 423-9122
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 Agent	
4. Typed Name Lynne C., Zahigian	5. Date 8/25/09	

Lynne C. Zahigian Regulatory Consulting

July 24, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: VEGETABLE AND ORNAMENTAL WEEDER, EPA Reg. No. 54705-6
Notification of Label Revisions Per PR Notices 2007-4 and 2008-1

Enclosed please find labeling for the notification action of Vegetable and Ornamental Weeder. The following changes have been made:

1. Environmental Hazards. Notification of label change per PR Notice 2008-1 dated May 1, 2008.

This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80, 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the guidance of PR Notice 2008.1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 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.

2. Storage and Disposal. Notification of label change per PR Notice 2007-4 dated October 29, 2007 and revised April 29, 2008.

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.

Enclosed in support of this submission is:

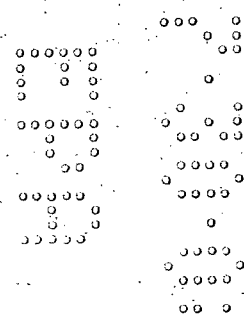
- o Application for Pesticide, EPA Form 8570-1.
- o One copy of the label for your files which the revised text highlighted.
- o A self-addressed stamped envelope so that I may receive a copy of the label stamped "Notification" in order to verify it has been received and accepted.

If you require any further information, please contact me at (775) 423-9122.

Regards,

Lynne C. Zahigian
Agent for Lawn and Garden Products, Inc.

cc: LGPI-EPA/Vegetable and Ornamental Weeder
LCZ-Chron



4098

VEGETABLE and ORNAMENTAL WEEDER

WEED & GRASS PREVENTER

- Preemergence Herbicide
- Use in Ornamental and Vegetable Gardens to Control Annual Grasses & Broadleaf Weeds



Active Ingredient:	
Trifluralin* (a,a,a-trifluoro-2,6-dinitro-N,N,-dipropyl-p-toluidine) ...	43.0%
Other Ingredients:	57.0%
Total	100.0%

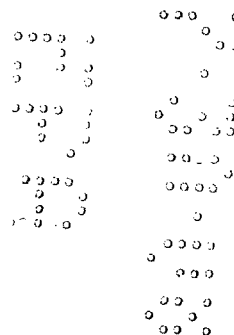
Contains petroleum distillates.
Contains 4 pounds active ingredient per gallon.

EPA Reg. No. 54705-6

EPA Est. No. 48498-CA-1

NET CONTENTS: 1 Pint and 1 Quart

Manufactured For:
LAWN AND GARDEN PRODUCTS, INC.
P. O. Box 35000 • Fresno, CA 93745 • (559) 499-2100
www.montereylawngarden.com



KEEP OUT OF REACH OF CHILDREN
CAUTION

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Avoid contact with eyes, skin or clothing. Wear a long-sleeved shirt, long pants, chemical-resistant gloves, and shoes plus socks when mixing and applying this product. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse. Keep all persons, children, and pets out of treated area until sprays have dried.

5098

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 first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If Swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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. • Do not give anything by mouth to an unconscious person.
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. • May pose an aspiration pneumonia hazard.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.</p>	
NOTICE TO PHYSICIAN	
<p>This product contains an aromatic hydrocarbon and can be extremely harmful if swallowed. Aspiration of this product may produce a severe pneumonitis. Stomach lavage with a cuffed endotracheal tube in place and immediate administration of activated charcoal, 6-9 heaping teaspoonfuls with water, should be considered. Treatment is otherwise symptomatic and supportive.</p>	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. ~~To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.~~

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For Residential Use. Read all Directions For Use carefully before applying.

GENERAL INFORMATION

VEGETABLE AND ORNAMENTAL WEEDER is a preemergence herbicide for the control of annual grasses and broadleaf weeds in ornamental trees, ornamental woody shrubs, ornamental groundcovers, roses, established flowers and vegetable gardens.

VEGETABLE AND ORNAMENTAL WEEDER is a preemergence herbicide which provides a long-lasting control of annual grasses and broadleaf weeds (see following list). VEGETABLE AND ORNAMENTAL WEEDER controls weeds by killing their seeds as they germinate. It does not control established weeds.

VEGETABLE AND ORNAMENTAL WEEDER is recommended for use on a wide variety of vegetables, ornamental trees, ornamental groundcovers, shrubs and flowers.

GRASSES CONTROLLED

- | | |
|----------------------------|--------------------------|
| Annual bluegrass | Johnsongrass (from seed) |
| Barnyardgrass (Watergrass) | Junglerice |
| Brachiaria | Panicum, Fall |
| Bromegrass | Panicum, Texas |
| Cheat | Sandbur |

Crabgrasses
Foxtail

Sprangletop
Stinkgrass
Woolly cupgrass

BROADLEAF WEEDS CONTROLLED

Carpetweed
Chickweed
Florida pusley
Goosefoot
Knotweed
Kochia

Lambsquarters
Pigweed
Puncturevine (Western U.S. only)
Purslane
Russian thistle
Stinging nettle

Note: VEGETABLE AND ORNAMENTAL WEEDER will not control certain resistant weeds such as Cocklebur, Velvetleaf, Jimsonweed, Ragweed, Venice Mallow and Nutgrass.

GENERAL USE PRECAUTIONS

Applied according to directions and under normal growing conditions, VEGETABLE AND ORNAMENTAL WEEDER will not harm the treated plant. Over-application may result in plant injury or a soil residue. Uneven application of VEGETABLE AND ORNAMENTAL WEEDER can result in erratic weed control or plant injury. Seedling disease, cold weather, deep planting, excessive moisture, high salt concentration or drought may weaken plant seedlings and increase the possibility of damage from VEGETABLE AND ORNAMENTAL WEEDER. Under these conditions, delayed plant development or reduced yields may result.

NOTE: Staining may occur on certain materials. Wash VEGETABLE AND ORNAMENTAL WEEDER solution into the soil with water immediately after application.

SURFACE APPLICATION AND WATER INCORPORATION DIRECTIONS

Mix 3 fluid ounces of VEGETABLE AND ORNAMENTAL WEEDER in 2 gallons of water and apply to 1,000 square feet. Start with a clean spray tank. Fill sprayer 1/2 full with clean water, then add VEGETABLE AND ORNAMENTAL WEEDER. Finish filling sprayer with water and shake occasionally to keep solution mixed. Spray solution directly onto soil. Follow application within 24 hours with 1/2 inch rain or its equivalent in sprinkler irrigation or poor weed control will result.

APPROVED ORNAMENTAL SPECIES

Woody Shrubs

Andromeda, Japanese
Arborvitae, American
Azalea
Barberry, Japanese
Barberry, mento
Boxwood, common
Boxwood, Harlands
Boxwood, littleleaf
Camellia, Japanese
Camellia, susanqua
Cherrylaurel, American
Cinquefoil
Cleyera, Japanese
Cotoneaster, cranberry

Cotoneaster, zabel
Deutzia
Elaeagnus, silverberry
Euonymus, spreading
Euonymus, winged
Euonymus, wintercreeper
Firethorn
Forsythia
Guava, pineapple
Hawthorn, India
Holly
Honeysuckle
Juniper
Laurel, mountain

Lilac, common
Mockorange
Pittosporum, Japanese
Privet
Redcedar, eastern
Rhododendron
Spirea, Vanhoutte
Viburnum
Weigela
Willow
Yew, anglojap
Yew, Japanese
Yewpine

Trees

Almond
Apple, Crabapple
Apricot
Ash, white
Baldcypress
Birch, European white
Blackgum
Cherry
Chestnut, Chinese
Cottonwood
Dogwood, flowering

Hemlock, Canada
Honey locust
Larch, Japanese
Locust, black
Maple, Norway
Maple, red
Maple, silver
Maple, sugar
Oak, pin
Oak, red
Oak Scarlet

Pine, Japanese black
Pine, loblolly
Pine, red
Pine, scotch
Planetree, London
Plum
Redbud, eastern
Spruce, Colorado
Spruce, Norway
Spruce, white
Sweetgum

7098

Dogwood, kousa
Douglas fir
Fir, balsam

Peach
Pine, Austrian
Pine, Eastern white

Sycamore
Tuliptree
Walnut, black

Groundcover Plantings

Aaronsbeard
Bellflower, Adriatic
Bellflower, Poscharsky
Ceanothus
Coreopsis
Cotoneaster
Coyote brush
Crown vetch
Daisy, Trailing African
Fern, asparagus
Gazania

Germander
Ice plant, largeleaf
Ivy, Algerian
Ivy, English
Lily-of-the-Nile
Lilyturf, bigblue
Marigold
Myoporum
Plumbago, dwarf
Rockrose
Rosemary

Rupturewort
Snow-in-Summer
Speedwell
St. Johnswort
Stonecrop (Sedum)
Strawberry, beach
Thrift
Wirevine, creeping
Yarrow, woolly
Zoysiagrass

Roses and Other Established Flowers

African daisy
Aster (perennial)
Balsam
Blackeyed Susan
Calendula
Carnation
Centaurea, velvet
Chrysanthemum
Coreopsis
Cornflower
Cosmos
Dahlia
Dianthus
Dusty Miller
Floss flower
Forget-Me-Not

Four O'Clock
Gallardia
Gladiolus
Golden glow
Impatiens
Ixora
Lobelia
Lupine
Marigold
Marigold, cape
Morningglory
Nasturtium
Nicotiana
Petunia
Phlox
Pincushion flower

Poppy, California
Portulaca
Rose
Salvia
Shasta daisy
Snapdragon
Snow-On-The-Mountain
Stock
Sunflower
Sweet alyssum
Sweet pea
Sweet sultan
Sweet William
Vinca
Yarrow
Zinnia

VEGETABLE GARDENS

Asparagus — Established

VEGETABLE AND ORNAMENTAL WEEDER can be applied to established asparagus as a single application. Apply VEGETABLE AND ORNAMENTAL WEEDER to asparagus after ferns are removed, but before spear emergence.

Beans (Lima and Snap)

Carrot

Cole Crops (Broccoli, Brussels Sprout, Cabbage and Cauliflower)

Celery — Direct seeded and transplant

CUCURBITS — Postplant Emerged (Cantaloupe, Cucumber and Watermelon)

Greens (Turnip Greens, Collard, Kale and Mustard)

Green Pea

Okra

Pepper — Transplant

Apply prior to transplanting only.

Potatoes — All States except Maine

Apply VEGETABLE AND ORNAMENTAL WEEDER after planting, before emergence, or after the potato plants have fully emerged.

Southern Pea
Before planting only.

Tomato — Transplant

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container and place in an area inaccessible to children. Avoid freezing. Store above 40°F. If frozen, poor weed control may result. Do not store near heat or open flame.

CONTAINER/PESTICIDE DISPOSAL: ~~If empty: Nonrefillable container. Do not reuse or refill 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.~~

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the 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 the manner of use or application, all of which are beyond the control of Lawn and Garden Products, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Lawn and Garden Products, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Lawn and Garden Products, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Lawn and Garden Products, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all such losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Lawn and Garden Products, Inc.'s election, the replacement of product.

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