

54705-11

01/15/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 15 2009

Ms Lynne C. Zahigian
Agent for Lawn and Garden Products, Inc
C/O Lynne Zahigian Regulatory Consulting
PO BOX 1566
Fallon, NV 89407-1566

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4, 98-10 and 2008-1

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, 98-10 and 2008-1 dated December 17, 2008 for:

EPA Registration 54705-11 Weed Stopper Hose'Em

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4, 98-10 and 2008-1, 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 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 contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

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



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 54705-11	2. EPA Product Manager Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) WEED STOPPER HOSE 'EM / WEED IMPEDE HOSE 'EM	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 _____ JAN 15 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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 of label changes per PR Notices 98-10, 2007-4 and 2008-01. Please see cover letter for Certifications.

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 type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* 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 24 Fl. Oz. / 30 Fl. Oz.		5. Location of Label Directions <input checked="" type="checkbox"/> Booklet attached to container	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

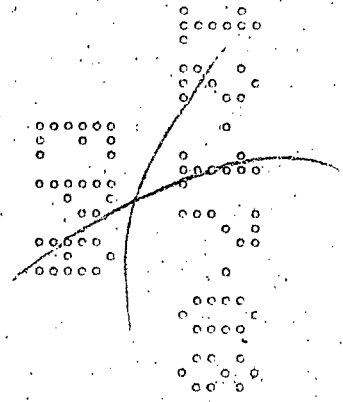
Section - IV

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 12/17/08	

Lynne Zahigian Regulatory Consulting

December 17, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
Registration Division
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460



RE: Notification of Minor Changes per PR Notices 98-10, 2007-4, and 2008-1
WEED STOPPER HOSE 'EM, EPA Reg. No. 54705-11

On behalf of Lawn and Garden Products, Inc., I am submitting a Notification to your Agency to make minor changes to the above referenced label per PR Notices 98-10, 2007-4 and 2008-1.

Lawn and Garden Products, Inc. wishes to revise their label text in the following areas under Notification of label change per PR Notice 98-10:

- 1) The addition of the California Proposition 65 warning statement for oryzalin.
- 2) Rewording the instructions for using the hose-end sprayer under "How To Use This Sprayer". These instructions are more accurate for the bottle.
- 3) The addition of a drawing of the hose-end sprayer.
- 4) Updated the Warranty Statement.

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 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 terms of PR Notice 98-10 and the requirements of 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.

- 5) 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.

EPA Notification – Weed Stopper Hose ‘Em
December 17, 2008
Page 2 of 2

- 6) 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.

I am enclosing the following in support of our Notification:

- o A completed Application for Pesticide.
- o One (1) copy of the proposed Weed Stopper Hose ‘Em label with the revisions highlighted.

NOTE: Can you please send a copy of the stamped Notification or an approval letter when the label has been reviewed so that I know it is approved?

If you have any questions regarding this submission, please contact me at (775) 423-9122

Regards,

Lyne C. Zahigian
Agent — Lawn and Garden Products, Inc.

cc: LGPI-EPA/Weed Stopper Hose ‘Em
LCZ-Chron

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WEED STOPPER HOSE 'EM®

Alternate Brand Name – WEED IMPEDE® HOSE 'EM®

Selective Preemergence Herbicide

- Controls growth of annual grasses and broadleaf weeds in flower beds, groundcovers, ornamental beds, around shrubs and trees, and in driveways, walkways and other non-planted areas
- Just attach to a garden hose and spray
- Covers 1,000 square feet (1,250 square feet)

NOTIFICATION

JAN 15 2009

Active Ingredient:	
Oryzalin: 3,5-dinitro-N ⁴ ,N ⁴ -dipropylsulfanilamide	3.0%
Other Ingredients:	97.0%
Total	100.0%

Contains 0.25 pounds active ingredient per gallon.

EPA Reg. No. 54705-11

EPA Est. No. 48498-CA-1

WEED IMPEDE and HOSE 'EM are registered trademarks of Lawn and Garden Products, Inc.

ATTENTION: This product contains oryzalin, which is a chemical known to the State of California to cause cancer.

NET CONTENTS: 24 FL. OZ. (1 PT. 8 FL. OZ.)
[30 FL. OZ. (1 PT. 14 FL. OZ.)]

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

FIRST AID
<p>If In Eyes: • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.</p>
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>

PRECAUTIONARY STATEMENTS

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Causes moderate eye irritation. May cause skin allergies to develop. Avoid contact with skin, eyes or clothing. Wear a long-sleeved shirt, long pants, chemical-resistant gloves, and shoes plus socks when applying this product. Remove contaminated clothing and wash before reuse. Keep all persons, children, and pets out of treated area until sprays have dried.

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 household use only.

What Is This Product? And What Will It Do?

WEED STOPPER HOSE 'EM'® is the easy way to have beautiful, weed-free flower beds as well as weed-free driveways, walkways and other non-planted areas all year round. Once you've cleaned out the weeds and grass already growing around your flowers, shrubs and trees, WEED STOPPER HOSE 'EM'® keeps them from coming back. And it lasts up to 4 months!

Now you can plant your zinnias, pansies or marigolds, spray with WEED STOPPER HOSE 'EM'®, then sit back and watch them grow. No more hands-and-knees weeding for you.

This easy-to-use container attaches right to your garden hose, so there's no mixing. Use only what you need, then put it away for next time. When the container is empty, simply throw it away.

How Do I Use This Product?

When To Use:

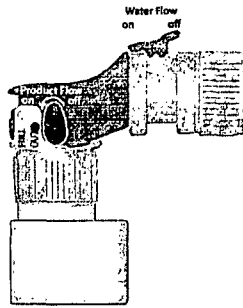
For established beds and borders, you can use WEED STOPPER HOSE 'EM'® anytime throughout the growing season. But, the area must be free of weeds and grass, before you spray. Re-spray every 3 to 4 months to keep the areas free of weeds.

What To Do:

Shake well before using. WEED STOPPER HOSE 'EM'® won't work on weeds and grasses already growing. So, you have to remove them before you get started. When you are finished preparing the area, you can spray.

How To Use This Sprayer: Shake container well before getting started.

1. Before you start, the blue top water flow valve should be in the "OFF" position, and the red product flow valve should be in the up, "OFF" position.
2. Shake container well and attach it to your garden hose.
3. Turn on the water from the faucet.
4. To apply, remove side pin (labeled "PULL OUT") and rotate red product flow valve to "ON"; then, while holding sprayer at waist level and pointing in a direction away from face and body, push blue water flow valve forward to activate water.
5. When you are finished spraying or if you have to stop spraying at any time, press blue water flow valve with thumb to the rear to shut off water and return side red valve to the upright "OFF" position and replace side pin.
6. Turn off the water at the faucet.
7. Remove the container from the garden hose; then, rinse thoroughly and store according to storage instructions.



How To Refill This Sprayer:

Remove spray head. Add 2 fluid ounces of Weed Stopper (Weed Impede®), EPA Reg. No. 54705-5 to spray container. Fill remainder of container with water. Reattach spray head. Shake well and continue spraying.

Spray WEED STOPPER HOSE 'EM'® evenly over the soil and the plants (yes, right over the top of the leaves), but avoid areas where bulbs are planted. The orange color lets you see where you have sprayed and prevents skips or overlaps. This whole bottle will cover 1,000 square feet (20' x 50') [1,250 square feet (20' x 62.5')]. Water the area with clear water for about ½ hour after treating.

For Barkdust Areas Or Other Mulch Covers: Wet the area well with clear water before spraying with WEED STOPPER HOSE 'EM'®. Water again afterwards.

What Not To Do:

Do not use WEED STOPPER HOSE 'EM'® around vegetables, fruits or other edible plants. Do not use on lawns or dichondra. Do not treat steep areas, where product may move downhill. Do not use over newly planted ice plant. Wait several weeks, until ice plant is well rooted, before applying WEED STOPPER HOSE 'EM'®.

Do not use this product around these plants; they will be damaged: Tecoma arborescens, Eastern (Canada) hemlock, or Slender deutzia.

Once an area is treated, do not dig in or otherwise disturb the soil surface. Weeds may pop up. Do not plant seeds, seedlings or other shallow rooted plants in a treated area until 4 months have passed. They may be damaged.

WEED STOPPER HOSE 'EM'® is orange in color. It will stain paint, stucco, wood, cement, brick, gravel clothing and many other surfaces around the house. Do not allow this product to contact any of these. Do not allow adults, children or pets back onto the sprayed area until it has dried.

What Will I See?

You will see beautiful flower beds with no weeds to spoil the view. You will see clean, tidy shrub beds, and weeds will no longer spring up around trees, in gravel walkways and driveways.

STORAGE AND DISPOSAL

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

STORAGE: Avoid freezing. Store above 40°F. Store in original container only and keep in a locked storage area out of reach of children and domestic animals. Rinse equipment thoroughly with water after using.

CONTAINER/PESTICIDE DISPOSAL: If empty: Nonrefillable container. Do not reuse or refill this container unless the directions for use allow concentrated product to be diluted in the 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.

CONDITIONS OF SALE AND WARRANTY

Lawn and Garden Products, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated when used in accordance with the use directions under normal conditions. Lawn and Garden Products, Inc. neither makes nor authorizes any agent or representative to make any other warranties, express or implied, including fitness or merchantability.

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. Plant injury, ineffectiveness or other unintended consequences may result because of such factors as timing and method of application, weather and plant conditions, presence of other materials, or other influencing factors, all of which are beyond the control of Lawn and Garden Products, Inc. and Seller. To the extent consistent with applicable law, buyer and user acknowledge and assume all risks and liability resulting from the handling, storage and use of the material not in strict accordance with directions given herewith. In no case shall Lawn and Garden Products, Inc. or the Seller be liable for consequential, special, indirect, or incidental damages or losses resulting from the handling or use of this product. The foregoing is a condition of sale by Lawn and Garden Products, Inc. and is accepted as such by the Buyer.

BATCH CODE:

08011209(03)

[OPTIONAL HOSE-END SPRAYER DIRECTIONS]

1. Make sure knob is twisted fully clockwise to OFF position. Shake well before attaching to hose.
2. Turn Product Control Button clockwise until its point aligns with triangle, then push all the way in. Avoid squeezing bottle.
3. Turn water on at faucet, aim nozzle toward lawn and turn knob counter clockwise to begin spraying.
4. When finished push Product Control Button to OFF position from opposite side. Return knob and faucet to OFF position.
5. Discharge water pressure by turning knob ON and OFF again.
6. Turn Product Control Button counter clockwise away from triangle to prevent accidental discharge.
7. Rinse container thoroughly and store according to Storage Instructions.

NOTIFICATION

JAN 15 2009