

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Dr. John J. Jachetta, Ph.D. Product Registration
Dow AgroScience LLC
9330 Zionsville Road
Indianapolis, IN 46268

AUG 14 2008

SUBJECT:

Application for Pesticide Notification (PRN 98-10 and PRN 2008-1)

Request General Label Change (Comply with FL Regulations)

EPA Reg. No.62719--263

Application Dated July 7, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/07/08 for the above product. 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 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

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308/2E July 7, 2008



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

LAWN FERTILIZER PLUS CONFRONT WEED CONTROL (A.I. TRICLOPYR, CLOPYRALID) EPA REGISTRATION NUMBER: 62719-263 NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICES 98-10 AND 2008-1

Enclosed please find labeling for the notification action of Lawn Fertilizer Plus Confront® Weed Control herbicide. The following changes have been made by notification:

- 1. Sale copy: To comply with Florida fertilizer law 5E-1.003, added (1) "In the state of Florida, do not apply near water. . .onto your lawn/garden.": (2) "Covers up to XX,000 sq ft (XXX' x XX') and/or This bag covers XX,000 sq ft."
- 2. Environmental Hazards: Per PR Notice 2008-1, revised statement.
- 3. General Use Precautions and Restrictions: To comply with Florida fertilizer law 5E-1.003, added new bullet point to be included for those products registered in the state of Florida.

This notification is consistent with the provisions of PR Notice 98-10 and PR Notice 2008-1 and EPA regulations at 40 CFR 152.46, 40 CFR 156.10, and 156.80 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 PR Notice 2008-1 and 40 CFR 152.46, 40 CFR 156.10, and 156.80 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.

Contents of Submission

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Lawn Fertilizer Plus Confront Weed Control (R2A/Lawn Fertilizer Plus Confront/Notif/07-07-08) (11 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655 or Chris Hutchison, Registration Assistant for this product, at (317) 337-4976.

Sincerely,

John J. Jachetta, Ph.D. Regulatory Leader (317) 337-4686

(317) 337-4649 (FAX)

Enclosures

[®]Trademark of Dow AgroSciences LLC

Yease read instructions	on reverse before complet	ting form.		Form Approve	ed. OMB No. 2070	0-0060. Approval expires 2-28-9
≎EPA	Environmental	Inited States I Protection ngton, DC 20460	•	\ \ \	Registratio Amendmer Other	OPP Identifier Number
		Application	ı for Pestici	ide - Sectior	n I	
Company/Product Num Dow AgroSciences			1	Product Manager s Tompkins		3. Proposed Classification ✓ None Restricted
4. Company/Product (Na Dow AgroSciences	ame) : LLC/Lawn Fertilizer Pl	us Confront	PM# 25			
Dow AgroSciences 9330 Zionsville Ro Indianapolis, IN 4	oad	1e)	(b)(i), rr to: EPA F		milar or identical NOTIF	with FIFRA Section 3(c)(3) in composition and labeling FICATION 1 4 2008
			Section - I			
Amendment - Exp Resubmission in Notification - Exp	response to Agency letter	dated		- 1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	ication.	
This notification is consist and no other changes has Sec. 1001 to willfully male	ave been made to the labelin ake any false statement to EP FR 152.46, 40 CFR 156.10, a	PR Notice 98-10 and or the confident PA. I further unde	and PR Notice 200 ntial statement of fo erstand that if this i roduct may be in v	ormula of this prod notification is not c violation of FIFRA a	duct. I understand the te	52.46, 40 CFR 156.10, and 156.80 nat it is a violation of 18 U.S.C. erms of PR Notice 98-10 and PR tt to enforcement action and
			Section - II	<u> </u>		
1. Material This Product Child-Resistant Packagin Yes No * Certification must be submitted	Unit Packaging Yes No	No. per	Water Soluble P. Yes No If "Yes" Package wgt	Packaging No. per container	Pla Gla Pa	tainer etal astic ass aper her (Specify)
3. Location of Net Conte	Container	4. Size(s) Retail	Container		ocation of Label Di	rections
6. Manner in Which Labe	al is Affixed to Product	Lithograp Paper glu Stenciled	ued d	Other		
			Section - I\	V		
1. Contact Point (Comp.	plete items directly below fo	or identification o	of individual to be	e contected, if ne	cessery, to process	s this application.)
Name John J. Jachetta, Ph.D.		į.	itle Regulatory Mana	ıger	4	phone No. Include Area Code) 7) 337-4686 (fax: 317-337-4649)
I certify that the st I acknowledge that both under applica	statements I have made on s at any knowlinglly false or n able law.	Certification this form and all misleading states	l attachments the	ereto are true, acc sishable by fine or	curate and complete	6. Date Application Received
2. Signature	les Soypi	. (Title Regulatory Manage	ər		
4. Typed Name John J. Jachetta, Ph.D. (jjjachetta@dow.com)		5.	_{Date} July	July 7, 2008		

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R2A / Lawn Fertilizer Plus Confront / Notif / 07-07-08 file: Lawn Fert Plus Confront-263 07Jul08N.doc

Lawn Fertilizer Plus Confront® Weed Control

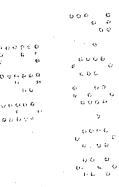
EPA Reg. No. 62719-263

Registration Notes:

Source label text based on EPA-accepted copy dated November 23, 2001 and notification coded "R2A / Lawn Fertilizer Plus Confront / Notif / 09-04-07."

Changes by notification:

- 1. Sale copy: To comply with Florida fertilizer law 5E-1.003, added (1) "In the state of Florida, do not apply near water. . .onto your lawn/garden."; (2) "Covers up to XX,000 sq ft (XXX' x XX') and/or This bag covers XX,000 sq ft."
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Page 1

(Base label):

AUG 14 2008

Lawn Fertilizer Plus Confront® Weed Control

Herbicide

For use on bahiagrass, common bermudagrass, bluegrass, centipedegrass, fescue, ryegrass, or zoysiagrass lawns.

Do not use grass clippings from turf treated with this product for mulch or for compost to be used in the growing season of application.

In the state of Florida, do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn/garden, and sweep any product that lands on the driveway, sidewalk, or street, back onto your lawn/garden.

Covers up to XX,000 sq ft (XXX' x XX')

and/or

This bag covers XX,000 sq ft

Kills dandelions

and/or

Treats and feeds up to 5000 sq ft

and/or

Thick, green, weed-free turf

and/or

Timed-release nitrogen won't burn your lawn or cause surge growth

and/or

[Subregistrant] No-Quibble Guarantee

and/or

Toll-Free Consumer Hotline: 1-800-XXX-XXXX

and/or

Unlike other weed-and-feeds, every particle of Lawn Fertilizer Plus Confront contains [(Subregistrant)'s patented timed-release nitrogen] [phosphorus] [potassium] [exclusive, highly effective weed control]

and/or

Do not use on St. Augustinegrass, hybrid bermudagrass, carpetgrass, bentgrass, dichondra, or lippia lawns

and/or

Patented Particle Technology

Active Ingredients:

triclopyr: 3,5,6 trichloro-2pyridinyloxyacetic acid,

clopyralid: 3,6-dichloro-2pyridinyloxyacetic acid,

Acid Equivalent:

triclopyr - 0.36% clopyralid - 0.12%

Guaranteed Analysis		
Total nitrogen (N)		XX.X%
V VO/ promoving and religions and		
XX.X% urea, methylene ureas nitrogen		
X.X% water insoluble nitrogen	,	
Available phosphoric acid (P ₂ O ₅)		X.%
Soluble potash (K ₂ O)		
Derived from:		

Keep Out of Reach of Children

WARNING

Precautionary Statements

Hazards to Humans and Domestic Animals

Causes Substantial But Temporary Eye Injury • Harmful If Absorbed Through The Skin

Do not get in eyes or on clothing. Avoid contact with skin. Wear long-sleeved shirt and long pants, socks and shoes, goggles or face shield and chemical resistant gloves made of rubber or other waterproof material. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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.

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.

If on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call 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 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent runoff to water bodies or drainage systems.

Clopyralid is a chemical which can travel (seep or leach) through soil and under certain conditions contaminate ground water which may be used for irrigation or drinking purposes. Users are advised not to apply clopyralid where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an over limestone bedrock, severely fractured surfaces, and substrates which could allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

Storage and Disposal

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

Pesticide Storage: Store in original container in a clean, dry area away from extremes of heat and cold and out of direct sunlight.

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

Refer to label booklet for Directions for Use.

Notice: Read the entire label. Use only according to label directions. Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies elsewhere on this label. If terms are unacceptable, return at once unopened.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Agricultural Chemical: Do not ship or store with food, feeds, drugs, or clothing.

EPA Reg. No. 62719-263

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EPA	Est.			

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Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

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(Label booklet cover):

Lawn Fertilizer Plus Confront® Weed Control

Herbicide

For use on bahiagrass, common bermudagrass, bluegrass, centipedegrass, fescue, ryegrass, or zoysiagrass lawns.

Do not use grass clippings from turf treated with this product for mulch or for compost to be used in the growing season of application.

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This bag covers XX,000 sq ft

Kills dandelions

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Treats and feeds up to 5000 sq ft

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Thick, green, weed-free turf

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and/or

Patented Particle Technology

Active Ingredients:

Acid Equivalent:

triclopyr - 0.36% clopyralid - 0.12%

Guaranteed Analysis	
Total nitrogen (N)	XX.X%
X.X% ammoniacal nitrogen	
XX.X% urea, methylene ureas nitrogen	1
X.X% water insoluble nitrogen	
Available phosphoric acid (P ₂ O ₅)	X.%
Soluble potash (K ₂ O)	X.%
Derived from:	

Keep Out of Reach of Children

WARNING

Refer to inside of label booklet for additional precautionary information including Directions for Use.

Notice: Read the entire label. Use only according to label directions. Before using this product, read Warranty Disclaimer and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Agricultural Chemical: Do not ship or store with food, feeds, drugs, or clothing.

EPA Reg. No. 62719-263

EPA Est. No. _____

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Net Weight _

(Page 1 through end):

Precautionary Statements

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User Safety Recommendations

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Clopyralid is a chemical which can travel (seep or leach) through soil and under certain conditions contaminate ground water which may be used for irrigation or drinking purposes. Users are advised not to apply clopyralid where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an over limestone bedrock, severely fractured surfaces, and substrates which could allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

Directions for Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use before applying.

Storage and Disposal

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

Pesticide Storage: Store in a cool dry place out of the reach of children and domestic animals. Store in original container only.

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

How This Product Works

[Subregistrant's] Patented Particle Technology is available only in [Subregistrant] products, so don't be fooled by weed-and-feeds claiming to be "just like [Subregistrant's]"

Remember, even weed-and-feeds claiming to contain slow- or controlled-release nitrogen are typically just simple mixes, so they can't deliver the consistent great results you'll get from (Subregistrant's) Patented Particle Technology. With (Subregistrant) Lawn Fertilizer Plus Confront Weed Control, every particle contains time-release nitrogen plus the other primary nutrients and weed control.

Ordinary Simple Mixes

- Nutrient and weed control granules of many different sizes and shapes
- Result: granules of unequal size can separate during application
- The amount of individual nutrients and weed control in each square inch of lawn may vary greatly
- Result: uneven, inconsistent weeding and feeding

[Subregistrant's] Technology

- Lawn Fertilizer Plus Confront Weed Control granules are consistent in size and shape
- Result: consistent distribution of nutrients and weed control
- Lawn Fertilizer Plus Confront Weed Control delivers the same ratio of primary nutrients plus weed control to every square inch of turf
- Result: consistent greening plus better weed control

Dandelions and other weeds will be killed in 4 to 5 weeks and your lawn will be greener in 4 to 6 days.

Small, lightweight granules mean better weed control. Most lawn weed controls must be absorbed through the weed's leaves to be effective. Lawn Fertilizer Plus Confront Weed Control granules are small and lightweight so they will stay on even the smallest weed leaves. Weed control in Lawn Fertilizer Plus Confront Weed Control is absorbed by the weed's leaves and roots, killing the plant completely.

Weed stems and leaves will begin to twist and curl within a week, but a month or more may be required for complete control. If weed control is incomplete after 4 to 5 weeks, a repeat application can be made. To minimize grass injury, additional applications should be at least 4 weeks apart.

General Use Precautions and Restrictions

Avoid contact with eyes, skin, or clothing during and after application. 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 contaminate feed or foodstuffs.

Do not contaminate water used for irrigation or domestic purposes.

Do not graze treated areas. Do not feed clippings to livestock.

Do not apply in a brisk wind as drift may contact desirable plants and cause injury.

Do not apply to exposed roots of shallow-rooted trees and shrubs or allow contact with exposed suckers as injury may occur.

Do not reseed until 4 weeks after application.

Do not use Lawn Fertilizer Plus Confront Weed Control on golf course putting greens or tees.

Do not apply at greater than recommended rates especially under the branch spread (dripline) of trees.

Do not use grass clippings from turf treated with Lawn Fertilizer Plus Confront Weed Control for mulch.

Do not use compost containing grass clippings from turf treated with Lawn Fertilizer Plus Confront Weed Control in the growing season of application.

Entry Restrictions: Do not enter or allow people or pets to enter the treated area until dusts have settled.

[Editor's note: Supplemental distributor will add one of the following statements as appropriate if their product is registered in the state of Florida.]

- Florida Applications: Do not exceed [2] [3] applications per year on bahiagrass in the north.
- Florida Applications: Do not exceed [2] [3] [4] applications per year on bahiagrass in [central Florida] [the south].
- Florida Applications: Do not exceed [3] [4] [5] applications per year on bermudagrass in the north.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on bermudagrass in central Florida.
- Florida Applications: Do not exceed [5] [6] [7] applications per year on bermudagrass in the south.
- Florida Applications: Do not exceed [1] [2] applications per year on centipedegrass in the north.
- Florida Applications: Do not exceed [2] [3] applications per year on centipedegrass in [central Florida] [the south].
- Florida Applications: Do not exceed [3] [4] [5] applications per year on zoysiagrass in the north.
- Florida Applications: Do not exceed [3] [4] [5] [6] applications per year on zoysiagrass in central Florida.
- Florida Applications: Do not exceed [4] [5] [6] applications per year on zoysiagrass in the south.

Apply anytime weeds are actively growing when daytime temperatures are consistently above 60°F. Avoid applying when temperatures are consistently above 90°F or during drought conditions. Applications during these conditions may provide less control than desirable.

Apply on a calm day.

Lawn Fertilizer Plus Confront Weed Control is absorbed by both foliage and roots. Weeds listed in the Regular Rate section can be controlled by application to dry foliage. For best results, apply when good moisture conditions are present.

To control weeds listed in the Heavy Rate section, apply to moist grass. To help particles stick to weed leaves, the grass should be thoroughly watered or wet from dew before applying Lawn Fertilizer Plus Confront Weed Control.

In the fall, apply up to the last mowing or as long as grasses are actively growing.

On bahia and centipedegrass lawns, wait until after the second mowing of the year, but NOT before mid-March. In the fall, DO NOT treat centipedegrass after the first of October and DO NOT treat bahia after the first of November.

Do not use this product on flowers, shrubs, fruit, or vegetable plants, or on creeping bentgrass, St. Augustinegrass, dichondra, or lippia lawns. Do not apply this product to hybrid bermudagrass varieties such as tifdwarf, tifgreen, and tifway. On common bermudagrass, bahia, centipedegrass, or zoysia lawns, under certain conditions some temporary discoloration may result.

Watering or rain: Do not water your lawn for 24 hours after application. Do not apply when rain is expected within 24 hours. Water will wash the weed control product off the weed leaves and reduce its effectiveness.

How to Apply

For best results, use a [_____] spreader

Be careful when applying this product near shrubs, flower beds, or vegetable gardens, as contact with this weed control product may damage these desirable plants. When using any rotary spreader, take special care near desirable plants.

Spreader Settings					
Spreader	Regular Rate covers 5000 sq ft	Heavy Rate covers 4300 sq ft	Directions		
Scotts Drop Spreaders	XX	, xx	Mow lawn first; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.		
Scotts EasyGreen Spreaders	XX	XX	Make each pass about 30 inches from previous pass to overlap spread width.		
Scotts SpeedyGreen Rotary	XX	XX	Make each pass about 5 feet from previous pass to overlap spread width.		

Additional Spreader Settings	Regular Rate	Heavy Rate
EZ Drop, Republic (#530)	XX	XX
EZ Broadcast, Republic (#540)	XX	XX
EZ Grow, Republic (#545)	XX	XX
Red Devil Drop (FH-22)	XX	XX
Red Devil Rotary (SB-50)	XX	XX
Quaker Drop (Model #10850)	XX	XX
Quaker Rotary (Model #10301)	XX	XX
Ortho Drop	XX	XX
Ortho Rotary	XX	XX

Non-Scotts spreader settings are approximate. You may need to adjust for proper coverage.

When to Apply

Apply in late spring, summer, or fall.

Seeding/Sodding/Sprigging:

Wait until the new grass has been mowed at least 4 times before applying Lawn Fertilizer Plus Confront Weed Control. If you are planning to seed, sod, or sprig, you should wait at least 1 month after you have applied Lawn Fertilizer Plus Confront Weed Control. This product will control only actively growing weeds; it will not prevent weed seeds from sprouting new plants.

Weeds Controlled

Apply to moist or dry foliage at the regular rate to control the following weeds:

black medic

hawkweed

bristly hawksbeard

hop clover

broadleaf plantain

narrow leaf plantain (buckhorn)

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R2A / Lawn Fertilizer Plus Confront / Notif / 07-07-08

catsear (coast dandelion) common dandelion

red clover white clover

false dandelion

Note: Moist foliage application will provide quicker results. For best herbicide effect when applying to dry foliage, apply when good soil moisture conditions are present.

Apply to moist foliage at the heavy rate to control the following weeds.

burdock Canada thistle

lespedeza matchweed

coffee weed

mouseear chickweed

common chickweed

musk thistle

common cocklebur common ragweed

old world diamond flower

common vetch

poison ivy

common yellow woodsorrel creeping beggarweed

prostrate spurge roundleaf mallow sheep sorrel

creeping woodsorrel curly dock

shepherdspurse slender speedwell

dollarweed dwarf beggarweed smartweed spurweed

English lawn daisy goldenrod

Virginia buttonweed Virginia pepperweed

ground ivy

wild buckwheat

henbit lambsquarters wild violet

A repeat application may be necessary.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warrantv Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

Limitation of Remedies

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The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

- 1. Refund of purchase price paid by buyer or user for product bought, or
- 2. Replacement of amount of product used.

Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

[®]Trademark of Dow AgroSciences LLC EPA accepted 11/23/01