

62719-263

08/31/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

AUG 31 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change
EPA Reg. No. 62719-263
Application Dated July 24, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/24/09 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,

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

Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268-1054

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308/2E
July 24, 2009

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 NOTICE 98-10

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

1. Corrected bermudagrass by deleting "common" from the name.

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 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.

Contents of Submission

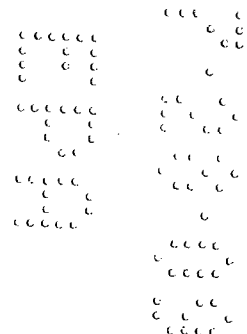
- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Lawn Fertilizer Plus Confront Weed Control (R2A/Lawn Fertilizer Plus Confront/Notif/07-24-09) (11 Pages plus Registration Notes) (5 Copies)

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



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(Base label):

Lawn Fertilizer Plus Confront® Weed Control

Herbicide

For use on bahiagrass, 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 [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

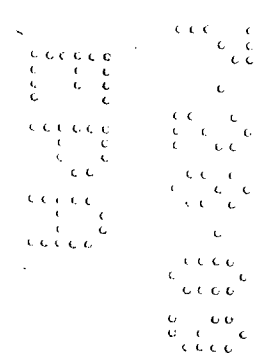
Patented Particle Technology

Active Ingredients:

triclopyr: 3,5,6 trichloro-2-pyridinyloxyacetic acid, triethylamine salt.....	0.50%
clopyralid: 3,6-dichloro-2-pyridinyloxyacetic acid, triethylamine salt.....	0.18%
Other Ingredients.....	99.32%
Total.....	100.00%

Acid Equivalent:

triclopyr -	0.36%
clopyralid -	0.12%



[Editor's note: Supplemental distributor will add fertilizer analysis and derivation statement for fertilizer carrier used.]

Guaranteed Fertilizer Analysis

Total Nitrogen (N)	X.XX%
Available Phosphoric Acid (P ₂ O ₅)	X.XX%
Soluble Potash (K ₂ O)	X.XX%

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.

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

Container Handling: Nonrefillable container. Do not reuse or refill this container.

If empty: Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-992-5994 for disposal instructions. Never place unused product down any indoor or outdoor drain.

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.

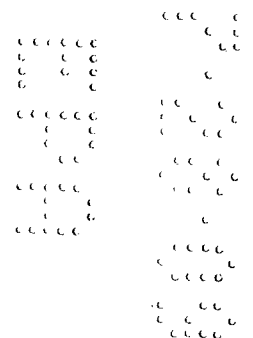
EPA Reg. No. 62719-263

EPA Est. _____

®Trademark of Dow AgroSciences LLC

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

Net Weight _____



(Label booklet cover):

Lawn Fertilizer Plus Confront® Weed Control

Herbicide

For use on bahiagrass, 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 [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-2-pyridinyloxyacetic acid, triethylamine salt..... 0.50%

clopyralid: 3,6-dichloro-2-pyridinyloxyacetic acid, triethylamine salt..... 0.18%

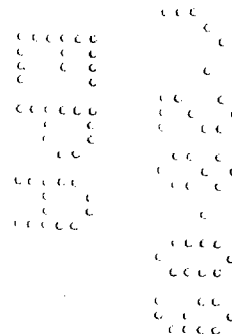
Other Ingredients 99.32%

Total..... 100.00%

Acid Equivalent:

triclopyr - 0.36%

clopyralid - 0.12%



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[Editor's note: Supplemental distributor will add fertilizer analysis and derivation statement for fertilizer carrier used.]

Guaranteed Fertilizer Analysis	
Total Nitrogen (N)	X.XX%
Available Phosphoric Acid (P ₂ O ₅)	X.XX%
Soluble Potash (K ₂ O)	X.XX%

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.

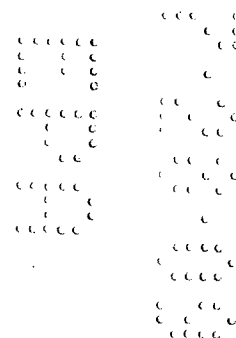
Agricultural Chemical: Do not ship or store with food, feeds, drugs, or clothing.

EPA Reg. No. 62719-263

EPA Est. No. _____

®Trademark of Dow AgroSciences LLC
Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, Indiana 46268

Net Weight _____



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(Page 1 through end):

Precautionary Statements

Hazards to Humans and Domestic Animals**WARNING****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.

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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.

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 Handling: Nonrefillable container. Do not reuse or refill this container.

If empty: Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-992-5994 for disposal instructions. Never place unused product down any indoor or outdoor drain.

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 herbicide, 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.

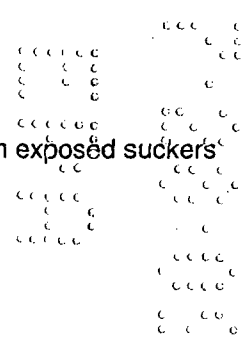
Do not contaminate feed or foodstuffs.

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.
- Florida Applications: It is recommended to follow the Florida Green Industries BMP's at http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP_Book_final.pdf.

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 bahiagrass 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 bahiagrass 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 bermudagrass, bahia, centipedegrass, or zoysia lawns, under certain conditions some temporary discoloration may result.

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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.

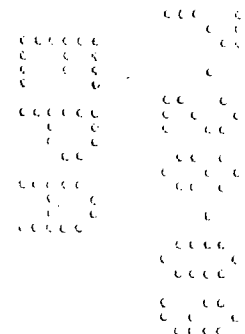
Seeding/Sodding/Sprigging: Wait until the new grass has been mowed at least 4 times before applying Lawn Fertilizer Plus Confront Weed Control. If you are planning to seed, sod, or sprig, you should wait at least 1 month after you have applied Lawn Fertilizer Plus Confront Weed Control. This product 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



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bristly hawksbeard	hop clover
broadleaf plantain	narrow leaf plantain (buckhorn)
catsear (coast dandelion)	red clover
common dandelion	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	lespedeza
Canada thistle	matchweed
coffee weed	mouseear chickweed
common chickweed	musk thistle
common cocklebur	old world diamond flower
common ragweed	poison ivy
common vetch	prostrate spurge
common yellow woodsorrel	roundleaf mallow
creeping beggarweed	sheep sorrel
creeping woodsorrel	shepherdspurse
curly dock	slender speedwell
dollarweed	smartweed
dwarf beggarweed	spurweed
English lawn daisy	Virginia buttonweed
goldenrod	Virginia pepperweed
ground ivy	wild buckwheat
henbit	wild violet
lambsquarters	

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 Warranty 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
