

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States Environmental Protection Agency Washington, DC 20460

 Registration  
 Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 72499-1	2. EPA Product Manager Driss Benmhend	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) LEXX-A-PHOS Fungicide	PM# Biochemical Pesticides Br/BPPD	
5. Name and Address of Applicant (Include ZIP Code) Foliar Nutrients, Inc. 320 1st Avenue, N.E. Cairo, GA 39828 <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: EPA Reg. No. _____ Product Name _____	

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 type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Date Reviewed 10-21-02  
Reviewed by D Hudson

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)  
 Notification of an Alternate Brand Name, correction of typographical errors, and change of container disposal statement to reflect plastic containers.  
 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 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 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.

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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5, 5.0 and 55.0 gallons		5. Location of Label Directions <input checked="" type="checkbox"/> on container label	
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 Amy Plato Roberts	Title Regulatory Consultant	Telephone No. (Include Area Code) (202) 828-8964
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 Regulatory Consultant	
4. Typed Name Amy Plato Roberts	5. Date October 1, 2002	

# LEXX-A-PHOS® FUNGICIDE

(Alternate Brand Name: BIOPHOS® FUNGICIDE)

FOR CONTROL OF CERTAIN DISEASES IN WOODY ORNAMENTALS,  
TURF GRASSES AND NON-BEARING FRUIT AND TREE NUT CROPS

## NOTIFICATION

### ACTIVE INGREDIENTS\*:

Dipotassium phosphonate ..... 20.40% Date Reviewed: 10/21/02  
 Dipotassium phosphate ..... 22.67%  
 OTHER INGREDIENTS ..... 56.93% Reviewed By: D. Hudson  
 TOTAL ..... 100.00%

\*Contains 2.24 lb/gallon Dipotassium phosphonate. Equivalent to 1.1613 lbs/gallon (10.576% by weight) phosphorous acid.

\*Contains 2.48 lb/gallon Dipotassium phosphate. Equivalent to 1.3954 lbs/gallon (12.756% by weight) phosphoric acid.

## KEEP OUT OF REACH OF CHILDREN

### CAUTION

See side panel for additional precautionary statements.

#### FIRST AID

<b>If in eyes:</b>	- 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.
<b>If on skin or clothing:</b>	- 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
<b>If inhaled</b>	- 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 poison control center or doctor for treatment advice.

HCT LINE NUMBER – CHEMTREC (800) 424-9300 – 24 hours

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

EPA Reg. No.: 72499-1

Net Contents: XX

EPA Est. No.: XX

Manufactured by: Foliar Nutrients, Inc.  
320 1<sup>st</sup> Avenue, N.E., POB 479, Cairo, GA 39828

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS & DOMESTIC ANIMALS

**CAUTION.** Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt, long pants, waterproof gloves and shoes plus socks. Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish, aquatic invertebrates and honey bees. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean highwater mark. Do not apply where runoff is likely to occur. Do not apply where weather conditions favor drift from treated areas. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow entry into treated areas during the restricted-entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, wear: coveralls, shoes plus socks and waterproof gloves.

Notification of Alternate Brand Name, correction of typographical errors and change of container disposal statement to reflect plastic containers.

Last label version (3) dated October 1, 2002 apr

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FAILURE TO FOLLOW DIRECTIONS AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL OR ILLEGAL RESIDUES.

#### RECOMMENDATIONS

**WOODY ORNAMENTALS:** LEXX-A-PHOS® has been found to be safe for the plant species listed on this label. The professional user should determine whether LEXX-A-PHOS® can be safely used on other species not listed on the label by testing the recommended rates in a small area. LEXX-A-PHOS® may be applied as a foliar spray (1% v/v) or as a soil drench (1% v/v) in sufficient water to wet the root zone, and as a foliar spray to run-off. A 1% dilution is achieved by mixing 1 gallon of LEXX-A-PHOS® with 99 gallons of water. Repeat applications should be made every two to three weeks. Do not mix LEXX-A-PHOS® with other fertilizers or pesticides. The following plants have been tested with good tolerance and safety to LEXX-A-PHOS®:

Azalea	Rhododendron	Viburnum
Ligustrum	Dogwood	Junipers
Photinia	Cleyera	Common cypress
Boxwood	Leyland cypress	Pines
Cypress species	Oaks	Plums
Crape Myrtle	Peaches	
Persimmons	Mimosa	

LEXX-A-PHOS® has been proven effective against a wide spectrum of pathogens such as powdery mildews (*Oidium* spp., *Phyllactinia* spp., *Erysiphe* spp. and *Sphaerotheca* spp.), leaf spots such as *Entomosporium* spp., *Elsinoe* spp., and *Taphrina* spp., as well as root rots caused by *Pythium* spp. and *Phytophthora* spp., and downy mildews caused by *Plasmopara vitiburni*.

#### NON-BEARING CITRUS AND NURSERIES:

For control of citrus *Alternaria* leaf spot, make foliar applications at 1% v/v as new flush first appears and continue at 2-3 week intervals until the new foliage is mature. Repeat the sequence with each additional growth flush. For *Phytophthora* root rot, make soil or foliar applications at 1-2% v/v or in sufficient water to wet the root zone or to run-off the foliage.

#### NON-BEARING PEACHES:

For control of peach gummosis (*Botryosphaeria dothidea*), make applications of 1 – 2% v/v to the tree as the new flush first appears in early spring in sufficient water to affect a run-off and wet the branches and trunk. Repeat applications at a monthly interval during the growing season.

#### NON-BEARING PECANS:

For control of foliar pecan scab (*Dadosporium caryigenum*). Infections of foliage occur early as new foliage first emerges. First application of 1 – 2% v/v should be made at that time and repeated at 3-4 week intervals until leaves have matured.

#### NON-BEARING BLUEBERRIES (HIGHBUSH AND RABBITEYE):

For control of rust (*Pucciniastrum myrtilli*) and *Septoria albopunctatum*, apply foliar applications of 1 – 2% v/v in early Spring when new foliage emerges and continue on a 3-4 week interval for the remainder of the growing season. For *Phytophthora* root rot control, apply 1 – 2% v/v as a soil application to the bed as a surface spray in early spring and in later summer.

#### NON-BEARING GRAPES:

For control of downy mildew (*Plasmopora viticola*) and powdery mildew (*Oidium* spp.), apply foliar applications of 1 – 2% v/v on a 3-4 week interval during the growing season.

#### STORAGE AND DISPOSAL

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

**Storage:** Store unused product in original container only in a cool, dry area out of reach of children and animals.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility.

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incinerator, or if allowed by State and Local authorities, by burning. If burned stay out of smoke.

#### WARRANTY STATEMENT

FOLIAR NUTRIENTS, INC. warrants that this product in its unopened package conforms to the chemical description on the label and is reasonably fit for the purposes set forth on the label when used according to directions under normal use conditions on the crops specified. 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 the Seller. All such risks shall be assumed by the Buyer. There are no other warranties, expressed or implied, concerning the use of this product other than indicated on the label. This warranty does not extend to the handling or use of this product contrary to label instructions or under abnormal conditions or conditions not reasonably foreseeable to the Seller and the Buyer assumes all risk of any such use.