



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 Sheryl Reilly	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., POB 479 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 to: EPA Reg. No. _____ Date Reviewed: <u>1/8/04</u> Product Name _____ Reviewed By: <u>CP</u>	

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.)

Label Notification per PR Notice 98-10 (Section II, N). Refer to cover letter dated April 23, 2003 for additional details.

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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input 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
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> on container label	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> 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 Amy Plato Roberts	Title Regulatory Consultant	Telephone No. (Includes Area Code) (202) 828-8964
2. Signature 		3. Title Regulatory Consultant
4. Typed Name Amy Plato Roberts		5. Date April 23, 2003
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)

LEXX-A-PHOS™ FUNGICIDE

(Alternate Brand Name: BIOPHOS™ FUNGICIDE)

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

ACTIVE INGREDIENTS*:

Dipotassium phosphonate 20.40%

Dipotassium phosphate 22.67%

OTHER INGREDIENTS 56.93%

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

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 a poison control center or doctor for treatment advice
If inhaled	- 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.

HOT LINE NUMBER – CHEMTEL (800) 255-3924 – 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.: _____

Manufactured by: Foliar Nutrients, Inc.

320 1st Avenue, N.E., POB 479, Cairo, GA 39828

Manufactured for: EcoRight LLC, Cairo, GA 39830

NOTIFICATION

Date Reviewed: 11/8/04

Reviewed By: cp

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. **Not registered for use in California.**

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.

LEXX-A-PHOS™ Fungicide; EPA Reg. No. 72499-1
Label Notification per PR Notice 98-10 (Section II, N)
Last label version (8) dated April 23, 2003 – apr
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Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are **not** within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep unprotected persons out of treated areas until sprays have dried.

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

APPLICATION DIRECTIONS

ORNAMENTALS:

(Commercial and Agricultural Use) Apply LEXX-A-PHOS™ Fungicide as a soil drench (0.10%-2% v/v) in water to wet the root zone, and as a foliar spray (1-2%) to run-off. A 1% dilution is achieved by mixing 1 gallon of LEXX-A-PHOS™ Fungicide with 99 gallons of water. A 0.1% dilution is achieved by mixing 12.8 oz. with 99.9 gallons of water. For drench applications, use 1 pint diluted in water per sq. ft. for soils 4-inches in depth or less, and 2 pints diluted in water per sq. ft. for soils with depths greater than 4-inches. Use the higher rate for greater disease pressure. Make repeat applications every two to three weeks.

(Residential; Home & Garden Use) For preventative control of certain diseases in ornamentals. For soil drench, apply LEXX-A-PHOS™ Fungicide at a 0.5% dilution. Mix 1/8 cup (2 tbsp) of LEXX-A-Phos™ Fungicide per gallon of water, and apply with a watering can or other device so as to wet the root zone. For foliar application, apply LEXX-A-PHOS™ Fungicide at a 1% dilution. Mix ¼ cup (4 tbsp) per gallon of water and apply with a hand or backpack sprayer. Apply to runoff. Make repeat applications every two to four weeks.

PLANT TOLERANCE - LEXX-A-PHOS™ Fungicide has been found to be safe for representative plant species listed below; however many varieties and cultivars have not been tested. To determine whether LEXX-A-PHOS™ Fungicide can be safely used on other plants or sensitive varieties/cultivars, test a small area first. The following plants have been tested with good tolerance and safety to LEXX-A-PHOS™ Fungicide:

Apple	Aglaonema	Aphelandra	Azalea
Boxwood	Bougainvillea	Cattelya	Chrysanthemum
Cissus	Cleyera	Cypress	Crape myrtle
Daylily	Dieffenbachia	Dogwood	Ficus
Fir	Geranium	Hawthorne	Hibiscus
Holly	Hydrangea	Ivy	Juniper
Lantana	Leather-leaf fern	Ligustrum	Magnolia
Maple	Majigold	Mimosa	Oak
Pansy	Peach	Pear	Persimmon
Philodendron	Photinia	Pieris	Pine

Pittosporum	Plum	Pyracantha	Rhododendron
Rose	Schefflera	Syngonium	Spathiphyllum
Spruce	Taxus	Viburnum	Vinca
Zinnia	Poinsettia	Palm	Cycads

LEXX-A-PHOS™ Fungicide has been proven effective against a wide spectrum of pathogens such as powdery mildews (*Oidium*, *Phyllactinia*, *Erysiphe* and *Sphaerotheca*), leaf spots, stem cankers and scabs caused by *Alternaria*, *Botryosphaeria*, *Cladosporium*, *Entomosporium*, *Elsinoe*, and *Taphrina*, rusts caused by *Puccinia* and *Cronartium*, as well as root rots and blights caused by *Pythium*, *Phytophthora* and *Thielaviopsis*, and downy mildews. LEXX-A-PHOS™ Fungicide can also be used for the control/suppression of *Erwinia* fire blight and bacterial blights/leaf spots caused by *Xanthomonas* and *Pseudomonas*.

NON-BEARING CITRUS AND NURSERIES:

For control of citrus *Alternaria* leaf spot, make foliar applications at 1-2% 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 water to wet the root zone or to run-off the foliage. For control of *Phytophthora* root rot make foliar applications at 1-2% v/v up to run-off. For soil applications apply 1-2 gallons per acre in water to wet the root zone or for containerized trees, use 1-2% v/v drench to wet the roots.

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 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 (*Cladosporium caryigenum*). Infections of foliage occur early as new foliage first emerges. Make first application of 1 - 2% v/v at first emergence and repeat 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*), apply foliar applications of 1 - 2% v/v on a 3-4 week interval during the growing season.

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TURF:

LEXX-A-PHOS™ Fungicide is a systemic fungicide for use in a seasonal program for the control of *Pythium* diseases, such as blight and root rot, and Yellow tuft on turf grasses on golf courses, sod farms, overseeded bermudagrass and other turf areas. Apply as a foliar spray using 1-5 gallons of water per 1,000 sq. ft. as indicated in the table below. Apply with a properly calibrated sprayer.

DISEASE	APPLICATION INTERVAL	RATE fl. oz./1000 sq. ft.
<i>Pythium</i> diseases, Yellow tuft	14-21 days	8.0 to 16.0
<i>Helminthosporium</i> leaf spot	14-21 days	8.0 to 16.0
<i>Magnaporthe</i> summer patch	14-21 days	8.0 to 16.0
Powdery mildew	14-21 days	8.0 to 16.0
Bentgrass Dead Spot (<i>Ophiophaerella</i>)	14-21 days	8.0 to 16.0

Begin preventative applications when conditions first favor disease and repeat at the application interval identified. Do not mow or water treated areas until foliage is completely dry.

TURF TANK MIXTURES - Summer Decline/Summer Stress Complex: Use LEXX-A-PHOS™ Fungicide for control of Summer Decline/Summer Stress caused by a complex of *Pythium* and *Rhizoctonia* diseases, and for control of Anthracnose caused by *Colletotrichum*, on turf grasses on golf courses, sod farms and other turf areas. LEXX-A-PHOS™ Fungicide can be tank mixed with chlorothalonil fungicides at labeled rates, unless a product label prohibits such mixing. Apply as a foliar spray using 1-5 gallons of water per 1,000 sq. ft. as indicated in the table below. Apply with a properly calibrated sprayer.

PRODUCT	DISEASE	APPLICATION INTERVAL	RATE per 1000 sq. ft.
LEXX-A-PHOS + Daconil Ultrex or Concorde DF	Summer Decline	14 days	8.0 to 16.0 fl. oz. + 3.2 oz. 3.2 oz.
LEXX-A-PHOS + Daconil Ultrex or Concorde DF	Anthracnose	14 days	8.0 to 16.0 fl. oz. + 3.2 oz. 3.2 oz.

Begin preventative applications when conditions first favor disease and repeat at the application interval identified. Do not mow or water treated areas until foliage is completely dry.

COMPATIBILITY - Do not mix LEXX-A-PHOS™ Fungicide with any copper based fungicides or any sticker, extender, or wetting agent. To determine the physical compatibility of LEXX-A-PHOS™ Fungicide with any other product, use a small container to mix a small amount (e.g. 1 pint) of spray solution, containing all ingredients in the same order and ratio as the anticipated use. If any indication of physical incompatibility develops, do not use this mixture for spraying. Indication of incompatibility usually appears within 5-15 minutes after mixing. Read and follow all directions on this label and on the labels of any products for which a tank mixture is being considered.

STORAGE AND DISPOSAL (Commercial and Agricultural Use)

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

Pesticide Storage: Store unused product in original container only in a cool, dry area out of reach of children and animals. **DO NOT FREEZE.**

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.

STORAGE AND DISPOSAL (Residential; Home & Garden Use)

STORAGE: Store unused product in original container only in a cool, dry area out of reach of children and animals. **DO NOT FREEZE.**

DISPOSAL: If empty - Do not reuse 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.

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. There are no other warranties, expressed or implied, concerning the use of this product other than indicated on the label.

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