

73327-2

11/23/2010

10410



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Jessica McLaughlin
The Scotts Company LLC
14111 Scottslawn Road
Marysville, OH 43041

NOV 23 2010

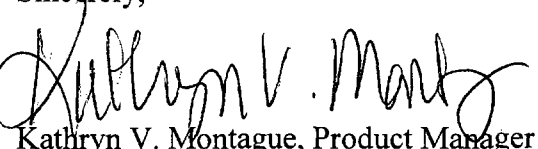
Subject: Notification per PR Notice 98-10 [PR Notice 2008-1, marketing claims, alt. brand names]
Swiss Farms Weed & Feed (Zero P)
EPA Reg. No. 73327-2
Application, Dated September 27, 2010

Dear Ms. McLaughlin:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

NOTE: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

NOTE: While no additional data is being requested at this time, marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.

Sincerely,

Kathryn V. Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 73327-2	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Swiss Farms Products, Inc. / Swiss Farms Weed & Feed (Zero P)	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Swiss Farms Products, Inc. 3993 Howard Hughes Pky, Suit 250 Las Vegas, NV 89169-6754 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label Notification: Submission of one (1) highlighted copy and one (1) clean copy of labeling being modified to incorporate revisions per PR Notice 98-10 and PR Notice 2008-1. See attached cover for further details.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per Container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <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 Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jessica McLaughlin	Title Scientist, Regulatory Affairs	Telephone No. (include Area Code) 937-578-5703

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 BY: The Scotts Company LLC	3. Title Scientist, Regulatory Affairs	
4. Typed Name Jessica McLaughlin	5. Date September 27, 2010	

[FRONT]
[For Outdoor Residential Use Only]

NOTIFICATION

NOV 23 2010

Swiss Farms Weed & Feed (Zero P)

Treats / Feeds / Covers 5,000 / 15,000 Sq Ft

ALTERNATE BRAND NAMES

- [Vigoro Ultra Turf Phosphorus-Free Weed & Feed]
- [Scotts Classic Weed & Feed]
- [Scotts Lawn Pro Weed and Feed Weed Control Plus Lawn Fertilizer₂]
- [Scotts Classic Weed and Feed Weed Control Plus Lawn Fertilizer]

ACTIVE INGREDIENTS:

2,4-D, 2-ethylhexyl ester	1.108%
Mecoprop-p acid.....	0.167%
Dicamba acid.....	0.071%

OTHER INGREDIENTS.....	98.654%
TOTAL	100.000%

THIS PRODUCT CONTAINS:

- 14.70 lbs. 2,4-dichlorophenoxyacetic acid equivalent per ton or 0.735%
- 3.34 lbs. (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per ton or 0.167%
- 1.42 lbs. 3,6-dichloro-o-anisic acid equivalent per ton or 0.071%.

[CAS Registry Numbers:]

- [2,4-D CAS# 1928-43-4]
- [Mecoprop-p CAS# 16484-77-8]
- [Dicamba CAS# 1918-00-9]

Isomer Specific by AOAC Methods

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See back / side / top / bottom [panel / label] for additional Precautionary Statements.

NET WT. 14 lbs. [6.3 kg.] / 42 lbs. [19 kg.] / XX lbs. [XX kg.]

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

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. When using this product, put on protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

FIRST AID	
If in eyes:	<ul style="list-style-type: none">• 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.
NOTE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

ENVIRONMENTAL HAZARDS:

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. 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 run off to water bodies or drainage systems.

When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not allow people (other than applicator) or pets on treatment area during application. Do not allow people or pets to enter the treated area until dusts have settled.

Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

Application/Precautions

Do not use on dichondra, carpetgrass, 'Floritam' St. Augustinegrass, creeping bentgrass, or turfgrass where desirable clovers are present.

Do not apply this product to newly seeded grasses until well-established or after the second or third mowing.

Do not use this product on flowers, vegetables, groundcovers, gardens or landscape plantings including shrubs and trees. Do not exceed specified dosage for any area and do not apply this product within the dripline of, or over surface roots of trees, shrubs, and other ornamentals.

Reseeding or overseeding areas may occur three (3) weeks after the application of this product.

Instructions

1. Mow lawn to normal height 1 to 2 days before application.
2. Water lawn thoroughly at least 1 to 2 days before application to sustain moisture until the next watering (see step 5).
3. Apply when broadleaf weeds are young and actively growing, preferably in the morning when dew is on the grass. At the time of application, moisture on the weed leaves from dew, rainfall or irrigation/watering aids in control. If grass is not moist at time of application, sprinkle lightly with water before applying product.
4. Avoid applying when temperatures are consistently above 90°F.
5. Do not wash from weed leaves for 1 to 2 days after application. At this time, a thorough watering should be made.

When To Apply

Apply when broadleaf weeds are actively growing in spring or early fall.

[Apply when the air is calm] [Choose a calm day] to ensure uniform coverage and avoid spreading granules onto flowers, vegetables, and ornamental shrubbery.

Possible retreatment may be necessary if lawn is heavily overrun by weeds, if adverse low moisture conditions prevail, or if weeds are in a state of poor growth. No more than 2 applications may be made per year.

How Much To Apply

For use on: Kentucky bluegrass, fescue spp., perennial ryegrass, common bermudagrass, zoysiagrass, St. Augustinegrass, centipedegrass, hybrid Bermudagrass, and colonial bentgrass.

Apply 2.8 pounds of product per 1,000 square feet of turfgrass. A second application may be made in approximately 30 days. The maximum number of broadcast applications per treatment site is 2 per year.

The maximum application rate to turf is 0.896 pounds 2,4-D acid equivalent per acre (or 121.97 pounds product per acre) per application per site. The maximum number of broadcast applications per treatment site is 2 per year.

When applied as directed, this product provides [XX] pounds of nitrogen per 1,000 sq. ft. Contact your local Extension Service for information specific to your geographic region.

DISTRIBUTION AND SPREADER PATTERNS [SPREADERS AND CALIBRATION]:

Always apply with a rotary or drop spreader to distribute the granules evenly. Never apply by hand.

Coverage - To determine how much you need to apply, multiply the length of your lawn by its width. This equals your total square footage. Deduct all non-lawn areas (house, gardens, etc.). One [14 lb] [42 lb] bag covers up to [5,000] [15,000] square feet at the application rate of 2.8 lbs/1000 sq. ft.

Single Pass Distribution:

- For rotary spreaders: Operate at intervals corresponding to the swath width.
- For drop spreaders: Overlap the wheel tracks to ensure complete coverage.
- For best results, apply this product uniformly and avoid streaks, skips or overlaps. Walk at a steady pace to ensure even coverage. Close the spreader opening when turning to change directions or when stopping.

CALIBRATION INSTRUCTIONS AND SPREADER SETTINGS

Calibrate the spreader according to the manufacturer's directions. Initial spreader settings may require adjustment to deliver the recommended rate under actual application conditions.

To provide proper distribution, calibrate spreader before application.

- For 2.8 pounds of product per 1,000 square feet of turfgrass: Set your spreader on xxx square feet and adjust to apply at the rate of 1 pound of product per xxx square feet.

Spreader	Delivers 2.8 lbs./1,000 sq. ft.
LESCO® Rotary calibration gauge setting #	X
Ortho® Drop(5000)	X
Ortho® Rotary (6000)	X
Precision® Red Devil® Rotary	X
Quaker® Rotary	X
Republic® EZ Drop	X
Republic® EZ Grow	X
Republic® EZ Rotary	X
Scotts® Drop(PF3)	X
Scotts® EasyGreen	X
Scotts® Speedy Green	X
TrueTemperRotary	X

[IMPORTANT: It is important to follow directions as indicated on this quality lawn care product as over- application may cause injury to your lawn. Spreader settings are approximate. Differences may occur due to condition of

Note: **Bold, italicized** text is information for the reader and is not part of the label. [bracketed] information is optional text. Text separated by / denotes and/or options.

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spreader, speed at which applied and roughness of area treated. Be sure to check spreader before beginning, adjusting if necessary. Consult Owner's Manual. Never apply by hand.]

[Advisory For Fertilizers Containing Iron:

Keep this product off sidewalks, patios, driveways, etc. This fertilizer may stain concrete and painted surfaces. If it comes in contact with concrete surfaces, sweep off immediately before flushing with water. If concrete is wet when contact occurs, staining may be impossible to prevent. Be careful when using rotary spreaders, which scatter fertilizer beyond lawn edge and onto concrete.]

Controls [weeds] (List of weeds may include the following):

aster	knotweed, prostrate
bedstraw	kochia
beggarticks, hairy	lambsquarters
betony, Florida	lespedeza
bindweed	mallow
bittercress, hairy	mock-strawberry, Indian
black medic	moneywort
buckhorn	morningglory
burclover	mugwort
burdock	mustard
burweed (spurweed)	nettle
buttercup	parsley-piert
buttonweed	pearlwort
Carolina geranium (wild)	pepperweed
carpetweed	pigweed
catsear (false dandelion)	pineapple-weed
chickweed	plantain
chicory	poison ivy
cinquefoil	poison oak
clover	prickly sida
cudweed	puncturevine
daisy, English	purslane, common
daisy, oxeye	pusley
dandelion, common	ragweed
dayflower	shepherd's-purse
deadnettle	smartweed
dichondra	sorrel, red (sheep)
dock	speedwell
dogfennel	spurge
dollarweed (pennywort)	star-of-Bethlehem
doveweed	thistle, bull
filaree	thistle, Canada
fleabane	vetch
ground ivy	wild carrot
groundsel	wild garlic
hawkweed	wild lettuce
healall	wild mustard
henbit	wild onion
horseweed	wild violet
Johnny-Jumpup violet	woodsorrel (<i>Oxalis</i>)
knawel	yarrow

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store in a clean, dry place. Reseal opened bag [by folding top down and securing].

PESTICIDE CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container.

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

If partially filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

OPTIONAL CLAIMS (claims may appear on any or all label panel(s))

Pesticidal claims

- Apply When Weeds Are Actively Growing

- Works twice as fast on weeds* *versus the previous formula
- Clobbers clover
- Controls Dandelion, Clover, Plantain, Chickweed, Spurge and Many Other Listed Weeds
- [Controls] [Kills] clover, dandelion, plantain, chickweed and [other broadleaf weeds] [others as listed]
- Consistently tough weeds like clover, plantain, ground ivy and spurge [various other weeds listed]
- Kills xx+ Weed Types Even the Roots
- Kills xx+ Weed Types Including Roots
- Kills xx+ Weeds
- Kills broadleaf weeds in lawns
- Kills dandelion and many other broadleaf weeds.
- Kills [down to] the root, [not the lawn]
- Kills even the tough[est] broadleaf weeds [like clover, dandelion, oxalis]
- Kills major broadleaf weeds, even the roots. And [Swiss Farms Weed & Feed (Zero P)] [ABN] is formulated to kill only the weeds, not the lawn. Use as directed to kill major broadleaf weeds in your lawn.
- Kills major broadleaf weeds including roots. And [Swiss Farms Weed & Feed (Zero P)] [ABN] is formulated to kill only the weeds, not the lawn. Use as directed to kill major broadleaf weeds in your lawn.
- Kills [major] broadleaf weeds [like clover, dandelion, oxalis]
- Kills more weeds
- Kills Over xxx Weed Types
- Kills the root
- Kills the weeds, not the lawn
- Kills tough lawn weeds
- Kills weeds, not lawn grasses
- Kills weed roots
- Kills Weeds While Feeding Your Lawn
- Our fastest formula ever
- Provides broadleaf control
- Starts working on contact
- Targets weeds, leaves [grasses] [the lawn] unharmed
- Tough weed killer
- Use on Lawns to Kill the Toughest Weeds like Clover and dandelion.

Fertilizer Claims

- Contains Timed-Release Nitrogen for Extended Feeding!
- Encourages Quick Greening & Provides Extended Nitrogen Feeding up to 2 Months
- Greens in 72 Hours & Promotes Thick, Green Growth
- Builds Thick Green Lawns

General Benefit Claims

- For a beautiful lawn
- For home lawn care
- For home lawns only
- For use on lawns
- Proven [all] [cool] weather performance
- [Superior] [cool] [all] weather performance

GENERAL CLAIMS Regarding Scotts LawnPro Retailer program

- A Scotts® Lawn Pro® Product
- Available only at authorized [Scotts] Lawn Pro® retailers/dealers/stores
- Our Best Annual Program – Scotts – LawnPro 4-Step Program
- Scotts Best annual program for a picture-perfect lawn
- Scotts Lawn Pro retailers can provide you with the do-it-yourself expertise and products to have a beautiful Scotts lawn simply and easily...for less money than hiring a lawn service. That's why we call them Lawn Pro retailers!
- Your Do-It-Yourself Lawn Care Headquarters
- Designed [only/exclusively] for [Scotts] authorized LawnPro® dealers/retailers
- LawnPro®
- To improve your lawn, apply the Scotts Lawn Pro Value-Priced Annual Program
- Value-Priced Annual Program* *For an even better lawn...consider Scotts Best Annual Program, which provides more feeding and weed control

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- Your Lawn Pro retailer can help you with this selection

[Product Use Recommendations]

- For use on Kentucky bluegrass, fescue spp., perennial ryegrass, common bermudagrass, zoysiagrass, St. Augustinegrass, centipedegrass, hybrid bermudagrass and colonial bentgrass
- Northern and Southern Grasses Bluegrass, Fescue, Zoysia, Bermuda, St. Augustinegrass, Bentgrass, Centipede, Bahia, Perennial Ryegrass.
- Treats Northern and Southern Grasses
- [Swiss Farms Weed & Feed (Zero P)] [ABN] is specially formulated to complement the phosphorus already present in some soils and give your turf the additional primary nutrients needed for a good turf feeding. A soil test can help you determine if your soil has an adequate supply of phosphorus and if this is the best product for your soil type. Proper watering and mowing practices along with regular feedings will help promote a beautiful green lawn.

Seasonal product application options

Plan your feeding schedule. Choose the right product for your lawn.

[Recommended Annual Feeding Program]

Any Season - Apply any season if weeds or bugs are not a problem: *[insert product name]* [brand name] [Fertilizer]

Early Spring - February-April – To Prevent Crabgrass: *[insert product name]* [brand name] [Fertilizer plus Weed Preventer]

Late Spring - April-June – If you have weeds / To kill weeds: *[insert product name]* [brand name] [Fertilizer plus Weed & Feed]

Summer - June/July-August – If you have bugs / To kill bugs: *[insert product name]* [brand name] [Fertilizer]

Fall - September – November - *[insert product name]* [Fall/Winter/Winterizer/Fertilizer] / Fertilizer plus Weed & Feed [If you have fall weeds]

GUARANTEED ANALYSIS XX-X-X

Total Nitrogen (N).....	XX.X%
X.X% Ammoniacal Nitrogen	
X.X% Urea Nitrogen	
Available Phosphate (P ₂ O ₅).....	XX.X%
Soluble Potash (K ₂ O).....	XX.X%
Sulfur (S).....	XX.X%
X.X% Free Sulfur (S)	

Derived from: polymer-coated sulfur-coated urea, urea, ammonium phosphate, potassium chloride.

Information regarding the contents and levels of metals in this product is available on the Internet at <http://www.regulatory-info-sc.com>

*A portion of the urea has been coated to provide x.x% coated slow-release nitrogen. This product and/or its manufacture is covered by one or more of the following U.S. patents and international counterparts thereof: US Patent Numbers: xxxxxx

[Note: Fertilizer grades with nutrient contents expressed as the percentages of N, P₂O₅ and K₂O may include the following: 23-3-7 or x-x-x. The fertilizer grade analyses may contain macronutrients and micronutrients. The nutrient contents expressed will vary among states.]

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Notice: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

[Swiss Farms Products, Inc. No-Quibble Guarantee®]

If for any reason you, the consumer, are not satisfied after using this product, you are entitled to get your money back. Simply send us proof of purchase and we will mail you a refund check promptly.]

SCOTTS/POLICY [NO-QUIBBLE/CONSUMER] GUARANTEE[®]

[To the extent of applicable law,] if for any reason you [the customer/consumer] are not satisfied [with results] after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund [check] promptly.

NOTICE: To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

Questions/Comments/[Medical] Information

Lawn Questions?

Have questions or need advice?

[**ICON:** - phone]

If you have questions you can talk directly with a Scotts Lawn Counselor. Simply call the toll-free number: X-XXX-XXX-XXXX

For additional questions, comments and information, contact the Scotts Lawn Pro retailer where you bought this product or you can....

Call -or- Consumer Helpline -or- phone toll-free -or- [Call] Scott's [toll-free] consumer hotline X-XXX-XXX-XXXX

[Open Monday through Saturday 9:00 a.m. to 5:00 p.m. Eastern time]

[**ICON:** - computer mouse]

[Visit [our website] *insert company website*

Visit Scotts' website at *insert company website*

Contact the experts at *insert company website*

[icon] [Distributed/Manufactured/Sold/Guaranteed by/for]:
The Scotts Company
14111 Scottslawn Rd.
Marysville, Ohio 43041

Swiss Farms Products, Inc.
3993 Howard Hughes Pky, Suite 250
Las Vegas, NV 89169-6754

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Made in U.S.A.

U.S. Patent No. 5,102,440; 5,219,465; 5,300,135; X,XXX,XXX

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EPA Est. No. XXX-XX-X [Superscript used is first letter of run code on end of container]