From: Wilkinson, Robert
To: Lesher, Mark
Cc: Dudding, Chris; Stephen Smith / Agri-Gro Marketing, Inc.
Subject: RE: Agri-Gro Marketing Inc. - Response to November 15, 2012 Notice of Warning
Date: Thursday, July 11, 2013 2:54:54 PM

Mr. Lesher,

Thank you for the note concerning your review of the material submitted by Agri-Gro Marketing Inc. in response to the Notice of Warning. On behalf of my client I also want to express our appreciation for the prompt review of the material that was submitted.

Bob Wilkinson

Robert F. Wilkinson
Partner
Direct: 314.480.1842
Robert.Wilkinson@huschblackwell.com

From: Lesher, Mark [mailto:Lesher.Mark@epa.gov]
Sent: Thursday, July 11, 2013 2:37 PM
To: Wilkinson, Robert
Cc: Dudding, Chris; Stephen Smith / Agri-Gro Marketing, Inc.; Lesher, Mark
Subject: RE: Agri-Gro Marketing Inc. - Response to November 15, 2012 Notice of Warning

Dear Mr. Wilkinson,

The EPA has received and reviewed the Agri-Gro Marketing, Inc. response to our November 15, 2012, Notice of Warning (NOW). The compliance steps of removing the pesticidal and plant growth regulator claims for the FoiarBlend, Turf Formula, IgniteS^2, and Bountiful Harvest products fully address the violations noted in the NOW. Agri-Gro Marketing, Inc. may now post these marketing materials on their websites and continue business as usual.

In regards to the Bountiful Harvest products, the copy mentions that the products "are safe for use around children and pets." We suggest you add the statement " if used a directed" to this statement.

At this point in time, we are considering this matter resolved. Please note, our November 15, 2012, Notice of Warning does not preclude the EPA from taking additional enforcement action for violations related to this inspection or other violations of FIFRA. Please contact me at (913) 551-7054 or lesher.mark@epa.gov if you need additional guidance or assistance with FIFRA compliance in marketing future possible pesticide products. EPA thanks you for your cooperation during our investigation and your quick response in ensuring compliance with our nation's pesticide laws.

Mark K. Lesher, M.S.
Environmental Scientist
Toxics and Pesticides Branch
Water, Wetlands, and Pesticides Division
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, KS 66219
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lesher.mark@epa.gov

From: Wilkinson, Robert [mailto:Robert.Wilkinson@huschblackwell.com]
Sent: Wednesday, July 03, 2013 2:12 PM
To: Lesher, Mark
Cc: Dudding, Chris; Stephen Smith / Agri-Gro Marketing, Inc.
Subject: RE: Agri-Gro Marketing Inc. - Response to November 15, 2012 Notice of Warning

Mr. Lesher,

Thank you for the prompt reply. The original letter that was mailed to you includes a CD with unzipped pdf files. For your convenience, I've attached the pdf files (there are five individual files). Please let me know if you have any trouble with the attachments.

Bob Wilkinson

Robert F. Wilkinson
Partner
Direct: 314.480.1842
Robert.Wilkinson@huschblackwell.com

From: Lesher, Mark [mailto:Lesher.Mark@epa.gov]
Sent: Wednesday, July 03, 2013 2:03 PM
To: Wilkinson, Robert
Cc: Dudding, Chris; Stephen Smith / Agri-Gro Marketing, Inc.; Lesher, Mark
Subject: RE: Agri-Gro Marketing Inc. - Response to November 15, 2012 Notice of Warning

Dear Mr. Wilkinson,

Thank you for the attached letter from Mr. Stephen Smith, Agri-Gro Marketing Inc. and associated Agri-Gro.zip files. Unfortunately, EPA new e-mail/computer system cannot open or read these .zip files. Can you please send them in another format (suggest .doc, .docx or .pdf) so we may be able to complete our review. Once we are able to complete our review, we will contact you to discuss Agri-Gro Marketing's compliance actions.

Mark K. Lesher, M.S.
Environmental Scientist

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Water, Wetlands, and Pesticides Division
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lesher.mark@epa.gov

From: Wilkinson, Robert [mailto:Robert.Wilkinson@huschblackwell.com]
Sent: Tuesday, July 02, 2013 4:06 PM
To: Lesher, Mark
Cc: Dudding, Chris
Subject: Agri-Gro Marketing Inc. - Response to November 15, 2012 Notice of Warning

Please see the attached letter and attachments. The original letter has been placed in the mail.

Bob Wilkinson

Robert F. Wilkinson
Partner

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