From:	Lesher, Mark
To:	Dudding, Chris
Subject:	FW: conference call
Date:	Monday, May 20, 2013 1:34:43 PM
Attachments:	ATT00001.txt

Questions from Agri-Gro Marketing, Inc. Your thoughts?

From: Tim @ Agri-Gro Marketing, Inc [mailto:tim@agrigro.com]
Sent: Monday, May 20, 2013 12:37 PM
To: Lesher, Mark
Subject: RE: conference call

Mark,
With regard to the conference call. Some of the items we wish to address are questions and issues raised and contained in our response letters of January and February. One question that I feel needs an honest answer. Has anyone in your office or department taken the time to read or review any of the nutritional research material that has been referenced or presented? Do you have access to or tried to acquire a copy of "Mineral Nutrition and Plant Disease" by The American Phytopathological Society edited by Datnoff, Elmer and Huber first printed in 2007 ? We have provided much scientific evidence of mineral and plant responses in accepted peer reviewed scientific publications. Does your office acknowledge this research?
In our last letter Stephen asked" For example ; if it is not permissible for us to say, " increased root growth", despite the evidence that our products contain zinc and mycorrhizae fungi which are known to "increase root growth", then how can we reword such statements to be in compliance yet still state this growth response as all other suppliers of these inputs do?

If we are forced to register as a pesticide to comply with FIFRA what would you have us identify as the active ingredient ? We have no pesticidal ingredients only plant food. Would it help to send your office samples for analysis?

These are just a sample of the questions we would like to address Thursday.

Best regards
TimEmailSig

From: Lesher, Mark [mailto:Lesher.Mark@epa.gov]
Sent: Thursday, May 16, 2013 3:22 PM
To: Tim @ Agri-Gro Marketing, Inc; Stephen Smith
Cc: Dudding, Chris; Lesher, Mark
Subject: RE: conference call

Dear Mr. Tesreau and Mr. Smith:

We are available for a conference call on next Thursday May 23, 2013, at 10:00 am. However, so that we may most effectively answer any questions that you may have regarding your required response, due May 20, 2013, please provide your questions to us in advance of the call, by no later than Tuesday, May 21. If you wish to request an extension of time until May 30, 2013, to provide the required written response containing detailed compliance information for each of the identified products, please do so by that date, with an explanation of the need for such extension.

As noted in previous correspondence, the sale, distribution, or offering for sale or distribution of unregistered pesticide products that are not otherwise exempt from FIFRA constitutes a violation of the statute. Failure to correct the identified violations of FIFRA may result in further enforcement including assessment of civil penalties up to $7,500 per violation.

Mark K. Lesher, M.S.
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Toxics and Pesticides Branch
Water, Wetlands, and Pesticides Division
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, KS 66219
913-551-7054
lesher.mark@epa.gov

From: Tim @ Agri-Gro Marketing, Inc [mailto:tim@agrigro.com]
Sent: Thursday, May 16, 2013 11:14 AM
To: Lesher, Mark
Subject: conference call

Hello Mark,

Stephen and I have been out of the office and just read your letter dated May 8 th. Due to the short time period we would like to setup a conference call the latter part of next week to discuss additional items. Tentatively 10:00 AM next Thursday the 23rd if this would work with your schedule or the following day at the same time. 573-996-5422 would be the best call in number.

TimEmailSig

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

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