



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 24, 2017

Jane Rothwell
The Scotts Company D/B/A The Ortho Group
P.O. Box 190
Marysville, OH 43040

Subject: Label and CSF Amendment – Revise Alternate Formulations and Add Already
Approved Use Sites
Product Name: ORTHO 13% BIFENTHRIN MUP
EPA Registration Number: 239-2721
Application Date: June 19, 2017
Decision Number: 531395; 531394

Dear Ms. Rothwell:

The amended label and CSF(s) referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, are acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Please note that the record for this product currently contains the following CSF(s):

- Basic CSF dated 05/09/2013
- Alternate CSF 1 dated 04/19/2017
- Alternate CSF 2 dated 04/19/2017

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.

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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.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Maggie Rudick by phone at 703-347-0257, or via email at rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Fertich". The signature is cursive and somewhat stylized.

Elizabeth Fertich
Acting Product Manager 03
Invertebrate & Vertebrate Branch 1
Registration Division (7505P)
Office of Pesticide Programs

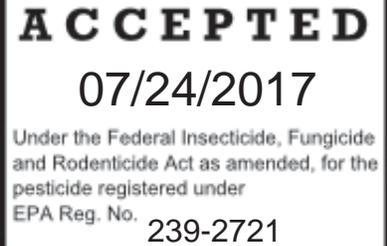
Enclosure

Ortho 13% Bifenthrin MUP

For manufacturing use only

ACTIVE INGREDIENT:	BY WT.
Bifenthrin:	13.0%
OTHER INGREDIENTS:	87.0%
TOTAL:	100.0%

* Cis isomers 97% minimum; trans isomers 3% maximum.
Ortho 13% Bifenthrin MUP contains 1.0 pounds bifenthrin per gallon.



KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call a poison control call center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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.
If on skin or clothing	<ul style="list-style-type: none"> • 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.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-(800)-225-2883 for Emergency Assistance.	
NOTE TO PHYSICIAN	
This product is a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils or alcohol may increase absorption and should be avoided.	

NET CONTENTS: 5 to 500 gal (18.93 to 1892.71 liters)

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination Systems (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or regional office of the EPA. Do not contaminate water when disposing of equipment wash-waters.

DIRECTIONS FOR USE

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

This product may be used to formulate products for specific use (s) not listed on the MP label if the formulator, user group, or grower has complied with US EPA data submission requirements regarding the support of such use(s).

NOT FOR USE TO FORMULATE INTO AN AGRICULTURAL PRODUCT.

For Use in Manufacturing Only.

This material requires further mixing before use.

- For Formulation Into End Use Products for the Following Uses:
 - Lawns
 - Indoor Insect Control
 - Termiticide and Soil Contact Nonfumigation Treatment
 - Wood Treatment and Protection
 - Outdoor Insect Control
 - Ornamental Plants, Trees, Shrubs, and Vines (Woody)
 - Christmas Trees
 - Conifer Seed Orchards
 - Greenhouse Grown Ornamental Trees, Shrubs, Plants, Flowers
 - Non-Bearing Fruit and Nut Trees

- Domestic Food: Blackberries, Black eye-peas, Bushberries, Broccoli, Brussel sprouts, Cabbage, Caneberries, Cauliflower, Cavalo broccolo, Chayote, Chinese broccoli, Chinese cabbage, Cilantro, Citron melon, Citrus, Crambe, Cucumber, Cucurbits, Dried Peas and Beans, Eggplant, Fruiting Vegetables, Garden Beet Roots and Tops, Globe Artichokes, Gourds, Grapes, Green beans (Wax beans, Snap beans), Green peas, Head and stem brassica vegetables, Herbs, Leafy brassica greens, Leafy Petiole Vegetables, Legume Vegetables, Lettuce (head), Mayhaw, Muskmelon, Okra, Peanuts, Pears, Peppers (bell and non- bell), Popcorn, Pumpkin, Root Crops (except sugar beets), Snow peas, Spinach, Squash, Strawberries, Succulent Peas and Beans, Sugar snap peas, Sweet corn, Tomatoes, Tree Nuts, Tuberos and Corm Vegetables, Turnip Greens, Watermelon
2. Uses for which U.S. EPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration; and
 3. Uses for experimental purposes that are in compliance with U.S. EPA requirements.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call 1-(800)-225-2883 for assistance.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter, or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL:

Nonrefillable container. Do not reuse or refill this container. Triple rinse container promptly after emptying. Triple rinse as follows: **(For containers greater than 5 gallons).** Empty the remaining contents into a storage container or a mix tank. Fill the container ¼ full with appropriate solvent (1). Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into a storage container or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

(For containers 5 gallons or less). Empty the remaining contents into storage container or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with appropriate solvent (1) and recap. Shake for 10 seconds. Pour rinsate into storage container or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Do not cut or weld metal containers.

Returnable/Refillable Containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents into a storage container or mix tank. Triple rinse as follows: Fill the container 10% full with appropriate solvent (1). Agitate vigorously or recirculate solvent with a pump for two minutes. Pour or pump rinsate into storage container or rinsate collection system. Repeat this rinsing procedure two more times.

(1) An appropriate solvent would include a solvent that will dissolve technical material. The rinsate may be used later to formulate a product or may be disposed in accordance with local, state and national environmental laws, rules, standards, and regulations.

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.

IMPORTANT –READ BEFORE USE

Read the entire Directions For Use, Conditions, Disclaimer or Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following conditions, Disclaimers of Warranties, and Limitations of Liability.

DISCLAIMER AND LIMITATION OF LIABILITY

IMPORTANT NOTICE FROM THE SCOTTS COMPANY LLC D/B/A THE ORTHO GROUP (“THE ORTHO GROUP”). PLEASE READ BEFORE USE.

To the extent consistent with applicable law, user or buyer accepts the conditions, disclaimer of warranties and limitations of liability. Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once for full refund.

CONDITIONS: The directions for use of this product are believed to be adequate and the user or buyer must always follow the label directions carefully and exercise judgment and caution when using this product.

WARRANTY: This product corresponds to all claims and descriptions set forth on the label and is reasonably fit for the purposes set forth in the directions for use on the label when used in accordance with those directions. This warranty is subject to the provisions of the applicable state law, but makes no other warranties or representations, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label, including not extending to use or handling of this product contrary to proper manufacturing practices and procedures or under abnormal conditions or conditions not reasonably foreseeable to the ORTHO GROUP or to use by mixture, chemical reaction, or formulation with other substances not specifically recommended in writing by the ORTHO GROUP; Buyer assumes all risk of any such use. No agent of The ORTHO GROUP is authorized to make any warranties beyond those contained herein or to modify the warranties contained therein. Subject to the user's or buyer's rights and remedies under the applicable state law, THE ORTHO GROUP disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: Subject to the user's or buyer's rights and remedies under the applicable state law, the exclusive remedy of the user or buyer and the liability of THE ORTHO GROUP or its affiliates, for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid by the user or Buyer for the quantity of this product involved or at THE ORTHO GROUP'S election, the replacement of this product. To the extent consistent with applicable law, THE ORTHO GROUP must have prompt notice of any claim so that a timely investigation of buyer's or user's claims can be made. Buyer and all users shall promptly notify Scotts of any claims, whether based on contract, negligence, strict liability other tort or otherwise or be barred from any remedy.

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EPA Reg. No. 239-2721
EPA Est. No. 239-MS-001, 239-IA-3
Superscript is first letter of lot number.