

239-16

3/4/2009

10/11



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Claudia S. Herrington  
The Scotts Company  
P.O. Box 190  
Marysville, Ohio 43040

MAR 4 2009

Subject: Notification  
Product: Volck Oil Spray  
Registration Number: 239-16

Dear Ms. Herrington:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 26, 2009 for the product Volck Oil Spray. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-306-0415.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", written over a horizontal line.

Kable Bo Davis  
Entomologist  
Registration Division (7505P)  
Office of Pesticide Programs

2 of 11

**EPA**

United States  
**Environmental Protection Agency**  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number  
239016LBL20090126

**Application for Pesticide - Section I**

1. Company/Product Number 239-16	2. EPA Product Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Ortho Group/Volck Oil Spray	PM# 7	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company d/b/a The Ortho Group PO Box 190 Marysville, Ohio 43040  <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: <b>NOTIFICATION</b> <b>MAR 04 2009</b>  EPA Reg. No. _____ Product Name _____	

**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 September 2, 2008	<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.)  
Submission of a notification to add an alternate name brand and to make minor changes to the product label as described in the cover letter.

**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	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per Container	If "Yes" Package wgt.	No. per Container	<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 Claudia S. Herrington	Title Director, Federal Registrations	Telephone No. (include Area Code) (937) 578-5973

**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.

2. Signature The Scotts Company LLC BY: <i>Claudia S. Herrington</i>	3. Title Director, Federal Registrations	6. Date Application Received (Stamped)
4. Typed Name Claudia S. Herrington	5. Date January 26, 2009	



**The Scotts Company LLC**

*and Subsidiaries*

January 26, 2009

Mr. John Hebert, PM 7  
Registration Division  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

RE: Submission of Label Notification Per PR Notice 98-10 for Volck Oil Spray

EPA Reg. No. 239-16 OPP Identifier Number: 239016LBL20090126

Dear Mr. Hebert:

The Scotts Company d/b/a The Ortho Group submits this notification to add an alternate brand name and to make minor revisions to the master label for Volck Oil Spray per PR Notice 98-10. The following items are enclosed in support of this notification:

- EPA Form 8570-1; and
- Three copies of the current master label (one with changes highlighted).

The following is a discussion of the minor changes that have been made to the master label:

- Addition of the alternate brand name "Ortho MAX Volck Oil Spray Dormant Season Insect Killer Concentrate" to the product label
- For clarification purposes, the bracketed optional telephone number in the First Aid section was deleted because a telephone number is provided in the Note to Physician section.
- Reference to the company website has been removed.
- Directions for preparing certain amounts of finished product have been removed.
- A warranty statement, consistent with EPA guidelines, has been added.
- Finally, minor text changes were made for clarification purposes.

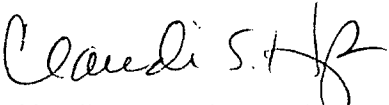
"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent

*1411 Scottslawn Road  
Marysville, Ohio 43041  
Direct line: 937-578-5973  
Facsimile: 937-644-7075  
Email: Claudia.Herrington@Scotts.com*

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."

If you have any questions or need additional information, please do not hesitate to contact me at 937-578-5973.

Regards,



Claudia S. Herrington, Esq.  
Director, Federal Registrations

Enclosures

Handwritten scribbles and marks on the right side of the page.

**14111 Scottslawn Road  
Marysville, Ohio 43041  
Direct line: 937-578-5973  
Facsimile: 937-644-7075  
Email: [Claudia.Herrington@Scotts.com](mailto:Claudia.Herrington@Scotts.com)**

50 of 11

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.  
Underline text is new. ~~Strike-through text is being deleted.~~

E. A. Reg. No. 239-16

# Ortho® Volck Oil Spray

**NOTIFICATION**

**MAR 04 2009**

**Alternate Brand Name(s):**

[ORTHO Volck Oil Spray Dormant Season Insect Killer Concentrate]  
[ORTHO MAX Volck Oil Spray Dormant Season Insect Killer Concentrate]

[ICON] OUTDOOR USE ONLY

Controls Scale Insects, Mealybugs, Whiteflies, Red Spider Mites and Certain Other Garden Pests  
For Use against Scale Insects, Red Spider Mites, Mealybugs, Whiteflies, and Certain Other Garden Pests  
Acts as Excellent Leaf Polish  
DORMANT & GROWING SEASON INSECT SPRAY  
Insect Spray for Dormant & Growing Season  
A HIGHLY REFINED OIL SPRAY INSECTICIDE  
Kills Insects Year-Round on Roses, Shrubs & Trees  
Kills Mites, Scales, Mealybugs & Whiteflies  
Destroys Over-Wintering Insects & Their Eggs

For home use only

ACTIVE INGREDIENT:

Mineral Oil*	97.0%
OTHER INGREDIENTS	3.0%
<b>Total</b>	<b>100.00%</b>

\*(Pet. Oil-Min. U.R. 91%-Class Lt.-Med.)

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back / side / top / bottom [panel / label] for additional precautionary statements.

NET WEIGHT 1 Gal [Gallon], [16 FL. OZ. (1 PT) 473 ml]

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.  
Underline text is new. ~~Strike-through text is being deleted.~~

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

**CAUTION:** Harmful if swallowed. Avoid inhalation of vapors or spray mist. Wash hands after use. Avoid eye contact. This material contains light hydrocarbon liquid and an aspiration hazard may exist.

**FIRST AID**

**If swallowed:** Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

**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 further treatment advice. Have the product container with you when calling a poison control center or doctor, or going for treatment.***

**Note to Physician:** Emergency Information call 1-800-225-2883. This product contains petroleum distillate. Do not induce vomiting-vomiting may cause aspiration pneumonia.

**ENVIRONMENTAL HAZARDS**

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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

**PHYSICAL OR CHEMICAL HAZARDS**

Do not use or store near heat or open flame.

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

7 of 11

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.  
Underline text is new. ~~Strike-through text is being deleted.~~

[For Residential Use Only]

**DIRECTIONS FOR USE**

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

Shake well before using.

Dormant & Growing Season Insect Spray  
Control Scale Insects, Mealybugs, Whiteflies, Red Spider Mites and Certain Other Garden Pests.

Peel open for use directions and further information.

- Tsp = teaspoon
- Tbs = tablespoon
- 2 Tbs = 1 fl oz
- 4 fl oz = 1/2 cup

[corner flap]  
 [OPEN  
 Resealable Label  
 For Directions  
 & Precautions  
 PRESS TO RESEAL] *[Place alongside of booklet or base of label.]*

[DNS icon] Easy to apply with an Ortho Dial 'n Spray®, hose-end or tank sprayer.

Product Facts
<b>KILLS INSECTS</b> <ul style="list-style-type: none"> <li>• Spider mites, scales, mealybugs, whiteflies, hemlock woolly adelgids &amp; lacebugs</li> <li>• Insect eggs<sup>1</sup></li> <li>• <i>Plus</i> controls sooty mold</li> </ul>
<b>WHERE TO USE</b> <ul style="list-style-type: none"> <li>• OUTDOORS on conifers, roses, shrubs &amp; trees<sup>2</sup></li> </ul>
<b>AMOUNT TO USE</b> <ul style="list-style-type: none"> <li>• Growing Season: 2 1/2 fl oz (5 Tbs.) per gallon of water</li> <li>• Dormant Season: 5 1/3 fl oz (10 2/3 Tbs.) per gallon of water</li> </ul>
Questions, Comments or Medical Information Call 1-800-225-2883

<sup>1</sup> Including codling moth, gypsy moth, oak moth, spider mite & tent caterpillar eggs

<sup>2</sup> Including apples, apricots, cherries, peaches, pears, plums & citrus (grapefruits, lemons, limes, oranges & tangerines)

Specially formulated for residential use.

80911

NOTE::

EPA Reg. No. 239-16

**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.  
Underline text is new. ~~Strike-through text is being deleted.~~

[ALTERNATE USE DIRECTION TEXT]

<b>MIXING INSTRUCTIONS</b>
<b>DURING GROWING SEASON</b> <i>[tree with leaves illustration]</i>  Amount to Use: 2 ½ fl oz (5 Tbs.) per gallon of water <i>[DNS icon]</i> When using Ortho Dial 'n Spray® <u>Applicator</u> : Set dial to 2 ½ oz. Pour product into sprayer to fill jar one-quarter to one-half full. DO NOT add water. After spraying, unused product can be poured back into its original container.
<b>DURING DORMANT SEASON</b> <i>[deciduous tree illustration]</i>  Amount to Use: 5 1/3 fl oz (10 2/3 Tbs.) per gallon of water <i>[DNS icon]</i> When using Ortho Dial 'n Spray® <u>Applicator</u> : Set dial to 5 1/3 oz. Pour product into sprayer to fill jar one-quarter full. DO NOT add water. After spraying, unused product can be poured back into its original container.

1 Tablespoon (Tbs.) = 3 teaspoons (tsp)

1 fl oz = 2 Tbs

**HOW TO APPLY**

Use a tank, Ortho Dial 'n Spray® Applicator or other hose-end sprayer.  
Spray to uniformly cover all upper and lower leaf surfaces, stems, branches, and trunk.

**WHEN TO APPLY**

Spray when air is calm to avoid drift.  
Spray when temperature is above 40°F but below 85°F.  
If temperature is expected to exceed 85°F spray in early morning or late afternoon when it is cooler.

**Growing Season** *[tree with leaves illustration]*

Spray when insects are present or feeding injury is first noticed.  
Spray up to 4 times, waiting 2 weeks between each application.

**Additional Tips**

Growing season is year-round for some shrubs and trees, such as citrus.  
Spray azaleas and camellias between spring and fall blooms.  
During the growing season do not apply to foliage within 30 days before or after using products containing sulfur, lime-sulfur or captan.

**Dormant Season** *[deciduous tree illustration]*

Spray dormant shrubs and trees once in late winter or early spring.

**Additional Tips**

Roses and other deciduous shrubs and trees are dormant after they shed all of their leaves.  
Conifers do not shed all of their needles but are usually dormant after the first deep frost.

**WHEN TO HARVEST**

Listed fruit trees may be sprayed up to the day of harvest.

**IMPORTANT**

DO NOT use on maidenhair ferns, red maples, Japanese maples or non-woody plants unless otherwise specified. Volck® Oil Spray may cause discoloration to blue spruce.



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.  
Underline text is new. ~~Strike-through text is being deleted.~~

**COMBINATION SPRAYS**

**With Ortho Dormant Disease Control Lime-Sulfur Spray**

For deciduous (no leaves in winter) shrubs and trees including roses, apples, cherries, peaches, pears and plums to control black scale, oyster shell scale, rose scale, San Jose scale, insect eggs and many over-wintering plant diseases:

Use 2 ½ fl oz (5 Tbs.) Volck Oil Spray *plus* 2 ½ fl oz (5 Tbs.) Dormant Disease Control per gallon of water. Agitate sprayer often while spraying. Spray only during the dormant season after all leaves are shed. Follow all precautions and directions on both product labels.

**With Ortho Malathion 50 Plus® Insect Spray**

For avocados, citrus (grapefruits, lemons, limes and oranges), gardenias and ixora to control aphids, mealybugs, scales, spider mites, thrips, whiteflies and sooty mold:

**Use ½ fl oz (1 Tbs.) Volck Oil Spray *plus* ½ fl oz (1 Tbs.) Malathion 50 Plus® Insect Spray per gallon of water.** Spray when insects are present or feeding injury is first noticed but NOT during full bloom or within 7 days of harvest. Follow all precautions and directions on both product labels.

**ADDITIONAL USES**

**Palm Trees** (except coconut palms)

To control mealybugs, scales and spider mites:

**Use 1 ½ fl oz (3 Tbs.) per gallon of water.**

**Leaf Polish for Houseplants:**

**Use 1 ½ fl oz (3 Tbs.) of gallon of water.**

**Home Greenhouses** (not for commercial use)

For shrubs including azaleas, camellias and gardenias to control mealybugs, scales, spider mites and whiteflies:

**Use 1 fl oz (2 Tbs.) per gallon of water.** Spray up to 3 times, waiting at least 60 days between each application.

[re-entry icon] People and pets may enter treated area after spray has dried.

**HOW IT WORKS**

Kills insects by suffocating multiple stages of mealybugs, scales, spider mites, tent caterpillars, whiteflies and other common insects. This promotes long-term control of insects in dormant and growing seasons without frequent applications. Volck Oil Spray also makes leaves shine!

Shake well before using. Spray all parts of plants thoroughly. Make new dilution for each use.

Do not use VOLCK® Oil Spray on foliage with 30 days before or after using sulfur. Avoid spraying when temperature is excessively high or when plants are suffering from drought. Oil sprays should not be applied to broadleaved evergreens or palms when freezing or near freezing temperatures may be expected. Do not use on Maidenhair Ferns, Cocos Palms, Red Maple, etc., or non-woody plants unless specified. VOLCK Oil Spray may cause discoloration to Blue Spruce.

**FOR DORMANT USE** – To control Scale insects, Red Spider Mites, and Mealybugs on Dormant Shrubs, Evergreens), Woody Plants, Fruit Trees (Apples, Plums, Pear, Apricots, Peaches, Cherries) and Shade Trees: Use 5 1/3 oz. per gal water.

**GROWING SEASON** – To control Scale Insects, Red Spider Mites, Mealybugs and Whitefly Larvae on Citrus (Oranges, Lemons, Grapefruit, Tangerines, Limes), Fruit Trees (Apples, Plums, Pears, Apricots, Peaches, Cherries), Shade Trees, Evergreens, Camellias, Azaleas, Hardy Shrubs: Use 5 Tbs. (2 ½ oz) per gal water. This application effectively in the removes sooty mold fungus through the control of Whitefly Larvae.

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.

Underline text is new. ~~Strike-through text is being deleted.~~

COMBINATION WINTER SPRAY

FRUIT TREES (Apples, Plums, Pears, Apricots, Peaches, Cherries), ROSES AND ORNAMENTALS (Dormant, deciduous only) – To control San Jose Scale, Rose Scale, Oyster Shell Scale, Brown Apricot Scale, Black Scale, and Overwintering Insect Eggs: Use 5 Tbs. VOLCK Oil Spray and 5 Tbs. ORTHO Dormant Disease Control in 1 gal water. Shake often during spraying. Note precautions on ORTHO Dormant Disease Control label before use.

COMBINATION WITH ORTHO MALATHION PLUS® 50 Insect Spray on Citrus, Avocados, Mangoes, Gardenias and Ixora to control of Scale Insects, Red Spider Mites, Mealybugs, Whiteflies, Aphids, Thrips and for the removal of Sooty Mold Fungus through control of Whitefly Larvae – Use 1 Tbs. of VOLCK Oil Spray and 1 Tbs. ORTHO MALATHION 50 PLUS® Insect Spray for each gal of diluted spray. May be applied on Avocados up to within 7 days of harvest; to Grapefruit, Lemons, Limes and Oranges up to within 7 days of harvest, but not during full bloom, and to Mangoes up to within 2 days of harvest.

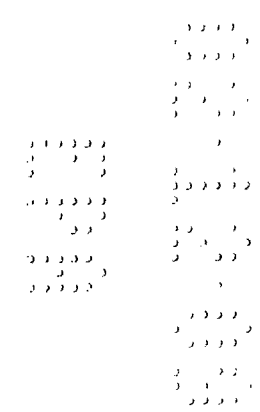
OVICIDE: Helps to destroy insect eggs such as Red Spider Mite Eggs, Oak Moth Eggs and Codling Moth Eggs.

AS A LEAF POLISH – To brighten leaves on hardy house plants – Use 3 Tbs. (1 ½ fl oz) per gal water.

HOME GREENHOUSES – To control Scale Insects, Red Spider Mites, Whitefly, Mealybugs on Hardy Shrubs, Gardenias, Camellias and Azaleas – 2 Tbs. (1 fl oz) per gal water. Allow 60 days between oil sprays and limit to 3 applications per year.

PALM TREES – Scale Insects, Mealybugs, Red Spider Mites – Use 3 Tbs. (1 ½ oz) per gal water.

AZALEAS, CAMELLIAS – Scale insects, Red Spider Mites, Mealybugs, Whitefly Larvae, Lace Bug Larvae – Use 5 Tbs. (2 ½ oz) per gal water. Apply in spring after blooming and in fall prior to blooming.



1109 11

NOTE::

EPA Reg. No. 239-16

***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.

Underline text is new. ~~Strike-through text is being deleted.~~

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed through storage and disposal.

**STORAGE:** Store in cool, dry place, preferably in a locked storage area. Do not store diluted spray.

**DISPOSAL: If empty:** Non-refillable container. Do not reuse or refill this container. 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.

Questions, Comments, or Medical Information  
Call 1-800-225-2883

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.

**ORTHO 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 evidence of purchase and we will mail your refund check promptly.

Questions / Information

Consumer Helpline  
1-800-225-2883

© 2008. Licensed by The Scotts Company LLC.  
World rights reserved  
Made in U.S.A.

Manufactured for  
The ORTHO Group  
P.O. Box 190  
Marysville, OH 43040  
Form LB04032P011  
EPA Reg. No. 239-16  
EPA Est. 239-IA-3<sup>1</sup>, 58996-MO-1<sup>A</sup>  
[Superscript is first letter of lot number]  
Made in USA

