

239-2461

9-27-2007

1/9



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
239-2461

Date of Issuance:
SEP 27 2007

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

Ortho Orthene Systemic Insect Control

Name and Address of Registrant (include ZIP Code):

The Scotts Company d/b/a The Ortho Group
14111 Scottslawn Road
Marysville, OH 43041

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Decision (RED) for Acephate, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Generic data requirements that have been identified in the RED as confirmatory data for the active ingredient contained in the subject product will continue to be tracked and assessed in the Agency's continual reassessment of pesticides.

The labeling for the subject product submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided you submit one (1) copy of the final printed label incorporating the following corrections before you release the product for shipment. Products shipped after 12 months from the date of this Notice must bear the new revised label. A stamped copy of the label is enclosed for your records.

1. Remove all claims and directions associated with use of the subject product on structural or public health pests from the label. If you wish to retain an ant claim, such a claim must be qualified to read as cited below.

Ants, excluding fire, harvester, carpenter and pharaoh.

Signature of Approving Official:

Date:

SEP 27 2007

2/9

Page 2 of 2
EPA Reg. No. 239-2461

As specified in our March 15, 2007 letter, if you wish to propose the addition of structural or public health ant pests at some future date, submit your proposed label amendment along with the appropriate supporting efficacy data for our evaluation.

The structural or public health pests and the associated use directions to be removed are listed below.

- Imported fire ants
- Fire ant killer
- Fire ant mound(s)
- Fire ants

2. Remove all claims and directions for use on turf, including lawns.

3. Identify the chemical resistant glove material as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton.

If you have any questions regarding this letter, please contact Marilyn Mautz at (703) 305-6785 or via e-mail at mautz.marilyn@epa.gov.

MASTER LABEL

ORTHO® ORTHENE® Systemic Insect Control

EPA Reg. No. 239-2461

Makes 21 gallons diluted spray. (Quart)

Makes 10 gallons diluted spray. (Pint)

OUTDOOR USE ONLY

CONTROLS: Aphids, Armyworms, Bagworm, Black Vine Weevil, Budworms, Cankerworms, Cuban Laurel Thrips, Flower Thrips, Grasshoppers, Gypsy Moth, Imported Fire Ants, Japanese Beetles, Leafhoppers, Leafminers, Leafrollers, Leaf tiers, Loopers, Mealybugs, Pine Tip Moth, Psyllids, Root Weevil, Rose Midge, Sawflies, Spittlebug, Scale (crawlers), Tent Caterpillars, Webworms, Whitefly and other listed leafeating caterpillars.

ON: Roses, Flowers, Ornamentals, Shrubs and Shade Trees.

Kills Listed Bugs on Contact

Use on Over 100 Plant Varieties

Stops Plant Damage

Thank you for choosing ORTHO. You'll like the results and so will your plants.

[Gentle Shower applicator claims]

EASY TO APPLY!

KILLS [FIRE ANTS] ON CONTACT!

KILLS [CONTROLS] FIRE ANTS

TREATS 32 MOUNDS!

[New/Now] Gentle Shower Applicator

[New/Now] Gentle Release Applicator

View strip for easy measuring

Exclusive Applicator

[New/Now] Advanced Applicator Technology

Easy-To-Use

Spray 'n Go Applicator

[Just] Spray And Walk Away

Easy Spray Applicator

Liquid Fire Ant Killer!

HOW IT WORKS

With the unique **[GENTLE SHOWER™/ Applicator]**, ORTHENE Systemic Insect Control is specially designed to deliver a gentle shower without disturbing the fire ant mound during application.

Active Ingredient

Acephate..... 9.4%

Other Ingredients.....90.6%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel booklet for additional precautionary statements.

239-2461 (082807 Acephate RED)

ACCEPTED
with COMMENTS
in EPA Letter Dated:
SEP 27 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
As amended, for the pesticide
Registered under EPA Reg. No.
239-2461

4/9

NET 32 fl oz (1 Qt) 946 ml
16 fl oz (1 Pt) 473 ml

Specially formulated for residential use.
For homeowner use only.
Do not apply to plants to be used for food or feed.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact people or pets. For outdoor homeowner use only. Do not apply to plants to be used for food or feed. Do not use on turf, including lawns.

OPEN
Resealable Label
for Directions & Precautions
PRESS TO RESEAL

[Dial 'n Spray illustration] Easy to apply with an Ortho Dial 'n Spray®, hose-end or tank sprayer. When treating fire ant mounds, use a sprinkling can.

MIXING INSTRUCTIONS

For Roses, Flowers, Ornamentals, Shrubs & Shade Trees

- Aphids & Grasshoppers**
Amount to Use: 2 Tbs (1 fl oz) per gallon of water. Ortho® Dial 'n Spray® setting is **1 oz.**
- Japanese Beetles**
Amount to Use: 4 Tbs (2 fl oz) per gallon of water. Ortho® Dial 'n Spray® setting is **2 oz.**
- Other Listed Insects Commonly Found on Ornamental Plants**
Amount to Use: 3 Tbs (1½ fl oz) per gallon of water. Ortho® Dial 'n Spray® setting is **1½ oz.**

[Dial n' Spray illustration] When using **Ortho® Dial 'n Spray®**:

1. Set dial to the setting indicated above.
2. Pour product into sprayer to fill jar one-quarter to one-half full. **DO NOT** add water.
3. After spraying, unused product must be poured back into its original container.

1 Tablespoon (Tbs) = 3 teaspoons (tsp)
1 fl oz = 2 Tbs

239-2461 (082807 Acephate RED)

Clean sprayer after use by flushing with water.

HOW TO APPLY

Spray entire plant covering both sides of foliage thoroughly.

WHEN TO APPLY

Spray when insects are present or when feeding injury is first noticed.

For hard to kill insects, such as flower thrips, gladiolus thrips, mealybugs, scales, two-spotted spider mites, and whiteflies, spray 2 to 3 times, waiting 7 to 10 days between each application.

Repeat if reinfestation occurs.

OTHER INSECTS COMMONLY FOUND ON ORNAMENTAL PLANTS

Aphids, armyworms, bagworms, ****black vine weevil**, budworms, cabbage looper, casebearers, catalpa sphinx moth, cherry laurel leaf-tier, Cuban laurel thrips, elm leafbeetle, fall cankerworm, fall webworm, flower thrips, gladiolus thrips, ****grasshoppers**, green striped mapleworm, gypsy moth, hornworm, Japanese beetles, lacebugs, leafhoppers, leafminers, obliquebanded leafrollers, omnivorous leaf-tier, maple shoot moth, mealybugs, mimosa webworm, Nantucket pine tip moth, oak webworm, oleander caterpillar, orange-striped oakworm, ****obscure root weevil (adults)**, pine tip moth, poplar tentmaker, psyllids, rose midge, sawflies, scales (crawlers), spittlebug, sunflower moth, tent caterpillars, two-spotted spider mites (suppression), webworms, willow leafbeetle, white-marked tussock moth, whiteflies and yellow-necked caterpillar

****SPECIAL DIRECTIONS**

For Obscure Root Weevil (Adults): Spray foliage in late spring as soon as feeding is noticed (usually about April). Repeat every 4 weeks through September. (Mid-July through August are the peak feeding times.)

For Black Vine Weevil: Spray foliage and soil beneath plants. Begin applications in mid-June. Spray 4 times, waiting 3 weeks between each application.

For Grasshoppers: Spray foliage of plants and soil beneath plants.

Honeysuckle Aphid on Honeysuckle: Spray thoroughly as leaves begin spring expansion. Reapply in 2 weeks with a third spray 4 weeks after second application.

ORNAMENTAL PLANTS

Ortho® Orthene® Systemic Insect Control can be used on over 100 plant varieties including: abelia, ageratum, alder, aluminum plant, alyssum, arborvitae, ardisia, ash, asparagus fern, aster, azalea, bald cypress, barberry, begonia, birch, bird of paradise, bischofia, bougainvillea, Boston ivy, boxwood, calendula, camellia, carissa, carnation, catalpa, cedar, cherry laurel, Chinese elm, Chinese holly, chrysanthemum, cockspur thorn, coleus, cotoneaster, crapemyrtle, croton, Cuban laurel (ficus), dahlia, daisy, dieffenbachia, dracaena, euonymus, false aralia, fir, flowering almond, flowering cherry, flowering plum, fruitless mulberry, fuchsia, gardenia, geranium, gladiolus, gloxinia, hackberry, hawthorn, hemlock, hibiscus, holly, honey locust, honeysuckle, ivy, juniper,

6/9

lantana, ligustrum, lilac, linden, magnolia, mahonia, maple, marigold, mimosa, mock orange, nandina, nephthytis, oak, oleander, orchid, ornamental cabbage, osmanthus, palm, periwinkle, petunia, philodendron, photinia, pine, pittosporum, podocarpus, poinsettia, poplar, primrose, purple passion, pyracantha, rhododendron, rose, rose of Sharon, salvia, sassafras, schefflera, Siberian elm, silver maple, slippery elm, snapdragon, spirea, spruce, staghorn sumac, sweet gum, sycamore, tulip, viburnum, wandering Jew, wild cherry, willow, wisteria, yaupon, yew (taxus), yucca and zinnia.

Important: Not recommended for use on American elm, flowering crabapple, sugar maple, red maple, cottonwood, redbud or weigelia as foliage injury may occur.

COMBINATION SPRAY WITH FUNGICIDE ON ORNAMENTAL PLANTS

Ortho® Orthene® Systemic Insect Control may be mixed with the following fungicides (at the label rates for both products): RosePride® Funginex® Rose & Shrub Disease Control or Ortho® Multi-Purpose Fungicide Daconil 2787® Plant Disease Control. Follow directions on both labels. Do not make more than two consecutive applications of combination spray.

COMBINATION SPRAY WITH FUNGICIDE OR FERTILIZER ON ROSES: May be used together with ORTHO FUNGINEX® Rose Disease Control at the rates recommended on each product label. Apply fungicides on a regular schedule for disease control; add ORTHENE® Systemic Insect Control only when necessary for insect control. Do not apply more than two consecutive applications in combination with any of the above fungicides.

FIRE ANTS

[Sprinkling Can Application Language]

Sprinkling Can: 2 Tbs (1 fl oz) per gallon of water for each mound.

HOW TO APPLY

Thoroughly wet mound and treat a 4-ft diameter area around mound.

WHEN TO APPLY

For best results apply in cool weather or in early morning or late afternoon. Treat new mounds as they appear.

[Gentle Shower Applicator Language]

Product Facts	
WHERE TO USE	As a spot application treatment on fire ant mounds in lawns, in landscaped areas and on bare ground.
HOW TO USE	<ol style="list-style-type: none"> 1. Push down small yellow tab on side of sprayer and then turn spray nozzle setting counter-clockwise all the way to the "ON" position. 2. Gently spray on and around the center of the mound, drenching it entirely. Spray approximately for 30

seconds (this will apply 1 fluid ounce to each mound).
 Easy view strip allows for accurate measurement.
 3. Turn the spray nozzle to the "OFF" position when finished treating the mound.
 4. For best results apply in cool weather or in early morning or late afternoon. Treat new mounds as they appear

It's easy to apply the right amount of ORTHENE Systemic Insect Control. Apply one ounce of product on and around the center of the mound for approximately 30 seconds, drenching it entirely. Do not apply product outside of mound area.

[1. Illustration of mound & fire ants 2. Illustration of mound being sprayed 3. Illustration of dead fire ants on the mound]

(HOW TO USE GENTLE SHOWER™ Applicator. SYSTEM)

CONNECT:

1. [illustration of applicator] Attach sprayer to water hose.
2. [illustration of applicator] Be sure ON/OFF switch is set to "OFF". Turn on water faucet.

SPRAY:

1. To BEGIN spraying, point sprayer nozzle toward the targeted fire ant mound while keeping about 4 feet back from it. [To BEGIN spraying, point sprayer nozzle toward the targeted fire ant mound while standing about 4 feet away from mound.]
2. [illustration of applicator] Push down small yellow tab on side of sprayer and turn ON/OFF switch counter-clockwise all the way to the "ON" position.
3. Apply directly on and around the center of the mound for about 30 seconds (1 fluid ounce from the bottle), drenching it entirely. The sprayer automatically mixes the product into the water spray stream.
4. When finished treating mound, turn ON/OFF switch to "OFF" position.

FINISH:

1. To STOP spraying, turn ON/OFF switch to "OFF" position.
2. Turn off water supply at faucet.
3. [illustration of applicator] Relieve pressure in hose by turning the ON/OFF switch to "ON" position until water slows to a drip. Turn switch back to "OFF" position.
4. Disconnect sprayer from hose.

[Re-entry icon] Do not allow people or pets to enter the treated area until sprays have dried.

STORAGE AND DISPOSAL

STORAGE: Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Avoid contamination of feed and foodstuffs. Store in a cool, dry place, preferably in a locked storage area. Do not store diluted spray.

8/9

DISPOSAL: If empty: Do not reuse this container. Place in trash or 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.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. When handling this product, wear safety glasses, chemical resistant gloves, long pants, and long-sleeved shirt. When using outdoors, spray with the wind to your back and do not use when wind speeds are 10 mph or more. Wash the outside of the gloves with soap and water before removing. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

FIRST AID:

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 treatment advice.

If swallowed: Call a poison control 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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

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

Note to Physicians: Emergency Information call 1-800-225-2883. This product contains a cholinesterase inhibitor. If signs and symptoms of cholinesterase inhibition are present, atropine is antidotal. 2-PAM may also be given in conjunction with atropine.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to birds. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes. Cover or soil-incorporate spills.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product, or allow it to drift to blooming crops or weeds, if bees are visiting treatment area.

PHYSICAL OR CHEMICAL HAZARDS: Flammable. Keep away from heat and open flame.

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.

[phone icon] Questions, Comments or Medical Information?
call 1-800-225-2883 www.ortho.com

239-2461 (082807 Acephate RED)

9/9

The ORTHO Group
P.O. Box 190
Marysville, OH 43040
EPA Reg. No. 239-2461
EPA Est. 239-IA-3^I, 58996-MO-1^A
Superscript is first letter of lot number
Made in USA

239-2461 (082807 Acephate RED)