



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

MAR 23 2000

Mr. Charles Levey, Manager
Federal Registrations
The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dear Mr. Levey:

Subject: Ortho Systemic Rose & Floral Spray
EPA Reg. No. 239-2476

This is in reference to your letter of March 17, 2000 regarding use of your current warehouse inventory of 11,079 finished labeled units for the subject registration bearing the labeling claim, "lasting". The labeling claim had been submitted to the Agency on August 23, 1999 through the notification process and the various deficiencies with the notification were described to you in our letter of March 14, 2000. Your letter specified that new labeling with this claim removed will be printed this September.

Based on the information submitted for the subject product, there is no objection to your use of the 11,079 finished labeled units bearing the "lasting" claim labeling. No new products bearing the objectionable lasting claim may be produced as of the date of this letter.

The draft master or basic product name labeling submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA) and showing the deletion of the objectionable claim, is acceptable, provided that you incorporate the following corrections and submit one copy of the corrected basic label for our files. You are advised that additional brand name product labeling may not bear claims in excess of those appearing on the basic product name labeling and that labeling amendments, including notifications must be submitted for the basic product label. The Agency does not generally review nor stamp additional brand name labeling. If you do not intent to market the product under the basic product name, Ortho Systemic Rose & Floral Spray, you may wish to consider designating it as your additional product name and designate the marketed product name as your basic product name.

1. Update the second sentence in the environmental hazards section to read as cited below in accordance with PR Notice 93-8.

Do not apply directly to water.

2. Complete the last sentence on page three regarding the CFCs.

3. Labeling claims for use on ornamental plants, trees or shrubs are considered ambiguous claims as such use may come under the scope of the Worker Protection Standard. To ensure non-WPS use of a product where no WPS use is intended, labeling statements as directed on the enclosure are to be added to the label.

Submit one copy of your final printed label incorporating the corrections cited above before you release the product for shipment bearing the amended label.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended label constitutes acceptance of this condition.

A stamped copy of the label is enclosed for your records.

Sincerely,



Marilyn A. Mautz
Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

Enclosure

WPS USE

If the product is intended for uses under the scope of WPS, the label must be revised to incorporate the WPS protective language under 40 CFR Part 156 Subpart K.

HOMEOWNER USE

If it is your intention that the product be marketed only for use by the homeowner, add the appropriate language to clarify this intended use; i.e. "For outdoor use around the home only."

NON-WPS, NON-HOMEOWNER USE

If it is your intention that the product be marketed for application by a professional applicator or for use in areas other than around the home, but not for uses under the scope of WPS, you must add a special statement to remove the product from the scope; i.e. "Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes."

ORTHO® SYSTEMIC ROSE & FLORAL SPRAY, EPA Reg. No. 239-2476

ABN: ORTHENEX Rose & Flower Spray
RosePride ORTHENEX Insect & Disease Control,

Gives systemic protection against insect reinfestation for up to 2 weeks on Roses and Flowers

[8/27/96]: Controls Insects & Diseases on Roses & Flowers
Gives Systemic Protection for Up to 2 Weeks

[8/11/97]: ENDORSED - AMERICAN ROSE SOCIETY [LOGO]

Contains ORTHENE® Systemic Insecticide and FUNGINEX® Systemic Fungicide

10/16/96]: Beautiful Roses From... (Display on shipping case)

Kills: Aphids, Whiteflies, Mealybugs, Budworms, Mites, Leafminers, Thrips, Scales and other listed insects.

PROTECTS AGAINST DISEASES: Blackspot, Rust and Powdery Mildew of Roses and other listed diseases.

Active Ingredients

By Wt.

*Acephate (O,S-Dimethylacetylphosphoramidothioate)... ..0.250%
**Resmethrin[5-(phenylmethyl)-3-furanyl]methyl
2,2-dimethyl-3-(2-methyl-1-propenyl)
cyclopropanecarboxylate..... 0.100%

~~Related compounds.....0.014%~~

Triforine (N,N'-[1,4-piperazinediylbis
(2,2,2-trichloroethylidene)] bis [formamide]).....0.100%

Inert Ingredients.....99.536%99.550%

*ORTHENE ®, Acephate U.S. Pat. Nos. 3,716,600 & 3,914,417
**cis/trans isomers ratio max. 30% (±) cis and min. 70%
(±)trans

U.S.Pat. Nos. 3,456,007 & 3,683,078

KEEP OUT OF REACH OF CHILDREN
WARNING

See back panel for additional precautionary statements

NET WT. 14 OZ.

239-2476.WP6
Form

EPA Accepted 1/25/91
Notifications of 7/25/94, 4/8/96, 5/7/96, 8/27/96, 8/28/96, 10/16/96 & 8/11/97

ACCEPTED
with COMMENTS
in EPA Letter Dated:

MAR 23 2000

Under the Federal Insecticide,
Fungicide, and Herbicide Act
as amended, for the pesticide
registered under EPA Reg. No.

239-2476

HOW TO APPLY: Hold can in upright position approximately 18" from plants. Apply as a light spray, covering both upper and lower leaf surfaces. Not for use on houseplants inside the home. Note: Holding aerosol can too close to foliage may result in overwetting and damage to tender foliage. Protect plastic, enameled, varnished, and painted surfaces from spray.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING: Causes eye irritation. Harmful if swallowed. Do not get in eyes. Avoid contact with skin or clothing. Do not allow children or pets to come into contact with treated surfaces until sprays have dried. [8/28/96]: FIRST AID: In case of eye contact, wash eyes immediately with fresh water for 15 minutes and see a doctor. In case of skin contact, wash skin with soap and water. If a large amount of the liquid is swallowed, give water to drink, make person vomit and call a doctor. Note to Physicians: Emergency Information - call 1-800-457-2022. Avoid contamination of food. Do not contaminate water supplies.

ENVIRONMENTAL HAZARDS: This pesticide is highly toxic to fish. Do not apply directly to water or wetlands (swamps, bogs, marshes, and potholes). Drift and runoff from treated sites may be hazardous to fish in adjacent waters. **PHYSICAL OR CHEMICAL**

HAZARDS: Extremely Flammable. Contents under pressure. Keep away from fire, flames, sparks, heated surfaces or other sources of ignition. Do not puncture or incinerate container. Exposure to sunlight or temperatures above 130°F may cause bursting.

STORAGE AND DISPOSAL

STORAGE: Store in a secure, preferable locked storage area away from heat or open flame.

DISPOSAL: PRODUCT- unused product may be disposed of by securely wrapping original container in several layers of newspaper and discard in trash.

CONTAINER- Replace cap and discard in trash. Do not incinerate or puncture.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[4/8/96]: Federal regulations prohibit CFC propellants in aerosols.

[LOGO]: CONTAINS NO CFCs WHICH NO CFCs



