

239-2491

10-17-2002

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 239-2491	2. EPA Product Manager James Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ORTHO Brush-B-Gon Brush Killer	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company d/b/a The Ortho Group 14111 Scottslawn Rd. Marysville, OH 43041 <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: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

NOTIFICATION

OCT 17 2002

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Please see cover letter

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" 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
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<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"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Charles T. Levey	Title Manager, Federal Registrations	Telephone No. (Include Area Code) 937-644-7696
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Federal Registrations	
4. Typed Name Charles T. Levey	5. Date October 8, 2002	

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PR Notice 98-10 statement

“Notification of addition of a product facts table per PR Notice 98-10. 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 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.”

NOTIFICATION

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PR Notice 2001-6 statement

“Notification of label change relative to PR Notice 2001-6. This notification is consistent with the guidance in PR Notice 2001-6 and the requirements of EPA’s regulations at 40 CFR 156.10 and 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 with the guidance of PR Notice 2001-6 and the requirements of 40 CFR 156.10 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.”

NOTIFICATION

OCT 17 2002

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

ABN: ORTHO® Brush-B-Gon® Poison Ivy, Poison Oak & Brush Killer₁

ABN: ORTHO® Weed-B-Gon® Oxalis, Clover & Chickweed Killer

ABN [3/25/98]: ORTHO® Weed-B-Gon® Chickweed, Clover & Oxalis Killer

[Editing Note: Claims and Use Directions for Chickweed, Clover & Oxalis are under the "Turf" subset labeling.]

[ICON] OUTDOOR USE ONLY

ICON] Water Based

Makes 4 / 8 / 16 Gal Spray [pint / quart / ½ gallon]

Great Value – Concentrate makes 4 / 8 / 16 gallons spray

Value Priced – Concentrate makes 4 / 8 / 16 gallons spray

CONCENTRATE

KILLS WOODY PLANTS, INCLUDING STUMPS AND VINES

ALSO CONTROLS LAWN WEEDS POISON OAK, POISON IVY, WILLOWS, OAK, KUDZU, BLACKBERRIES, & OTHER LISTED WOODY PLANTS

Also Kills Blackberries, Kudzu & Stumps

Also Kills Poison Oak, Blackberries, Kudzu & Stumps

Kills Brush, Woody Weeds & Vines

Also kills Blackberries, Kudzu, Stumps & Other Woody Plants - roots and all.

Kills Poison Ivy & Poison Oak; Kills Blackberries; Kills Kudzu; Controls Poison Ivy and Poison Oak; Controls Blackberries; Controls Kudzu; Works hard so you don't have too; Kills 38 of the toughest weeds; Kills hard-to-control weeds; Tough weeds are no problem with Brush-B-Gon; Your solution to tough weed problems; The solution to tough weed problems; The tough weed solution

Rainproof in (2) hours for control that won't wash away.

FOR HOME USE ONLY / Residential use only.

NEW / NOW WITH MEASURING CAP AND POUR SPOUT INCLUDED

NOW EASIER TO MEASURE AND POUR

CHILD RESISTANT CAP

FAST & EASY MEASURING CAP

EASY POUR SPOUT

IMPROVED PACKAGE

Convenient Applicator Top

NOTIFICATION

OCT 17 2002

Active ingredient

Triclopyr, triethylamine salt 8%

Other Ingredients 92%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel booklet for additional precautionary statements.

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

NET CONTENTS 64 FL OZ (1/2 GAL) 1.89 L
NET CONTENTS 32 FL OZ (1 QT) 946 mL
NET CONTENTS 16 FL OZ (1 PT) 473 mL

BRUSH-B-GON® kills woody plants including stumps and vines around homes, cabins, buildings, fence lines, trails, and home rights-of-way. Controls: Poison Oak, Poison Ivy, Blackberries, Kudzu, Willows, Oak, and other listed woody plants.

Kills the toughest brushy weeds. It works systemically killing weeds right down to the roots.

Do not use around edible feed or food crops.

SQUEEZE TURN [illustration]
To open: squeeze cap while unscrewing

Peel open for use directions and further information.

☞ PULL HERE TO OPEN LABEL PRESS TO RESEAL

Open Resealable Label For Directions & Precautions

PEEL HERE / PRESS TO RESEAL

Open Resealable Label For Directions & Precautions

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. SEE ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS INSIDE BOOKLET.

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

Product Facts
KILLS Including: Blackberries, Black Cottonwood, WEEDS Box Elder, Choke Cherry, Elderberry, Elm, Honeysuckle, Horsetail Rush, Kudzu, Maples, Mesquite, Mimosa, Oak, Persimmon, Poison Ivy, Poison Oak, Ragweeds, Raspberry, Red Alder, Sassafras, Sweet Gum, Tansy Ragwort, Trumpet Creeper, Virginia Creeper, Wild Grape, Wild Rose & Willows
WHERE • Around homes, cabins & other buildings

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

TO USE • Along fences & trails
AMOUNT TO USE 4 fl oz (1/2 cup) per gal of water
☎ Product Information Call 1-800-225-2883 or www.ortho.com
Medical Information Call 1-800-225-2883 (Or Optional Text For One Phone Number) Questions, Comments or Medical Information? [6/10/98 Notification] Call: 1-800-225-2883 .www.ortho.com

CONTROLS

Arkansas Rose	Himalayan Blackberry	Red Alder
Big Leaf Maple	Honeysuckle	Sassafras
Black Cottonwood	Kudzu	Scouler Willow
Black Willow	Mackenzie Willow	Sweet Gum
Box Elder	Mesquite	Tansy Ragwort
Brazilian Pepper		
California Rose	Mimosa	Trailing Blackberry
Choke Cherry	Maple	Trumpet Creeper
Common Ragweed	Narrow Leafed Willow	Virginia Creeper
Elderberry	Oak	Wild Blackberry
Elm	Persimmon	Wild Grape
Evergreen Blackberry	Poison Ivy	Wild Rose
Field Horsetail Rush	Poison Oak	Willow
Giant Ragweed	Raspberry	

WHEN TO APPLY: Apply when vegetation is actively growing. Apply only when the air is calm to prevent drift.

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

WHEN TO APPLY

Apply when weeds are leafed out and actively growing.
Apply when air is calm to prevent drift to desirable plants.
Rain 2 hours after application will not reduce effectiveness.
Wilting or yellowing will occur in 2 to 6 weeks. Hard to kill weeds may require a repeat application if regrowth occurs.

Note: Contact with Poison Oak or Poison Ivy anytime of the year can cause an allergic reaction. Handle dead plants with rubber gloves. Dispose of plants & rubber gloves in tightly sealed garbage bags.

IMPORTANT: Do not use on or around edible feed or food crops.

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

[Measuring cap packaging]

MEASURING CAP: The cap has 4 measuring lines indicated inside, Fill cap to appropriate line for fast, easy, accurate measuring, Close cap tightly after use - no need to rinse.

- Line 1 = 1 teaspoon (tsp)
- Line 2 = 1 Tablespoon (Tbs) = 3 tsp
- Line 3 = 1 fl oz (2 Tbs)
- Line 4 = 2 fl oz (4 Tbs)

APPLICATOR	MIXING INSTRUCTIONS	AREA TO TREAT
Tank Sprayer	Fill to Line 4 two times (4 oz/ ½ cup). Add to 1 gal of water.	Spray leaves, stems and trunks until they begin to drip.
ORTHO DIAL 'n SPRAY Hose-End Sprayer	Pour product into sprayer jar. Do not add water. Set dial to 4 oz and spray. Pour leftover concentrate back into package when spraying is complete.	Spray leaves, stems and trunks until they begin to drip.

THREE DIFFERENT WAYS TO CONTROL BRUSH:

- Foliar Spray: Treats large areas of unwanted brush.
- Vine Killing: Spot treats vines growing around desirable trees & shrubs.
- Stump Killing: Treats freshly cut stumps to prevent regrowth.

STUMP & VINE KILLING: To kill stumps of trees such as Alder, Box Elder, Black Cherry, Choke Cherry, Elm, Manzanita, Maple, Oak, Persimmon, Peach, and Willow, apply product undiluted with a paint brush to the entire freshly cut stump, including the cut surface, remaining trunk and exposed roots. **VINE KILLING:** When vines such as Poison Oak, Poison Ivy, etc., grow around desirable plants, cut the vine first and treat as directed for stump killing.

Do not reuse paint brush. Wrap brush in newspaper and put in trash collection.
(or)

Apply product undiluted by flipping up the spout on the cap and gently squeezing bottle to cover the entire freshly cut stump. Close spout when finished.

Note: To kill small undesirable woody plants (as listed), cut plant off at ground level and treat freshly cut stump. This prevents regrowth without the unsightliness of the dying plant being present in landscaping. **Keep off desirable plants.**

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ORTHO® BRUSH-B-GON® Brush Killer

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LAWN WEED CONTROL: (Cool Season Grasses-Bluegrass, Fescue, Ryegrass, Bentgrass)-For control of Dandelion, Oxalis, White Clover, Pennywort, Black Medic, Plantains, Wild Geranium, Florida Pusley, Evening Primrose, Red Sorrel and Ironweed, apply 4 tsp per gal of water to treat 200 sq ft (or 4 fl oz per 6 gal of water to treat 1,200 sq ft). May be applied with an ORTHO SPRAY-ETTE Hose-End Sprayer or tank-type sprayer anytime weeds are actively growing. If lawn needs watering, water thoroughly before application. Make new dilution for each use. **Hardy Weeds-**For hard to control weeds or to control any missed in first application, make a second application in 2 to 3 weeks if necessary.

Important: Do not use this product for controlling weeds in flower or vegetable beds or around shrubs or ornamental plantings. Do not use on St. Augustine, Centipede, or Bermudagrass lawns.

IMPORTANT

BRUSH-B-GON Brush Killer is non-selective. Do not apply to or clean equipment around desirable vegetation or ornamental plant as injury may result. Do not apply when drift may occur.

STORAGE AND DISPOSAL

STORAGE: Store in original container in a safe place.

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 or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling.

[reentry icon] People and pets may enter treated area after spray has dried.

FIRST AID: If In Eyes: Flush with plenty of water. Call a physician if irritation persists.

Note to Physicians: Emergency Information call 1-800-225-2883.

ENVIRONMENTAL HAZARDS: Do not apply directly to any body of water. Do not pour product or rinse water down any drain.

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

The ORTHO Guarantee If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

☎_Questions, Comments or Medical Information? Call: 1-800-225-2883 .www.ortho.com

Manufactured for
The ORTHO Group
P.O. Box 190
Marysville, OH 43040
EPA Reg. No. 239-2491
EPA Est. 239-IA-3¹, 58996-MO-1^A
Superscript is first letter of lot number
Made in USA

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

Turf Subset Label For:

ABN: ORTHO® Weed-B-Gon® Oxalis, Clover & Chickweed Killer

ABN: ORTHO® Weed-B-Gon® Chickweed, Clover & Oxalis Killer

Covers / Treats 5000 sq ft (pt), 10,000 sq ft (qt)

Kills weeds, not lawns.

Kills dandelion, clover & other broadleaf weeds.

NOW

Unique Formula - Kills Tough Weeds

Helps Ensure a Weed Free Lawn

Tough Weed Formula

Kills Tough Weeds in Lawns

Kills / Controls Ground Ivy (Creeping Charlie) & Wild Violet

Won't Harm Lawn Grasses

The easy way to stop/kill weeds - roots & all [*illustration*]

Kills to the Root [*illustration*]

Kills Weeds Systemically [*illustration*]

Systemic [*illustration*]

Kills weeds - roots & all [*illustration*]

Also Kills Creeping Charlie, Ground Ivy & Other Tough Weeds. Won't Harm Lawns.

Special formula for control of tough lawn weeds. Weed-B-Gon Chickweed, Clover & Oxalis Killer kills weeds right down to the roots without harming lawns.

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

WON'T HARM COOL SEASON LAWN GRASSES*	KILLS TOUGH WEEDS
Bent, Buffalo, Fescues, Kentucky Blue, Rye or Zoysia	Chickweed, Clover, Ground Ivy (Creeping Charlie), Oxalis, Poison Ivy, Speedwell (Veronica), Wild Violet
	See inside label for many more weeds

- Not for use on Bermuda lawns.

PRODUCT FACTS	
Treats 3,200 sq ft (approx. size of 1½ tennis courts)	
KILLS	Chickweed, Clover, Ground Ivy (Creeping Charlie), <i>[illustration of clover]</i>
WEEDS	Oxalis, Speedwell (Veronica), Wild Violet & other tough lawn weeds
WHERE	ON LAWNS <i>[illustration of lawn]</i>
TO USE	Bent, Buffalo, Fescues, Kentucky Blue, Rye & Zoysia
AMOUNT TO USE	1 fl oz (2 Tbs) / gal of water / 200 sq ft
	Questions, Comments or Medical Information call 1-800-225-2883 www.ortho.com

Also combine with Weed-B-Gon® Lawn Weed Killer₂ to quickly kill all major broadleaf weeds in lawns. Specially formulated for added control of tough weeds such as / like clover, oxalis & speedwell!

Weeds Controlled:

Chickweed (Common, Mouseear), Clover, Ground Ivy (Creeping Charlie), Oxalis, Poison Ivy, Speedwell (Veronica), Wild Violet
plus Black Medic, Carolina Geranium, Cinquefoil, Dandelion, Evening Primrose, Florida Pusley, Ironweed, Lespedeza, Morning Glory (Bindweed), Pennywort, Plantains, Red Sorrel, Spurge (Garden, Spotted), Thistle, Wild Onion, Yellow Rocket

Mixing Instructions
Amount to Use: 1 fl oz (2 Tbs) per gallon of water for each 200 sq ft

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- When using **Ortho Dial'n Spray**: Set dial to 1 oz. Add 6 fl oz (12 Tbs) to sprayer jar. DO NOT add water. Spray evenly over 1200 sq ft until jar is empty.

How to Apply

- To treat entire lawn: Use a tank or hose-end sprayer. Measure lawn. Calculate square feet by multiplying length times width. Spray evenly over measured area.
- To spot treat individual weeds in lawn: Use a tank sprayer.
- If an ornamental shrub or tree is in the lawn, keep spray off foliage and exposed roots.
- Not for use on Bahia, Bermuda, Centipede, Kikuyu or St. Augustine lawns. Not for use on or around fruits, vegetables or flowers.

When to Mow & Water

- For best results avoid mowing 1 to 2 days before or after application.
- If lawn needs watering, water thoroughly before application.
- Rain or watering within 24 hours may reduce effectiveness.

When to Apply

- Apply any time / when weeds are actively growing.
 - Spray when temperature is below 90° F.
 - Spray when air is calm to prevent drift to desirable plants.
 - Reapplication can be made in 2 to 3 weeks if necessary.
 - Newly seeded lawn can be sprayed after second mowing.
- Bare spots can be planted with grass seed 1 week after application.

Combine with **Weed-B-Gon® Lawn Weed Killer₂** to quickly kill all major broadleaf weeds in lawns. See the label of **Weed-B-Gon® Lawn Weed Killer₂** for more than 80 broadleaf weeds. Follow all directions and precautions on both product labels.

Mixing Instructions for Combination Spray

Amount to Use: 1 fl oz (2 Tbs) of this product + 2 fl oz (4 Tbs) **Weed-B-Gon Lawn Weed Killer₂** per gallon of water for each 400 sq ft.

- When using **Ortho Dial'n Spray**: Set dial to 3 oz. Add 3 fl oz of this product + 6 fl oz of **Weed-B-Gon Lawn Weed Killer₂** to sprayer jar. DO NOT add water. Spray evenly over 1200 sq ft until jar is empty.

OR

Mixing Instructions for Combination Spray

Amount to Use: ½ fl oz (1 Tbs) of this product / **Weed-B-Gon Chickweed, Clover & Oxalis Killer** + 1 fl oz (2 Tbs) **Weed-B-Gon Lawn Weed Killer₂** per gallon of water for each 200 sq ft.

- When using **Ortho Dial'n Spray**: Set dial to 1 1/2 oz. Add 3 fl oz (6 Tbs)

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

of this product /Weed-B-Gon Chickweed, Clover & Oxalis Killer + 6 fl oz (12 Tbs) of Weed-B-Gon Lawn Weed Killer₂ to sprayer jar. **DO NOT** add water. Spray evenly over 1200 sq ft until jar is empty.

Measuring Cap Package:

MEASURING CAP: The cap has 4 measuring lines indicated inside. Fill cap to appropriate line for fast, easy, accurate measuring. Close cap tightly after use- no need to rinse.

- Line 1 = 1 teaspoon (tsp)
- Line 2 = 1 Tablespoon (Tbs) = 3 tsp
- Line 3 = 1 fl oz (2 Tbs)
- Line 4 = 2 fl oz (4 Tbs)

APPLICATOR	PRODUCT TO USE	AREA TO TREAT SQ FT
Tank Sprayer	Fill to Line 3 one time (1 fl oz). Add to 1 gal of water.	200 (20 X 10)
Ortho Dial'n Spray Hose-End Sprayer	Fill to Line 4 three times (6 fl oz). DO NOT add water. Set dial to 1 oz and spray.	1200 (20 X 60)

FOR BEST RESULTS	
MEASURE <i>[illustration / walking man]</i>	<ul style="list-style-type: none"> • To treat entire lawn: Use a tank or hose-end sprayer. Measure lawn. Calculate square feet by multiplying length times width. Spray evenly over measured area. • To spot treat individual weeds in lawn: Use a tank sprayer.
MOW <i>[illustration/ mower]</i>	<ul style="list-style-type: none"> • Avoid mowing 1 to 2 days after application.
WATER <i>[illustration /hose]</i>	<ul style="list-style-type: none"> • If lawn needs watering, water thoroughly before application. • Rain or watering 24 hours after application will not wash away effectiveness.
WHEN TO APPLY <i>[illustration / weather]</i>	<ul style="list-style-type: none"> • Spray when: <ul style="list-style-type: none"> - weeds are actively growing - temperature is below 90°F - air is calm to prevent drift to desirable plants • Reapplication can be made in 2 to 3 weeks if necessary. • Newly seeded lawn can be sprayed after second mowing.

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ORTHO® BRUSH-B-GON® Brush Killer

EPA Reg. No. 239-2491

IMPORTANT

Not for use on Bahia, Bermuda, Centipede, Kikuyu or St. Augustine lawns. Not for use on or around fruits, vegetables or flowers. If an ornamental shrub or tree is in the lawn, keep spray off foliage and exposed roots.

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The Scotts Company

and Subsidiaries



October 8, 2002

Mr. Jim Tompkins
U.S. Environmental Protection Agency
Office of Pesticide Programs
Registration Division, H7505C
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Subject: Notification of "minor label revisions" and "notification of label change relative to PR Notice 2001-6" for ORTHO Brush-B-Gon Brush Killer, EPA Reg. No. 239-2491

Dear Mr. Tompkins:

Please find enclosed a copy of the master label for the above product. I have highlighted the changes to expedite your review. I have enclosed the following documents:

- 1) Application Form 8570-1 for EPA Reg. No. 239-2491.
- 2) One (1) copy of the master label.
- 3) Certification statements in accordance with PR Notice 98-10 and PR Notice 2001-6.

Please call me at 937-644-7696, if you have any questions regarding this submission. Thank you in advance for your cooperation.

Sincerely,

The Scotts Company
Charles T. Levey
Manager, Federal Registrations