

239-2524

11-13-2001

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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

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

28 B 5-1

## Application for Pesticide - Section I

1. Company/Product Number 239-2524	2. EPA Product Manager Marion Johnson	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ORTHO Home & Garden Insect killer formula II	PM# 10	
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 _____	<b>NOTIFICATION</b>  NOV 13 2001
<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.	

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

The ORTHO Group is submitting a notification of "minor label revisions and an alternate brand name" 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.

## 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
If "Yes" Unit Packaging wgt. 15 oz		No. per container 1		<input type="checkbox"/> Plastic	
If "Yes" Package wgt		No. per container		<input type="checkbox"/> Glass	
If "Yes" Package wgt		No. per container		<input type="checkbox"/> Paper	
If "Yes" Package wgt		No. per container		<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> 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 both under applicable law.		6. Date Application Received (Stamped)  ..... .....
2. Signature 	3. Title Manager, Federal Registrations	
4. Typed Name Charles T. Levey	5. Date November 6, 2001	

NET WT 15 OZ / 425g



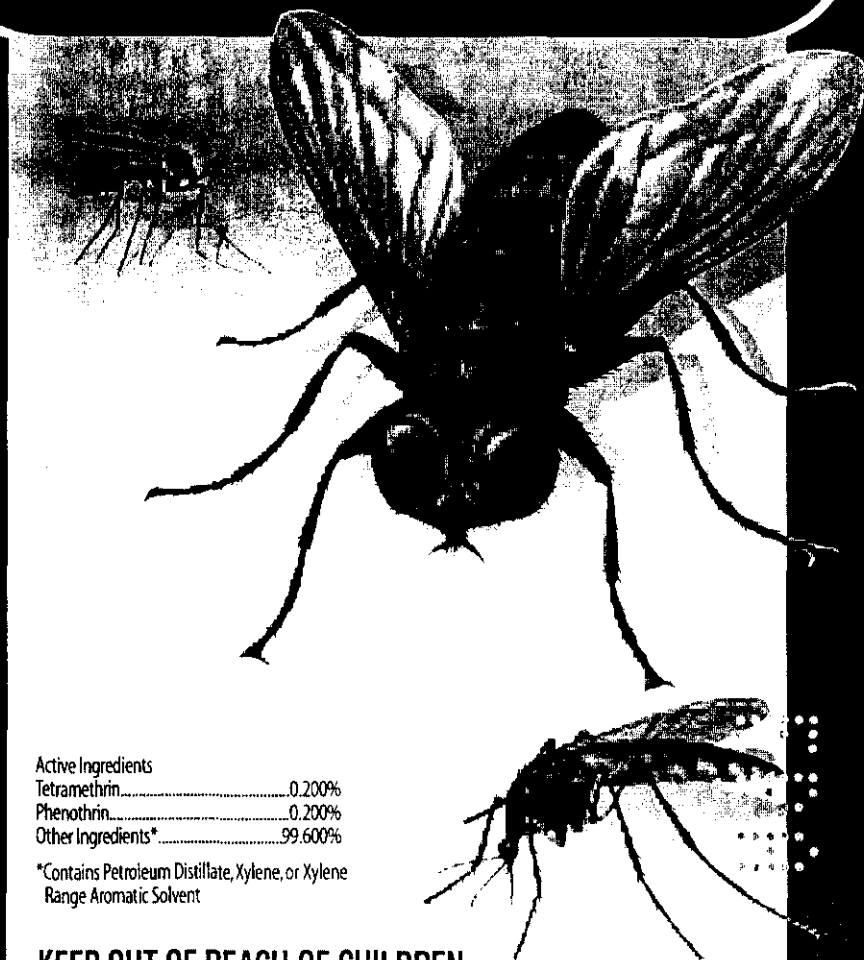
USE ONLY

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# ORTHO®

## FLYING INSECT KILLER<sub>1</sub>

**KILLS ON CONTACT.  
GUARANTEED.†**



Active Ingredients  
Tetramethrin.....0.200%  
Phenothrin.....0.200%  
Other Ingredients\*.....99.600%

\*Contains Petroleum Distillate, Xylene, or Xylene  
Range Aromatic Solvent

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION** See back panel for additional  
precautionary statements.

**NET WT 15 OZ / 425g**



NOTIFICATION  
NOV 13 2001

SHAKE WELL BEFORE USING

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# ORTHO<sup>®</sup> FLYING INSECT KILLER

## 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.**

Shake well before using. Hold container upright. Apply in short bursts.

## PRODUCT FACTS

### TO KILL FLIES, MOSQUITOES, SMALL FLYING MOTHS, GNATS, BEES AND WASPS:

- Close all doors and windows and direct spray upward into center of room with a slow sweeping motion.
- Spray 5 to 10 seconds for average room.
- Keep room closed for 15 minutes after spraying.
- Ventilate room thoroughly before reentry.
- Sweep up and destroy fallen insects.

### TO KILL COCKROACHES, ANTS, CRICKETS, AND SPIDERS (INCLUDING BLACK WIDOW SPIDERS):

- Contact as many insects as possible.
- Spray cracks, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas, and wherever these pests hide.

### TO KILL ANTS:

- Spray directly on ants, ant trails, and other areas of entry.
- Repeat as necessary.

### TO KILL FLEAS AND BROWN DOG TICKS:

- Remove old pet bedding.
- Spray sleeping quarters of pets, around baseboards, window and door frames, wall cracks, and local areas of floors.
- Do not treat animals with this product.
- Put fresh bedding in pets' quarters after spray has dried

## STORAGE & DISPOSAL

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

**DISPOSAL:** This container may be recycled in the few but growing number of communities where (steel) aerosol can recycling is available. Before offering for recycling, empty the can by using the product according to the label. (DO NOT PUNCTURE!) If recycling is not available, wrap the container and discard in the trash.



## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS & DOMESTIC ANIMALS

**CAUTION:** Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing vapors. Remove contaminated clothing and wash before reuse. Remove pets and cover fish bowls (tanks) before applying.

**FIRST AID:** IF IN EYES: Flush eyes with plenty of water. See a doctor if irritation persists. IF ON SKIN: Wash with plenty of soap and water. Get medical attention if irritation persists. IF INHALED: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention. **Note to Physicians:** Emergency Information call 1-800-225-2883.

**PHYSICAL OR CHEMICAL HAZARDS:** Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

**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.



Questions, Comments or Medical Information?

Call 1-800-225-2883



www.ortho.com

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Manufactured for

The ORTHO Group

P.O. Box 1749

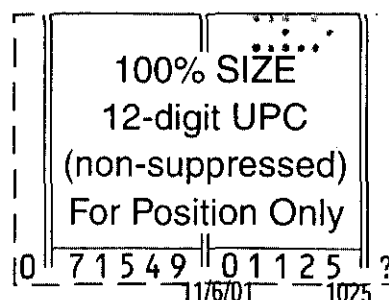
Columbus, OH 43216

Form AC000404010

EPA Reg. No. 239-2524

EPA Est. 58996-M0-1

Made in USA



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# The Scotts Company

and Subsidiaries

Scotts

November 6, 2001

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

Subject: ORTHO Home & Garden Insect Killer Formula II  
EPA Reg. No. 239-2524  
Notification – Additional Brand Name and Minor Label Revisions

Dear Marion Johnson:

We are notifying the agency that The ORTHO Group of The Scotts Company is submitting into the agency the following label changes:

- 1) Adding an alternate brand name "ORTHO Flying Insect Killer1.
- 2) The claim "Kills on Contact. Guaranteed."
- 3) The claim "Indoor Use Only"
- 4) Update the warranty statement to: "NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions."
- 5) Add a guarantee statement: "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."

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

