

239-2524

05-13-2002

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

2935-1

### Application for Pesticide - Section I

<b>1. Company/Product Number</b> 239-2524	<b>2. EPA Product Manager</b> Marion Johnson	<b>3. Proposed Classification</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
<b>4. Company/Product (Name)</b> ORTHO Home & Garden Insect Killer Formula II	<b>PM#</b> 10	
<b>5. Name and Address of Applicant (Include ZIP Code)</b> 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		<b>6. Expedited Review.</b> 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 type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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**NOTIFICATION**

MAY 13 2002

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

The ORTHO Group is submitting a notification of "additional label claims" and "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

<b>1. Material This Product Will Be Packaged In:</b>				<b>2. Type of Container</b>	
<b>Child-Resistant Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Unit Packaging</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Water Soluble Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
* Certification must be submitted If "Yes" Unit Packaging wgt.    No. per container 18 fl oz                                    1		If "Yes" Package wgt    No. per container		<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
<b>3. Location of Net Contents Information</b>		<b>4. Size(s) Retail Container</b>		<b>5. Location of Label Directions</b>	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container				<input type="checkbox"/> _____	
<b>6. Manner in Which Label is Affixed to Product</b>			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____		

### Section - IV

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

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20% MORE

# ORTHO®

## Pro Select

AVAILABLE ONLY AT AUTHORIZED ORTHO PRO SELECT RETAILERS

# FLYING INSECT KILLER

NOTIFICATION  
MAY 13 2002

**Kills on Contact. Guaranteed.†**



Active Ingredients	
Tetramethrin	0.200%
Phenothrin	0.200%
Other Ingredients	99.600%

Contains Petroleum Distillate, Xylene, or Xylene Paraffin Aromatic Solvent

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION** See back panel for additional precautionary statements.

NET WT 18 OZ/510 g



INDOOR USE ONLY

SHAKE WELL BEFORE USING

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# ORTHO ProSelect™ 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 can upright. Apply in short bursts.

## PRODUCT FACTS

<b>TO KILL FLIES, MOSQUITOES, SMALL FLYING MOTHS, GNATS, BEES AND WASPS</b>	<ul style="list-style-type: none"> <li>• Close all doors and windows and direct spray upward into center of room with a slow, sweeping motion.</li> <li>• Spray 5 to 10 seconds for average room.</li> <li>• Keep room closed for 15 minutes after spraying.</li> <li>• Ventilate room thoroughly before re-entry.</li> <li>• Sweep up and destroy fallen insects.</li> </ul>
<b>TO KILL COCKROACHES, ANTS, CRICKETS, AND SPIDERS (INCLUDING BLACK WIDOW SPIDERS)</b>	<ul style="list-style-type: none"> <li>• Contact as many insects as possible.</li> <li>• Spray cracks, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas, and wherever these pests hide.</li> </ul>
<b>TO KILL ANTS</b>	<ul style="list-style-type: none"> <li>• Spray directly on ants, ant trails, and other areas of entry.</li> <li>• Repeat as necessary.</li> </ul>
<b>TO KILL FLEAS AND BROWN DOG TICKS</b>	<ul style="list-style-type: none"> <li>• Remove old pet bedding.</li> <li>• Spray sleeping quarters of pets, around baseboards, window and door frames, wall cracks, and local areas of floors.</li> <li>• Do not treat animals with this product.</li> <li>• Put fresh bedding in pets' quarters after spray has dried.</li> </ul>

## 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.



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 ACXXXXXXXXX  
EPA Reg. No. 239-2524  
EPA Est. 58996-M0-1  
Made in USA

### † 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.

DOT 2P



100% SIZE  
12-digit UPC  
(non-suppressed)  
For Position Only

10 71549 01245 1020

060102

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# The Scotts Company

and Subsidiaries



May 6, 2002

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 additional marketing claim

Dear Marion Johnson:

We are notifying the agency that we wish to add an additional brand name and claims to the above registration. The following changes are being provided and in compliance with PR Notice 98-10:

- 1) Additional marketing claim – “20% MORE FREE”. The original/current container has 15 fl. oz. The new container will have 18 fl. oz. (or 20% more at no additional cost to the consumer)
- 2) Additional marketing claim – “Available only at authorized ORTHO Pro Select Retailers”. This claim identifies that this product is only being offered to a select group of retailers.
- 3) The additional brand name is “ORTHO Pro Select Flying Insect Killer”.

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

