

239-2657

2/5/2007

10 of 10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 5 2007

Ms. Sheila R. Kenddrick, Senior Regulatory Specialist
The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name and Marketing Claims "GroundClear Vegetation
Killer Concentrate"
EPA Reg. No. 239-2657
Application Dated December 19, 2006

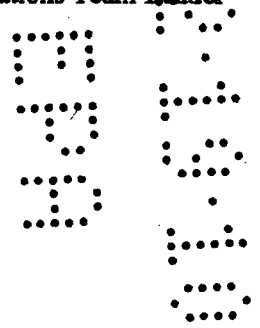
Dear: Ms. Kendrick,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/19/2006 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The Confidential Statement of Formula (CSF) and/or label submitted with the application has (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



2010

<p>EPA</p> <p style="text-align: center;">United States Environmental Protection Agency Washington, DC 20460</p>	<p><input type="checkbox"/> Registration</p> <p><input type="checkbox"/> Amendment</p> <p><input type="checkbox"/> Other</p>	<p>OPP Identifier Number</p>
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Application for Pesticide - Section I

<p>1. Company/Product Number 239-2657</p> <p>4. Company/Product (Name) Ground Clear Total Vegetation Killer</p>	<p>2. EPA Product Manager James Tompkins</p> <p>PM# PM-25</p>	<p>3. Proposed Classification</p> <p><input type="checkbox"/> None <input type="checkbox"/> Restricted</p>
<p>5. Name and Address of Applicant (Include ZIP Code) The Scotts Company 14111 Scottslawn Road Marysville, OH 43041</p> <p><input type="checkbox"/> Check if this is a new address</p>	<p>6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(I), my product is similar or identical in composition and labeling to:</p> <p>EPA Reg. No. _____</p> <p>Product Name _____</p>	

NOTIFICATION

Section II

FEB 5 2007

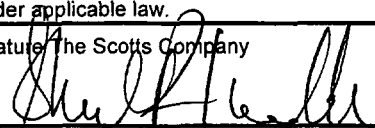
<p><input type="checkbox"/> Amendment - Explain below.</p> <p><input type="checkbox"/> Resubmission in response to Agency letter dated XX-XX-XX</p> <p><input checked="" type="checkbox"/> Notification - Explain below.</p>	<p><input type="checkbox"/> Final printed labels in response to Agency letter dated _____</p> <p><input type="checkbox"/> Me Too" Application</p> <p><input type="checkbox"/> Other - Explain below.</p>
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)
See attached letter.

Section III

1. Material This Product Will Be Packaged In:			
<p>Child-Resistant Packaging</p> <p><input type="checkbox"/> Yes*</p> <p><input type="checkbox"/> No</p> <p>*Certification must be submitted</p>	<p>Unit Packaging</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If "Yes" Unit Packaging wgt. _____</p>	<p>Water Soluble Packaging</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If "Yes" Package wgt. _____</p>	<p>2. Type of Container</p> <p><input type="checkbox"/> Metal</p> <p><input type="checkbox"/> Plastic</p> <p><input type="checkbox"/> Glass</p> <p><input type="checkbox"/> Paper</p> <p><input type="checkbox"/> Other (Specify) _____</p>
<p>3. Location of Net Contents Information</p> <p><input type="checkbox"/> Label <input type="checkbox"/> Container</p>	<p>4. Size(s) Retail Container</p> <p>14.35 & 43.05 lb</p>	<p>5. Location of Label Directions</p> <p><input type="checkbox"/> On Label</p> <p><input type="checkbox"/> On Labeling accompanying product</p>	
<p>6. Manner in Which Label is Affixed to Product</p> <p><input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Paper glued</p> <p><input type="checkbox"/> Stenciled</p>			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
<p>Name Sheila R. Kendrick</p>	<p>Title Manager, Federal Registrations</p>	<p>Telephone No. (Include Area Code) (937) 644-7214</p>
<p style="text-align: center;">Certification</p> <p>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.</p>		<p>6. Date Application Received (Stamped)</p>
<p>2. Signature of The Scotts Company BY: </p>	<p>3. Title Manager, Federal Registrations</p>	
<p>4. Typed Name: Sheila R. Kendrick</p>	<p>5. Date: December 19, 2006</p>	

The Scotts Company

and Subsidiaries



December 19, 2006

Sherada Hobgood, NOTIF -Team
Registration Division, H-7505C
Office of Pesticide Programs
U.S. Environmental Protection Agency
Ariel Rios Bldg.
1200 Pennsylvania Ave. NW
Washington, DC 20460-301

Subject: GroundClear Total Vegetation killer
EPA Reg. No. 239-2657
Notification: General label revisions

Dear Ms. Hobgood

We are notifying the Agency of the following regarding the subject product:

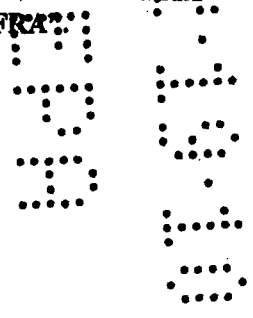
- Additional brand name: GroundClear Vegetation Killer Concentrate
- Added the following marketing claims:
 - For Driveways, Sidewalks, Gravel Paths & Patios
- GroundClear works two ways
 - Added the following notation in regard to the graphics: Highlight color represents area to be sprayed to keep weeds from growing for up to one year.
 - Before/After
 - Where to Use: Apply . . . only where no plant growth is desired for at least a year, such as along driveways, sidewalks, patios, gravel paths, and along fences.
 - Prevents growth for up to one year.
 - Along fence lines
 - One application kills and prevents weeds for up to one year!
 - Treats 300 sq ft.
- Added the following information to the Product Fact table: Apply with tank sprayer or sprinkling can.
- Added the Ortho & Your Environment statement: "Your home and yard are places for family and pets to enjoy. That's why Ortho® products are designed with care to provide effective solutions to insect problems inside and outside your home. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.

Enclosed are two (2) copies of the final printed label with changes highlighted to facilitate your review. Should you have any questions regarding this NOTIFICATION, please contact me at 937-644-7214.

"This notification is consistent with the provisions of PR Notice 95-2, 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 95-2, 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."

Respectfully,
The Scotts Company

BY: Sheila R. Kendrick
Senior Regulatory Specialist
14711 Scottslawn Road Marysville, Ohio 43041 937-644-0011
www.scotts.com



FORMERLY
TRIOX®

ORTHO®

GROUND CLEAR®

VEGETATION KILLER
MATA LA VEGETACION

CONCENTRATE

NO WEEDS FOR UPTO 1 YEAR

NO MALEZAS HASTA POR 1 AÑO

**For Driveways, Sidewalks,
Gravel Paths & Patios**

Active Ingredients

Glyphosate, isopropylamine salt.....5.00%

Imazapyr, isopropylamine salt.....0.08%

Other Ingredients.....94.92%

KEEP OUT OF REACH OF CHILDREN

WARNING SEE BACK PANEL BOOKLET FOR ADDITIONAL
PRECAUTIONARY STATEMENTS.

MANTENER FUERA DEL ALCANCE DE LOS NIÑOS
ADVERTENCIA CONSULTE EL PANEL POSTERIOR PARA CONOCER
LOS AVISOS DE PRECAUCION ADICIONALES.

NET/NETO
1 GAL / 3.78 L



After

Before

40810

2010

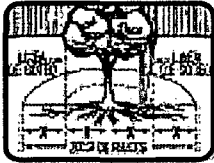
2010

50 of 10

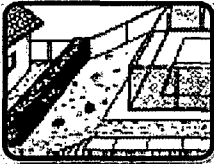
1 YEAR!

Kills Weeds AND Prevents Regrowth FOR UP TO

L01414R000



Para evitar el daño a plantas que no desee eliminar no se debe aplicar sobre sus sistemas de raíces. Para arbustos y árboles no se debe aplicar más cerca que el doble de la distancia desde el tronco hasta la línea de goteo (el área sombreada en color) pues las raíces pueden estar bajo esta área.




No se debe aplicar en laderas (el área sombreada en color) debido a que el movimiento de tierra de la superficie puede dañar plantas abajo de la ladera que no se deseen eliminar.



No se debe aplicar al lado de una cerca si del otro lado hay plantas que no se desee eliminar o si se tiene intención de sembrar en un futuro.

No se debe usar antes de sembrar céspedes, frutas, hortalizas, flores u otras plantas pues el Concentrado mata la vegetación Ortho® GroundClear® permanece activo en la tierra hasta por un año. En tierra sumamente arcillosa, el control de las malezas puede exceder un año.

ALMACENAMIENTO Y ELIMINACION

ALMACENAMIENTO	Almacene el producto en el envase original en un lugar seguro. Evite que se congele.
ELIMINACION 	Si está vacío: No vuelva a usar este envase. Tirelo a la basura o, si está disponible, ofrézcalo para reciclaje. Si está parcialmente lleno: Llame a su agencia de desechos sólidos para obtener instrucciones sobre cómo eliminarlo. Nunca elimine el producto no utilizado en drenajes internos o externos.

AVISOS DE PRECAUCION Riesgos Para Humanos Y Animales Domésticos

ADVERTENCIA 	Ocasiona daño considerable pero temporal a los ojos. No debe entrar en contacto con los ojos o con la ropa. Use anteojos de seguridad. Lave con abundante agua y jabón después de manipularlo. Debe quitarse y lavar la ropa contaminada antes de volver a usarla.
	Las personas y mascotas pueden entrar a las áreas tratadas después de que se haya secado el rocío.

ORTHO

GROUND CLEAR

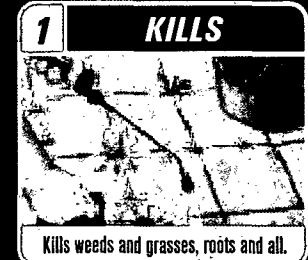
VEGETATION KILLER CONCENTRATE

One application kills and prevents weeds for up to one year!
Treats up to 300 sq ft!

OPEN
Resealable Label
for Directions &
Precautions
Español ver
página 5

GROUND CLEAR WORKS TWO WAYS

Highlight color represents area to be sprayed to keep weeds from growing for up to one year.

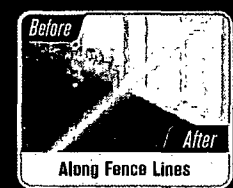


WHERE TO USE

Apply Ortho® GroundClear® Vegetation Killer Concentrate only where no plant growth is desired for at least a year, such as driveways, sidewalks, patios, gravel paths, and along fences.



(See inside booklet for details.)



OUTDOOR USE ONLY
WATER BASED

Manufactured for The ORTHO Group
P.O. Box 190 Mansville, OH 43040
Form LB
EPA Reg. No. 239-2657
EPA Est. 58996-MO-1^h, 239-1A-3ⁱ
Superscript is first letter of lot number
Made in USA



10410

For use on driveways, gravel paths and patios. Offers long-term weed control in places where no growth is wanted. It kills weeds and prevents any re-growth for up to one full year with a single application.

DO NOT use on lawns, on or around fruits, vegetables, flowers, shrubs, trees or over the root zone of shrubs or trees. Specially formulated for residential use.


PRODUCT FACTS Treats up to 300 sq ft

<p>KILLS WEEDS</p> 	<p>Unwanted plants & grasses</p>
<p>PREVENTS WEEDS</p>	<p>For up to 1 year</p>
<p>WHERE TO USE</p>  <p>OUTDOOR USE ONLY</p>	<ul style="list-style-type: none"> • On driveways, parking areas, brick walks, gravel paths & patios • Along fences & curbs • Cracks in sidewalks
<p>AMOUNT TO USE</p>	<p>1 qt per gal of water treats 75 sq ft Apply with tank sprayer or sprinkling can</p>

DIRECTIONS FOR USE

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

HOW TO APPLY

- Measure area to be treated. Calculate square feet by multiplying length times width. 
- Pour 1 qt into a tank sprayer or sprinkling can. Add 1 gal of water.
- Apply evenly over 75 sq ft.
- Allow to soak into ground, avoiding runoff to nearby desirable plants.


WHERE TO USE

Apply only where no vegetation growth is wanted for up to 1 year. Use on driveways, parking areas, brick walks, gravel walks, gravel pathways, patios, along fences, curbs and cracks in sidewalks.

DONDE USAR

Se debe aplicar solamente donde no se desee el crecimiento de vegetación hasta por 1 año. Úselo en caminos de acceso, áreas de estacionamiento, caminos de ladrillo, caminos de grava, senderos de grava, patios, a lo largo de cercas, bordillos y grietas en las aceras.

CUANDO USAR

- Aplique al terreno rústico o cuando encuentre malezas. Si las malezas tienen más de 6 pulgadas de altura, corte la grama o córtelas y quite la basura antes de la tratamiento.
- Para obtener mejores resultados se debe aplicar en un día soleado con temperaturas arriba de 60° F. 
- Para prevenir el crecimiento de las malezas bajo los caminos de acceso de asfalto, canchas de tenis, áreas de juego y áreas de estacionamiento, lo debe aplicar antes de echar los materiales de la superficie.
- Se debe aplicar solamente en áreas donde no se desee el crecimiento de vegetación hasta por 1 año. En áreas con fuertes lluvias puede ser necesario volver a aplicar el tratamiento cada 6 a 8 meses para mantener el área libre de malezas.
- Si el área no se trata de manera uniforme, puede haber algunas malezas que crecerán en ella. Estas malezas se pueden tratar individualmente con el mata malezas y gramas con prevención de malezas Season-Long MAX™ de Ortho™.

IMPORTANTE: Se debe usar solamente en lugares donde no se desea crecimiento de plantas durante por lo menos por un año, tales como: en caminos de acceso, áreas de estacionamiento, caminos de ladrillo, senderos de grava, patios, a lo largo de cercas y bordillos y en grietas en las aceras. En tierra sumamente arcillosa la prevención del crecimiento de las plantas puede exceder un año. En áreas con fuertes lluvias puede ser necesario realizar aplicaciones cada 6 a 8 meses.



Questions, Comments or Medical Information
Preguntas, comentarios o información médica
1-800-225-2883 www.ortho.com





70410

Para uso en caminos de acceso, caminos de grava y patios. Ofrece un control a largo plazo de las malezas en los lugares donde no se desea su crecimiento. Elimina las malezas y previene cualquier nuevo crecimiento con una sola aplicación hasta por un año completo.

No se debe usar en céspedes, en o alrededor de frutas, hortalizas, flores, arbustos, árboles o sobre la zona de las raíces de arbustos o árboles. Formulado especialmente para uso residencial.

DATOS DEL PRODUCTO


Sirve Para Dar Tratamiento Hasta 300 Pies Cuadrados

ELIMINA MALEZAS 	Plantas y gramas no deseadas
PREVIENE MALEZAS	Hasta por 1 año
DONDE USAR  SOLAMENTE PARA USO EXTERIOR	<ul style="list-style-type: none"> • En caminos de acceso, áreas de estacionamiento, caminos de ladrillo, caminos de grava y patios • A lo largo de cercas y bordillos • Grietas en las aceras
CANTIDAD A USAR	1 cuarto por galón de agua sirve para tratar 75 pies cuadrados. Se debe aplicar con un tanque rociador o un bote rociador

INSTRUCCIONES

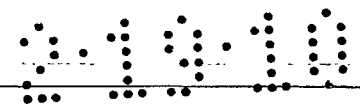
Es una violación a la ley Federal usar este producto de forma inconsistente con su etiqueta.

COMO APLICAR


- Mida el área que será tratada. Calcule los pies cuadrados multiplicando la longitud por el ancho. 
- Vierta 1 cuarto en un tanque rociador o bote rociador. Agregue 1 galón de agua.
- Aplique uniformemente sobre 75 pies cuadrados.
- Deje que empape el terreno, evitando el flujo del agua hacia plantas cercanas que no desee eliminar.



Questions, Comments or Medical Information
 Preguntas, comentarios o información médica
 1-800-225-2863 www.ortho.com



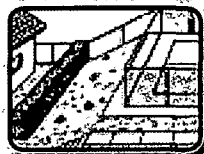
WHEN TO USE

- Apply to bare ground or when weeds are present. If weeds are taller than 6 inches, mow or cut down and remove debris before treatment. 
- For best results apply on a sunny day with temperatures above 60° F.
- To prevent the growth of weeds under asphalt driveways, tennis courts, play areas and parking areas, apply before laying surfacing materials.
- Apply only to areas where no vegetation growth is wanted for up to 1 year. In areas of heavy rainfall, re-treatment every 6 to 8 months may be necessary to maintain a weed free area.
- If the area is not uniformly treated, there may be some weeds that will grow in the treated area. These weeds can easily be spot treated with Ortho® Season-Long MAX™ Weed & Grass Killer Plus Preventer.

IMPORTANT: Use only where no plant growth is wanted for at least a year, such as: on driveways, parking areas, brick walks, gravel paths, patios; along fences and curbs; and cracks in sidewalks. In heavy clay soil, plant growth may be prevented for more than one year. In areas of heavy rainfall, applications every 6 to 8 months may be necessary.



To avoid damage to desirable plants do not apply over their root systems. For shrubs and trees do not apply closer than twice the distance from the trunk to the drip line (the area shaded in color) as roots may be within this area.




Do not apply to slopes (the area shaded in color) as movement on soil surface may damage desirable plants down the slope.

Do not apply next to a fence if desirable plants are growing on the other side or if future planting is intended.



Do not use before planting lawns, fruits, vegetables, flowers, or other plants because Ortho® GroundClear® Vegetation Killer Concentrate remains active in soil for up to one year. In heavy clay soil, weed control may exceed one year.

80410

STORAGE AND DISPOSAL

STORAGE	Store product in original container in a safe place. Protect from freezing.
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*

WARNING 	Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.
	People & pets may enter treated areas after spray has dried.

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.

ENVIRONMENTAL HAZARDS

	Do not apply directly to any body of water. Do not contaminate water when disposing of equipment wash waters.
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NOTICE	Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.
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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 & YOUR ENVIRONMENT Your yard is a place for family and pets to enjoy. That's why Ortho products are designed with care to provide effective solutions to weed problems. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.

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Manufactured for The ORTHO Group
P.O. Box 190 Marysville, OH 43040
Form LB
EPA Reg. No. 239-2657
EPA Est. 58996-MO-1^A, 239-IA-3¹
Superscript is first letter of lot number
Made in USA

90410

PRIMEROS AUXILIOS +

**SI HAY
CON-
TACTO
CON LOS
OJOS**

Mantenga el ojo abierto y enjuague con agua despacio y con cuidado por 15-20 minutos. Si tuviera lentes de contacto, quítelos después de lavarse con agua los primeros 5 minutos y después continúe lavando el ojo. Llame al centro de control de envenenamiento o al doctor para obtener más recomendaciones de tratamiento.

**SI SE
TRAGA**

Llame inmediatamente al centro de control de envenenamiento o al doctor para obtener inmediatamente recomendaciones de tratamiento. Haga que la persona tome sorbos de un vaso con agua, si puede tragar. No induzca el vómito a menos que lo indique un centro de control de envenenamientos o el doctor. No le dé nada por la boca a una persona inconsciente.

Tenga a la mano el envase del producto o la etiqueta cuando llame al centro de control de envenenamiento o al doctor, o al buscar tratamiento.

NOTA PARA LOS MEDICOS: para obtener información de emergencia llame al 1-800-225-2883

RIESGOS AMBIENTALES



No lo aplique directamente en ningún cuerpo de agua. No contamine el agua al deshacerse de la que usó para limpiar el equipo.

AVISO

El comprador asume todos los riesgos de uso, almacenamiento o manejo de este producto si no se siguen las instrucciones.

**LA GARANTIA
ORTHO**

Si por cualquier razón usted no está satisfecho con este producto, envíenos por correo el comprobante de compra para recibir el reembolso total del precio de compra.



Questions, Comments or Medical Information
Preguntas, comentarios o información médica
1-800-225-2883 www.ortho.com



Manufactured for The ORTHO Group
P.O. Box 190 Marysville, OH 43040
Form LB

EPA Reg. No. 239-2657

EPA Est. 58996-MO-1^A, 239-IA-3^I

Superscript is first letter of lot number

Made in USA

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PRESS TO RESEAL · PRESIONE PARA VOLVER A CERRAR

106110