

239-2657

3/19/2010

lot 9



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Wendy Hollingsworth-Cox  
The Scotts Company  
d/b/a The Ortho Group  
P.O. Box 190  
Marysville, OH 43040

MAR 19 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Hollingsworth-Cox:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 17, 2010 for:

**EPA Registration 239-2657**

**Ortho GroundClear Total Vegetation Killer**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551 .

Sincerely,

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

2009

<b>EPA</b> United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> <b>Registration</b> <input type="checkbox"/> <b>Amendment</b> <input checked="" type="checkbox"/> <b>Other</b>	OPP Identifier Number 23926571LBL20100217
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**Application for Pesticide - Section I**

1. Company/Product Number 239-2657	2. EPA Product Manager James Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Scotts Company/Ortho GroundClear Total Vegetation Killer	PM# PM-25	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company d/b/a The Ortho Group P.O. Box 190 Marysville, OH 43040  <input type="checkbox"/> Check if this is a new address	6. <b>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 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  
MAR 19 2010

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

**Notification of general labeling revisions per PR Notice 98-10 and PR Notice 2007-4. See cover letter for details.**

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156.

No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
*Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per Container	If "Yes" Package wgt.    No. per Container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 8 fl oz, 24 fl oz		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other Laminated paper with pressure sensitive adhesive <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

**Section IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Wendy Hollingsworth-Cox	Title Senior Scientist, Federal Registrations	Telephone No. (Include Area Code) (937) 578-5205

**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.

2. Signature BY: The Scotts Company LLC	3. Title Sr. Scientist, Federal Registrations	6. Date Application Received (Stamped)
4. Typed Name Wendy Hollingsworth-Cox	5. Date February 17, 2010	

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The Scotts Company LLC

and Subsidiaries

February 17, 2010

Mr. James Tompkins (PM-25)  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7505P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202

Subject: **Notification per PR Notice 2007-4**  
**Ortho GroundClear Total Vegetation Killer, EPA Reg. No. 239-2657**  
**OPP Identifier Number: 2392657LBL20100217**

Dear Mr. Tompkins:

Please accept the enclosed notification per PR Notice 2007-4 – "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment".


The following documentation in support of this submission includes:

- Application of Pesticide Registration Form 8570-1
- One (1) copy of the revised master label
- One (1) copy of the revised master label with changes marked and highlighted

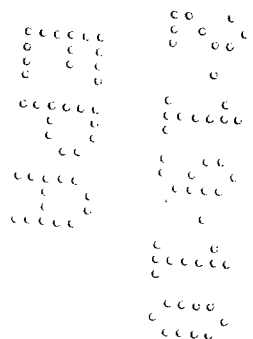
**Note:** *The Scotts Company currently has a proposed label pending with the 8-Month Data Call-In Response for Imazapyr dated November 12, 2008. We are therefore making this submission because it contains only the mandated language per the PR Notice 2007-4. To simplify the notification process, we have made changes to the latest master label copy that is posted on the Agency's PPLS website dated June 18, 2003 and incorporated the labeling changes as per the Notification dated February 5, 2007 (A copy of the notification has been included for your convenience.)*

We respectfully request the Agency to give favorable consideration to this submission and notify us when you put it in your files. If you have any questions or need additional information, please do not hesitate to contact me at 937-578-5205.

Sincerely,

  
Wendy Hollingsworth-Cox  
Senior Scientist, Federal Registrations

Enclosures



14111 Scottslawn Road  
Marysville, Ohio 43041  
Direct line: 937-578-5205  
Facsimile: 937-644-7075  
Email: [wendy.hollingsworth-cox@scotts.com](mailto:wendy.hollingsworth-cox@scotts.com)

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**Ortho GroundClear Total Vegetation Killer**  
**EPA Reg. No. 239-2657**

[ABN: GroundClear Vegetation Killer Concentrate]

**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

**NOTIFICATION**

**MAR 19 2010**

NET 1 qt/946 ml, ½ gal/1.89 L, 1 gal/3.78 L, 2gal/7.57 L, 1.25 gal/4.73 L

[Back Panel]

Peel Here Open Resealable Label For Directions And Precautions. Press To Reseal. See inside booklet for details.

<b>PRODUCT FACTS</b> Treats up to 75 sq ft ( <i>Quart Size</i> ) Treats up to 300 sq ft ( <i>1 Gallon Size</i> ) Treats up to 600 sq ft ( <i>2 Gallon Size</i> ) Treats up to 375 sq ft ( <i>1.25 Gallon Size</i> )	
<b>KILLS WEEDS</b>	Unwanted plants & grasses
<b>PREVENTS WEEDS</b>	For up to 1 year
<b>WHERE TO USE</b>	<ul style="list-style-type: none"> <li>• On driveways, parking areas, brick walks, gravel paths &amp; patios</li> <li>• Along fences &amp; curbs</li> <li>• Cracks in sidewalks</li> </ul>
<b>AMOUNT TO USE</b>	1 qt per gal of water treats 75 sq ft  Apply with tank sprayer or sprinkling can.
<b>Questions, Comments or Medical Information</b> <b>Call 1-800-225-2883 <a href="http://www.ortho.com">www.ortho.com</a></b>	

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**Ortho GroundClear Total Vegetation Killer**  
**EPA Reg. No. 239-2657**

**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.

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

**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.

**When To Use**

- Apply to bare ground or when weeds are present. If weeds are taller than 6 inches, mow or cut down weeds 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.

**How To Apply**

- Measure area to be treated. Calculate square feet by multiplying length times width. (walking man icon).

**[Sprinkling Can Application Directions]**

- [1 qt size] Pour 1 qt into a tank sprayer or sprinkling can. Add 1 gal of water.
- [1, 1 ¼ & 2 gal size] 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.

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**Ortho GroundClear Total Vegetation Killer**  
**EPA Reg. No. 239-2657**

**[Ortho Lawn and Garden Sprayer Application Directions]**

**Amount to Use**

<b>Applicator</b>	<b>Product And Water To Measure</b>	<b>Area To Treat</b>
Ortho Lawn and Garden Sprayer – 1 gallon size	Add 3 cups (24 fl oz) of product to 3 qts of water	50 sq ft
Ortho Lawn and Garden Sprayer – 2 gallon size	Add 1 qt (32 fl oz) of product to 1 gallon of water	75 sq ft
Ortho Lawn and Garden Sprayer – 3 gallon size	Add 2 qts (64 fl oz) of product to 2 gallons of water	150 sq ft

- Allow to soak into ground, avoiding runoff to nearby desirable plants.

**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.

*Picture of tree:*

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.

*Picture of Slope:*

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

*Picture of Fence:*

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.

**Ortho GroundClear Total Vegetation Killer**  
**EPA Reg. No. 239-2657**

**STORAGE AND DISPOSAL**

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

**PESTICIDE CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. **If empty:** 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**

**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.

[Reentry icon] 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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**Ortho GroundClear Total Vegetation Killer**  
**EPA Reg. No. 239-2657**

**NOTICE:** Buyer assumes all responsibility for safety and use 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.

**Ortho & Your Environment**

Your home and yard is a place 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.



Questions, Comments or Medical Information  
Call 1-800-225-2883      [www.ortho.com](http://www.ortho.com)

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

EPA Reg. No. 239-2657  
EPA Est. 239-IA-3<sup>I</sup>, 58996-MO-1<sup>A</sup>  
Superscript is the first letter of lot number

Made in USA



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# Ortho GroundClear Total Vegetation Killer

EPA Reg. No. 239-2657

## PRODUCT CLAIMS

- [outdoor icon] Outdoor Use Only
- [water droplet icon] Water based
- 25% More versus gallon size Free
- Kill weeds/Kills Weeds & their Germinating Seeds
- NOW/FASTER ACTING, FAST ACTING
- Prevents Plant Growth For Up To One Year
- Kills Weeds and Prevents Regrowth For Up To 1 Year!
- Keep Treated Ground Clear of Weeds for Up to One Year
- Keep Treated Ground/ Area Free of Weeds for Up To One Year
- Use on driveways, parking areas, brick walls, gravel pathways, patios, along fences, curbs & cracks in sidewalks
- Untreated, Treated 0-12 Months (Accompanied by Illustration)
- 2-Way Weed Killer. Kills Weeds (&). Prevents new weeds for up to 1 year, On Driveways, Parking Areas, Brick Walks, Gravel Paths & Patios, Along Fences & Curbs, Cracks in Sidewalks
- Easy to apply with a sprinkling can. Kills unwanted vegetation in sidewalks, driveways and around fences. Kills weeds and stop regrowth for up to one year.
- GroundClear™ kills unwanted plants and grasses **plus** their germinating seeds. Keeps treated ground free of plant growth for up to **ONE YEAR**. [Kills weeds and prevents regrowth for up to **ONE YEAR**.] Use [GroundClear] on driveways, parking areas, brick walks, gravel pathways, patios, along fences, curbs and cracks in sidewalks.
- Covers 75 sq ft (qt), 300 sq ft (gal), 600 sq ft (2 gal size)
- 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.
- No weeds for up to 1 year
- For Driveways, Sidewalks, Gravel Paths & Patios
- Ground Clear works two ways
- *Notation in regards to the graphics:* Highlight color represents area to be sprayed to keep weeds from growing for up to one year.
- Kills: Kills weeds and grasses, roots and all.
- Prevents: Prevents new growth for up to a year.
- Before/After
- Driveways & Sidewalk Cracks • Patio & Gravel Paths • Along fence lines
- Where to Use: Apply [Ortho GroundClear Vegetation Killer Concentrate] 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.
- One application kills and prevents weeds for up to one year!
- Treats 300 sq ft.
- Formerly Triox