

239-2657

9/27/2011

1 of 10



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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

SEP 27 2011

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

Subject: Notification per PR Notice 98-10 (alternate brand name)
Ortho GroundClear Total Vegetation Killer
EPA Reg. No. 239-2657
Application Dated September 12, 2011

Dear Ms. Hollingsworth-Cox:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product. The Registration Division (RD) has conducted a review of this request finds that the action falls within the scope of PRN 98-10. The alternate brand name "**Ortho GroundClear Vegetation Killer Concentrate**" has been added for this product. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis".

Kable Bo Davis
Product Manager 25
Herbicide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 05-31-98

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

1. Company/Product Number 239-2657	2. EPA Product Manager Kable Davis	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. 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 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

SEP 27 2011

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

Addition of Alternate Brand Name: Ortho GroundClear Vegetation Killer Concentrate

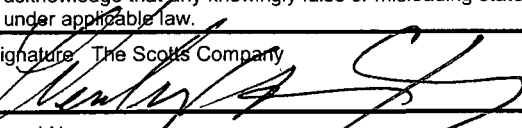
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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 section 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 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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other <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 Sr. Analyst, Federal Registration	Telephone No. (Include Area Code) (937) 578-5205

Certification		6. Date Application Received (Stamped)
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: 	3. Title Senior Analyst, Federal Registration	
4. Typed Name Wendy Hollingsworth-Cox	5. Date 9/12/2011	



The Scotts Company LLC

and Subsidiaries

September 12, 2011

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

Subject: **Notification of Alternate Brand Name per PR Notice 98-10**
Ortho GroundClear Total Vegetation Killer
EPA Reg. No. 239-2657

Dear Mr. Davis:

Please accept the enclosed notification of the following Alternate Brand Name - **Ortho GroundClear Vegetation Killer Concentrate** for EPA Reg. No. 239-2657. Included is a copy of the master label with changes marked.

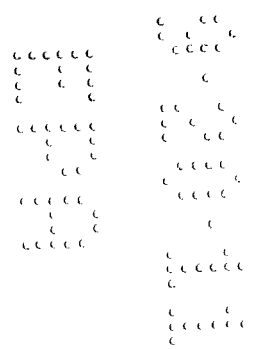
The following documentation in support of this submission is enclosed:

- Application of Pesticide Registration Form 8570-1
- ~~Two (2)~~ copies of the revised master label
- One (1) copy of the revised master label with changes marked and highlighted

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

Sincerely,

Wendy Hollingsworth-Cox
Senior Analyst, Federal Registration
Regulatory Affairs



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

40910

NOTE:

EPA Reg. No. 239-2657

Bold, italicized text is information for the reader and is not part of the label.
[Bracketed information is optional text]. Text separated by / denotes and/or options.
Underline text is new. ~~Strike-through text is being deleted.~~

[Shake well before using]
[For home use only]
[Water based]

NOTIFICATION

SEP 27 2011

ORTHO

GroundClear Total

Vegetation Killer

Alternate Brand Names

~~[ABN: GroundClear Vegetation Killer Concentrate]~~
Ortho GroundClear Vegetation Killer Concentrate

Active Ingredients

Glyphosate, isopropylamine salt.....	5.00%
Imazapyr, isopropylamine salt.....	0.08%
Other Ingredients.....	94.92%
Total	100.00%

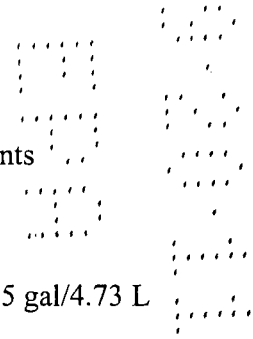
THIS PRODUCT CONTAINS:

0.006 lb imazapyr acid equivalent per gallon or 0.065%
0.320 lb glyphosate acid equivalent per gallon or 3.699%

KEEP OUT OF REACH OF CHILDREN

WARNING

See [back] [side] [other] [panel] [booklet] for additional precautionary statements



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

Highlighted Copy
Edit Date: 09.12.11
SAL 06.29.2011

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**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 and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

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 first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Medical Information Call 1-800-225-2883.

ENVIRONMENTAL HAZARDS:

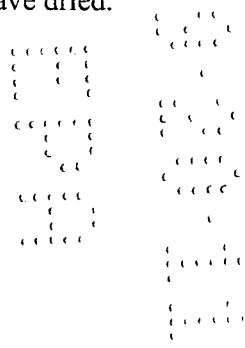
This product is toxic to plants. Drift and run-off may be hazardous to plants in water adjacent to treated areas. To protect the environment, do not allow pesticide to run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow pesticide off the treatment area. Rinsing application equipment over the treated area will help to avoid run off to water bodies or drainage systems.

DIRECTIONS FOR USE:

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

Do not apply this product in a way that will contact any person, pet, either directly or through drift. Keep people and pets out of the area during application.

[Reentry icon] Do not enter or allow others to enter treated areas until sprays have dried.



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Note to PM: The following products facts table is optional and the information may appear inside or outside of a box.

Product Facts	
Treats up to 75 sq ft [Quart Size]	
Treats up to 300 sq ft [1 Gallon Size]	
Treats up to 600 sq ft [2 gallon Size]	
Treats up to 375 sq ft [1.25 Gallon Size]	
KILLS WEEDS	Unwanted plants & trees
PREVENTS WEEDS	For up to 1 year
WHERE TO USE	<ul style="list-style-type: none"> • On driveways, parking areas, brick walks, gravel paths & patios • Along fences & curbs • Cracks in sidewalks
AMOUNT TO USE	1 qt per gal of water treats 75 sq ft Apply with tank sprayer or sprinkling can.
[telephone icon]	Questions, Comments or Medical Information Call 1-800-225-2883 www.ortho.com

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

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.
- To kill weeds in areas where you want other plants to grow, the use of [product name] is recommended. Always follow label directions for these products.

When to Use

- Apply to bare ground or when weeds are [present] [actively growing]. 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 listed 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, retreatment 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. It is recommended that these weeds be spot treated with [product name].

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How to Apply

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

Optional Section - Some or all of the following weeds will appear on the product label

[Weeds Controlled]/[Kills All Types of Weeds & Grasses]

Bahiagrass	Bentgrass	Bermudagrass
Bindweed	Black Medic	Blue Toadflax
Bluegrass	Brassbuttons	Broadleaf Plantain
Bromegrass	Bur Clover	Canada Thistle
Chickweed	Common Plantain	Common Groundsel
Crabgrass	Creeping Bentgrass	Creeping Charlie
Creeping Beggarweed	Curly Dock	Dandelion
Diffuse Lovegrass	Dog Fennel	Evening Primrose
False Dandelion	Fennel	Fescue
Fiddleneck	Filaree	Florida Pusley
Garden Spurge	Henbit	Johnsongrass
Knotweed	Lambsquarters	Little Bitter Cress
London Rocket	Maiden Cane	Ma H ow
Mayweed	Mouseear Chickweed	Nimblewill
Oldenlandia	Orchardgrass	Oxalis
Pennsylvania Smartweed	Pen nywort	Perennial Ryegrass
Primrose	Prostrate Spurge	Puncture Vine
Quackgrass	Ragweed	Sandspur
Shepherdspurse	Smooth Cat's Ear	Sowthistle
Spotted Spurge	St. Augustinegrass	Tall Fescue
Tansy Ragwort	Torpedograss	White Clover
Whitetop	Wild Morning Glory	Wild Barley
Yellow Nutgrass	Zoysia	

NOTE: Heavy lawn grass or well established difficult to control weeds, such as Bermudagrass, Nimblewill, Dandelion, or Canada Thistle may require a repeat application.

Weeds Prevented: black mustard, redstem filaree, downy brome, rattail fescue, bahiagrass, crabgrass, annual trampweed, red sorrel, cutleaf primrose, tall fescue [and] orchardgrass.

[Sprinkling Can Application Directions]

- [1 qt size] Pour [entire contents] [1 qt] into sprinkling can. Add 1 gal of water.
- [1, 1-1/4, & 2 gal size] Pour 1 qt into sprinkling can. Add 1 gal of water.

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- Apply evenly over 75 sq ft.
- Allow to soak into ground, avoiding runoff to nearby desirable plants.

[Ortho Lawn and Garden Sprayer Application Directions]

Amount to Use

Applicator	Product and Water to Measure	Area to Treat
Ortho Lawn and Garden Sprayer – 1 gallon size	Add 3 cups [24 fl oz] of product to 3 qts 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.

PRECAUTIONS & RESTRICTIONS

Use only where no plant growth is wanted for at least a year 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. [Illustration]

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

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

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

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If**

NOTE:

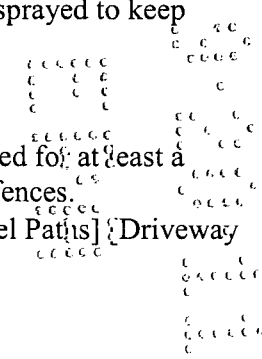
EPA Reg. No. 239-2657

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partly filled: Call your local solid waste disposal agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

OPTIONAL MARKETING CLAIMS

- [outdoor icon] Outdoor Use Only
- [water droplet icon] Water Based
- 25% More versus gallon size Free
- Kills weeds/Kills Weeds & Their Germinating Seeds
- Kills Weeds AND Prevents* Regrowth for up to 1 Year!
- FAST ACTING
- Prevents* Plant Growth For Up To One 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 walks, 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 stops re-growth 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* re-growth 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]
- 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.
- For [use on] Driveways, Sidewalks, Gravel Paths & Patios
- GroundClear works two ways
- **Notation in regard to the graphics:** Highlight color represents area to be sprayed to keep weeds from growing for up to one year.
- [1 Kills] Kills weeds and grasses, down to the root
- [2 Prevents] Prevents* new growth for up to one year.
- Where to Use: Apply [product name] only where no plant growth is desired for at least a year, such as along driveways, sidewalks, patios, gravel paths, and along fences.
- [Before illustration /After illustration] [Along fence lines] [Patios & Gravel Paths] [Driveway & Sidewalk Cracks]
- One application kills and prevents* weeds for up to one year!
- Treats 300 sq ft!
- Formerly Triox



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- Prevents* growth for up to one year
- Kills weeds for up to 1 year

Optional Marketing Claims, continued

- Prevents listed* weeds for up to 1 year
 - Prevents* for up to 1 year
 - Kills & Prevents* for up to 1 year
- (* See list for weeds prevented / Refer to weed list inside booklet/label / See weeds prevented section)

Optional Instructions for Resealable Labeling

- Peel Here Open Resealable Label for Directions and Precautions
- Press to Reseal.
- See inside booklet for details.

[telephone icon] Questions, Comments or Medical Information [computer icon]

Call 1-800-225-2883 www.ortho.com

The ORTHO® Guarantee

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

[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. Follow instructions for appropriate usage, storage and disposal.]

NOTICE: To the extent consistent with applicable law, the buyer assumes all responsibility for safety and use not in accordance with directions.

EPA Reg. No. 239-2657

EPA Est. 239-IA-3^I, 239-MS-001^M, 58996-MO-1^A, 84064-IA-001^P and 085652-OH-1^W

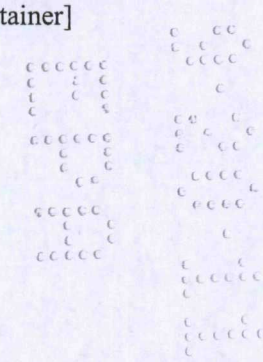
[Superscript used is first letter of lot number [on] [end] [side] [top] [bottom] [of] container]

[Sold By/Manufactured For]

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

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[Product of] [Made in] [Country Name] [USA]



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