

239-2664

9/19/2008

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

SEP 19 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

The Scotts Company
d/b/a The Ortho Group
14111 Scottslawn Rd.
Marysville, OH 43041

Subject: 2,4-D RED Label Amendment
Ortho Weed B Gon Ready-Spray
EPA Reg. No. 239-2664

The labeling referred to above is in compliance with the 2,4-D RED provided that you:

1. Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
2. Make the following changes to the product labeling:
 1. Revise the Ingredients Statement to the following:

Active Ingredients

Mecoprop-p, dimethylamine salt.....	5.30%
2,4-D, dimethylamine salt.....	3.05%
Dicamba, dimethylamine salt.....	1.30%
Other Ingredients.....	90.35%
Total	100.00%

2. On page 2, revise the MCPP-p acid equivalent percentage from "8.76%" to "4.38%", and revise the acid equivalent concentration from "0.75 lb" to "0.375 lb".
3. Revise the First Aid section as specified below. The "If swallowed" statements are optional, but must be revised as specified if retained. A "Note to Physician" is also optional. Refer to PR Notice 2001-1 for boxed formatting and statement guidance.

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 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. Call 1-800-225-2883 for emergency medical treatment information.

4. Revise the Hazards to Humans and Domestic Animals statement as stated below. The PPE text currently on the label is acceptable and may remain on the label.

“CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.”

5. Revise the first paragraph of the Environmental Hazards section to the following:

“This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. To protect the environment, do not allow pesticide to enter or 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 or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.”

6. In the groundwater contamination statement, replace the phrase “this chemical” with “this product” in both occurrences.

7. The following statements must be added in the Directions For Use section:

“Do not apply as a fine mist because of potential for injury to desirable plants.”

“Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day. Rinse applicator over lawn or garden area only.”

8. Include the following statement in the Directions for Use section:

“Do not use this product on or near desirable plants, including within the dripline of the roots of desirable trees and shrubs, since injury may result.”

9. Delete the statement "Reapplication can be made in 2 to 3 weeks if necessary." under When To Apply. A 30-day retreatment interval must be added to the label.
10. Revise the Storage and Disposal section as per PR Notices 2007-4 (Container Disposal) and PR Notice 83-3 (Pesticide Storage and Pesticide Disposal).
11. Revise the liability notice to read "To the extent consistent with applicable law, it is the manufacturer's intention that the buyer assumes all responsibility for safety and use not in accordance with directions."
12. Remove, modify, or submit efficacy studies to substantiate the following claims, as they are overly broad:
 - "Kills broadleaf weeds – roots **and all**"
 - "Kills roots **and all**"
 - "Kills **all** major broadleaf lawn weeds: List of the weed species"
 - "(Brand Name) kills **all** major broadleaf lawn weeds including..."
 - "Kills **80+** lawn weeds"
 - "Kills **all** major broadleaf weeds including..."
13. Remove the claim "**Specially** formulated for residential use." as it suggests that the product has a unique composition.
14. Remove the following claims as this product is no longer new. The claim "new" may only be used on the labeling of a product of new composition for a period of 6 months following labeling approval.
 - "**NEW** National Formula"
 - "**New/now** (Brand Name) kills **over 100 more** weeds"
 - "**New** formula for northern and southern grasses/lawns"
15. Remove the following claims as it suggests heightened efficacy and is false and misleading:
 - "**Now** Treats Northern and Southern Lawns"
 - "**Now** kills **over 2 times/twice as many** weeds"
 - "**Now** faster results"
 - "**Now** fast acting"
 - "**Improved** low odor formula"

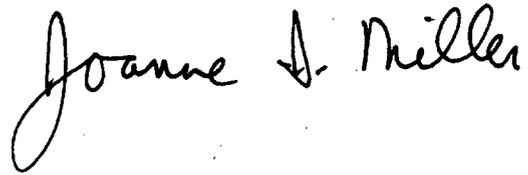
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Please Note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

A stamped copy of your labeling is enclosed for your records. Submit one (1) copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions

Sincerely,



Joanne I. Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Enclosure

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Now Treats Northern and Southern Lawns

- Kills Weeds Not Lawns
- Kills Dandelion, Clover & Other Broadleaf Weeds
- Kills dandelions, Clover and Many Other Lawn Weeds
- Rain-Proof in Hours
- Treats up to 12,800 sq. ft

(See Appendix for additional claims)

NEW National Formula

Ready-Spray®

Connect / Attach & Spray

Active Ingredients

Mecoprop-p, dimethylamine salt *	5.30%
2,4-D, dimethylamine salt**	3.05%
Dicamba, dimethylamine salt***	1.30%
Other Ingredients	90.35%

*(+)-(R)-2-(2-methyl-4-chlorophenoxy) propionic acid equivalent to 4.38%

**2,4-Dichlorophenoxyacetic acid equivalent to 2.53%

***3,6-dichloro-o-anisic acid equivalent to 1.08%

Isomer Specific by AOAC Method 6.DO1-5.

KEEP OUT OF REACH OF CHILDREN

CAUTION See back panel booklet for additional precautionary statements.

NET 32 FL OZ (1 QT) 946 m L

[icon] **WATER BASED**

OPEN

Resealable Label

for Directions & Precautions

PRESS TO RESEAL

Ready-Spray makes lawn and garden care easy. Simply attach the hose to the attached sprayer. Eliminates mixing, measuring and messy clean up. Automatically mixes the right amount of product and water.

OR

Kills weeds in your lawn - won't harm lawn grasses. Weed-B-Gon singles out weeds enters through leaves and moves inside the weed to the roots.

Makes lawn weed control easy. Simply connect hose to attached sprayer. Eliminates mixing, measuring and messy clean-up.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
SEP 19 2008

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

239-2664

PRODUCT FACTS	
Treats up to 12,800 sq ft (approx. size of 6 tennis courts)	
KILLS WEEDS	Dandelion, Clover, Chickweed [illustration] plus over 80 additional broadleaf weeds
WHERE TO USE	ON LAWNS [illustration] without harming lawn grasses
AMOUNT TO SPRAY	Bent, Buffalo, Centipede & St. Augustine (EXCEPT Floratam): 8 oz (¼ bottle) treats 3,200 sq ft

	Bahia, Bermuda, Fescues, Kentucky Blue, Perennial Rye & Zoysia 8 oz (¼ bottle) treats 1,600 sq ft
?	Questions, Comments or Medical Information call 1-800-225-2883 www.ortho.com

THIS PRODUCT CONTAINS:

- 0.75 lb. 2-(2-methyl-4-chlorophenoxy) propionic acid equivalent per gallon or 8.76%
 - 0.22 lb. 2,4-Dichlorophenoxyacetic acid equivalent per gallon or 2.53%
 - 0.093 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 1.08%
- Isomer Specific by AOAC Method 6.DO1-5.

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

DIRECTIONS FOR USE

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

AMOUNT TO SPRAY

- Measure lawn. Calculate square feet by multiplying length times width. [walking man icon]
- Use the amount indicated for your lawn variety:
 [FOR SENSITIVE LAWNS:] **Bentgrass, Buffalograss, Centipedegrass & St. Augustinegrass (EXCEPT Floratam, a variety of St. Augustinegrass widely grown in Florida.):** 8 oz (¼ bottle) treats 3,200 sq ft

[FOR HARDY LAWNS:] **Bahiagrass, Bermudagrass, Fescues, Kentucky Bluegrass, Perennial Ryegrass & Zoysiagrass:** 8 oz (¼ bottle) treats 1,600 sq ft

HOW TO USE THE READY-SPRAY®	
CONNECT [illustration]	Connect sprayer to hose. Be sure on/off switch is set to "OFF". Turn on water.
[illustration]	Use coin or key to rotate small (color) button to "OPEN".
SPRAY [illustration]	To BEGIN spraying, point nozzle towards lawn. Turn on/off switch forward to "ON". Spray evenly over measured area.
FINISH	• To STOP spraying, turn on/off switch back to "OFF". Rotate small

[illustration]	(color) button to "CLOSED". Turn off water. <ul style="list-style-type: none"> • Relieve water pressure by turning switch to "ON" until water slows to a drip. Turn switch back to "OFF". Disconnect from hose.
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[Color of button is green.]

FOR BEST RESULTS	
<u>MOW</u> [illustration/ mower]	Do not mow for 1 to 2 days after application.
<u>WATER</u> [illustration /hose]	<ul style="list-style-type: none"> • If soil is dry, water 1 to 2 days before application. • Rain or watering 6 hours after application will not wash away effectiveness.
<u>WHEN TO APPLY</u> [illustration / weather]	<ul style="list-style-type: none"> • Spray when: <ul style="list-style-type: none"> - weeds are small and actively growing - temperature is below 90°F - air is calm to avoid spray drift onto landscape plants as contact with foliage may injure flowers, shrubs, trees and other desirable plants • Reapplication can be made in 2 to 3 weeks if necessary. • Newly seeded lawn can be sprayed after first mowing. • Bare spots can be planted with grass seed 1 week after application.

or

WHEN TO [MOW & - optional] WATER [icon]

- Do not mow for 1 to 2 days before or after application. [optional]
- If soil is dry, water 1 to 2 days before application.
- Rain or watering 6 hours after application will not wash away effectiveness.

WHEN TO APPLY [icon]

- Spray when weeds are small and actively growing.
- [Spray when] temperature is below 90°F.
- [Spray when] air is calm to avoid spray drift onto landscape plants as contact with foliage may injure flowers, shrubs, trees and other desirable plants
- Reapplication can be made in 2 to 3 weeks if necessary.
- Newly seeded lawn can be sprayed after first mowing.
- Bare spots can be planted with grass seed 1 week after application.
- Do not apply this product in a way that will contact any person or pet, either directly or through drift.

IMPORTANT

If an ornamental shrub or tree is in the lawn, keep spray off foliage and exposed roots. St. Augustinegrass, Centipedegrass or Bermudagrass lawns may have delayed green-up if this product is used when lawns are emerging from dormancy or when temperature drops below 45° F within 72 hours of application. Do not spray Carpetgrass, Dichondra or desirable clovers. Do not use on or around fruits, vegetables or flowers. The maximum number of broadcast applications per treatment

site is 2 per year. Do not exceed specified dosages for any area.

HOW IT WORKS

Because broadleaf weeds and grasses grow differently, Weed-B-Gon® kills broadleaf weeds without harming lawns. Weed-B-Gon singles out weeds, enters through leaves and moves inside the weed to the roots.

WEEDS [icon]

Annual Aster, Bedstraw, Beggarweed, Bindweed, Bittercress, Black Medic, Brassbuttons, Broadleaf Plantain, Buckhorn, Bull Thistle, Burdock, Bur Clover, Burweed, Buttercup, Buttonweed, Carolina Geranium, Carpetweed, Catsear, Chicory, Chickweed, Cinquefoil, Clover, Cocklebur, Common Chickweed, Cudweed, Curly Dock, Dandelion, Dock, English Daisy, False Dandelion, Florida Pusley, Galinsoga, Geranium, Ground Ivy, Hairy Fleabane, Hawkweed, Healall, Henbit, Knawel, Knotweed, Lambsquarters, Lespedeza, Mallow, Matchweed, Morningglory, Mouseear Chickweed, Musk Thistle, Mustard, Narrowleaf Plantain, Oxalis, Pennsylvania Smartweed, Pennywort (Creeping Charlie), Peppergrass, Pigweed, Piney Woods Bedstraw, Plantain, Poison Ivy, Poison Oak, Prickly Lettuce, Prostrate Spurge, Puncture Vine, Purslane, Ragweed, Red Clover, Red Henbit, Scarlet Pimpernel, Sheep Sorrel, Shepherdspurse, Sowthistle, Speedwell, Spotted Spurge, Spurge, Tansy Mustard, Thistle, Velvetleaf, White Clover, Wild Carrot, Wild Garlic, Wild Lettuce, Wild Onion, Wild Strawberry, Yarrow & other broadleaf weeds

STORAGE AND DISPOSAL [icon]

STORAGE: Store in original container in a locked storage area inaccessible to children or pets. Keep from freezing.

DISPOSAL: Securely wrap original container in several layers of newspaper and discard in trash.

PRECAUTIONARY STATEMENTS [icon]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid contact with eyes, skin or clothing. Wear face shield or goggles when mixing, loading or applying this product. When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves.

Personal Hygiene Statements: After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower.

[Reentry icon] Do not allow people (other than applicator) or pets on treatment area during application. Do not allow people or pets to enter the treated area until sprays have dried.

FIRST AID: IF IN EYES: Immediately flush eyes with plenty of water. Get medical attention if irritation persists. **IF ON SKIN:** Wash with plenty of soap and water. Get medical attention. **Note to Physician:** Emergency information call 1-800-225-2883.

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ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

This chemical has properties and characteristics associated with chemical detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[telephone icon]

? **Questions, Comments or Medical Information ?**
call 1-800-225-2883 www.ortho.com

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SOLARIS®

Manufactured for

The SOLARIS Group of Monsanto Company

P.O. Box 5008 San Ramon CA 94583-0808

Form 0-295-01

EPA Reg. No 239-2664

EPA Est. 239-IA-3^l, 58996-MO-1^A, 56100-LA-1^G

Superscript is first letter of lot number

Made in USA

APPENDIX

- I. These claims may be presented on the retail container label or on the labeling accompanying the product.
- ◆ Kills Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and many other broadleaf lawn weeds.
 - ◆ Kills weeds - not lawn grasses.
 - ◆ Kills weeds – not lawns
 - ◆ For Lawns Containing Kentucky Bluegrass, Fescues, Bentgrass, Perennial Ryegrass, Bermudagrass, Bahiagrass, Centipedegrass, Zoysiagrass, St. Augustinegrass, and Buffalograss.
 - ◆ Kills broadleaf weeds - roots and all.
 - ◆ Kills roots and all
 - ◆ For northern and southern grasses.
 - ◆ Won't harm lawn grasses shown on container label.
 - ◆ Won't harm lawn grasses
 - ◆ Kills weeds in your lawn.
 - ◆ Formulated for use on northern and sensitive southern lawns.
 - ◆ Kills all major broadleaf lawn weeds: List of the weed species.
 - ◆ Helps provide a beautiful lawn.
 - ◆ For cool and warm season lawn grasses
 - ◆ (Brand Name) kills all major broadleaf lawn weeds including dandelion, chickweed, knotweed, in lawns without harming lawn grasses.
 - ◆ For use on grass lawns especially Kentucky Bluegrass, Fescues, Perennial Ryegrass, Bentgrass, Bermudagrass, Bahiagrass, Centipedegrass, Zoysiagrass, St. Augustinegrass, and Buffalograss.
 - ◆ A Trimec® Turf Herbicide Formulation.
 - ◆ Controls Dandelion, Chickweed, Knotweed, Plantain, Henbit, Spurge and many other broadleaf lawn weeds including those shown on the side panel.
 - ◆ "One Quart Covers Up To 12,800 Square Feet"
 - ◆ New/now (Brand Name) kills over 100 more weeds.
 - ◆ Kills 80 + lawn weeds.
 - ◆ Now kills over 2 times/twice as many weeds.
 - ◆ Water based.
 - ◆ Low odor formula.
 - ◆ Improved low odor formula.
 - ◆ Low odor.
 - ◆ New formula for northern and southern grasses/lawns.
 - ◆ Kills all major broadleaf weeds including Dandelion, Clover, Oxalis, Chickweed, Knotweed Plantain, Henbit, Spurge and (many) others.
 - ◆ Now faster results
 - ◆ Now fast acting
 - ◆ Rain-Fast in hours
 - ◆ For control that doesn't/won't wash away/off.
 - ◆ Effective even with rain in 6 hours.

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- ◆ Specially formulated for residential use.
 - ◆ Does not harm lawn when used properly
 - ◆ Kills Lawn Weeds, Not The Lawn
 - ◆ Kills weeds - Won't harm lawns - Kills weeds without harming lawn grasses.
 - ◆ Weed out lawns with Weed-B-Gon
 - ◆ One easy step to a weed free lawn - Helps promote a beautiful lawn.
 - ◆ No mixing, no measuring, no mess.
 - ◆ No mix, No Measure, No Messy Clean Up.
 - ◆ Eliminates mixing and measuring. No mixing or measuring necessary.
 - ◆ Easy to Use, Premeasured, Accurate Dosage.
 - ◆ Simple easy to use/one step application
 - ◆ No spill, clean and convenient to use
 - ◆ Closed system prevents spills
 - ◆ Simple and easy.