

239-2679

2/21/2009

10410



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 21 2009

Mrs. Claudia S. Herrington, Esq.
Director, Federal Registration
The Scotts Company d/b/a The Ortho Group
P.O. Box 190
Marysville, OH 43040

RE: Notification of minor Master Label changes
EPA Registration Number: 239-2679
Date of Submission: December 2, 2008

Dear Mrs. Herrington:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 2, 2008, for the product Ortho Roach, Ant and Spider Killer. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

20910

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

Registration
 Amendment
 Other

OPP Identifier Number
2392679LBL20081202

Application for Pesticide - Section I

1. Company/Product Number 239-2679	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Scotts Company/Ortho® Roach, Ant and Spider Killer	PM# PM-10	
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: NOTIFICATION FEB 21 2009 EPA Reg. No. _____ Product Name _____	

Section II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency Letter dated 11-03-05
<input type="checkbox"/> Resubmission in response to Agency letter dated xx-xx-xx	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification of minor master label changes (see attached cover letter)

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 <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 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 Claudia S. Herrington		Title Director, Federal Registrations		Telephone No. (Include Area Code) (937) 578-5973	
<p 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>					6. Date Application Received (Stamped)
2. Signature The Scotts Company LLC BY: <i>Claudia S. Herrington</i>			3. Title Director, Federal Registrations		
4. Typed Name Claudia S. Herrington			5. Date 12/02/08		



The Scotts Company LLC

and Subsidiaries

December 2, 2008

SENT VIA FEDEX

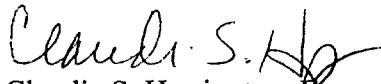
Mr. Jim Tompkins
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Document Processing Desk
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Subject: Notification of Minor Master Label Changes to Ortho® Roach, Ant and Spider Killer (EPA Reg. No. 239-2679)

Dear Mr. Tompkins:

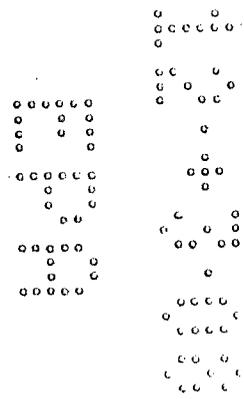
Per the requirements of Region 5, please accept the enclosed submission. This submission contains a notification of minor master label updates. After your review, please forward to Richard Gebken for his review and, if appropriate, stamped approval. If you have any questions, please do not hesitate to contact me at 937-578-5973.

Best Regards,


Claudia S. Herrington, Esq.
Director, Federal Registrations

Enclosures

**14111 Scottslawn Road
Marysville, Ohio 43041
Direct line: 937-578-5973
Facsimile: 937-644-7075
Email: Claudia.Herrington@Scotts.com**





The Scotts Company LLC

and Subsidiaries

December 2, 2008

Richard Gebken, PM-10
Document Processing Desk
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Re: Notification of Minor Master Label Changes to Ortho® Roach, Ant and Spider Killer
(EPA Reg. No. 239-2679)
OPP Identifier Number 2392679LBL20081202

Dear Mr. Gebken:

Scotts submits the following documentation for your consideration:

- EPA Application Form 8570-1
- Five copies of the label (one highlighted and four clean copies)

The changes on the attached master label are highlighted in yellow, but please see the addition of "The Ortho Guarantee" as well as updating to the "Notice to Buyer" statement, icons and the "Questions, Comments or Medical Information" per PR Notice 98-10.

Please note, the header in the "First Aid" section will be highlighted on the final printed label to draw the consumer's attention to it. Further see the following discussion for the "Storage and Disposal" section:

Per the EPA Label Review Manual (LRM 13. II. B.), the statements have been grouped together under the subheading "Storage and Disposal" at the end of each "Directions for Use" section. Scotts acknowledges the Agency's example of appropriate headings for "Pesticide Storage" and "Pesticide Disposal" listed under the Format section (LRM 13.II.C); however it notes these specific headings are recommended not required by 40 CFR §156, PR Notice 2007-4 or 2008-1. As such, Scotts respectfully requests that it be allowed to maintain the present headings of "Storage" and "Disposal" on this proposed master label. Scotts believes the headings are appropriate and adequate for the end user to understand what they will need to do to dispose of the empty or partially-filled bag for this granular product.

Finally, please consider the following discussion regarding our "Notice" statement on the label:

The label groups the "Notice" in close proximity with the "Guarantee" statement, which reads, "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." We believe the consumer understands the information comes from our company.

14111 Scottslawn Road
Marysville, Ohio 43041
Direct line: 937-578-5973
Facsimile: 937-578-7075
Email: Claudia.Herrington@Scotts.com

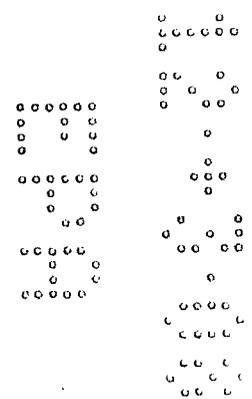
rather than from the EPA. For this reason, Scotts respectfully requests the language in the "Notice" section remain as it is in the proposed master label.

I believe these documents satisfy the label requests; however, if I am mistaken, please do not hesitate to contact me. If you are in agreement, Scotts respectfully requests that you please return the updated label stamped as approved.

Regards,

Claudia S. Herrington
Claudia S. Herrington, Esq.
Director, Federal Regulations

Enclosures



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NOTE: ***Bold, italicized text is information for the reader and is not part of the label.***
[Bracketed information is optional text.] ~~Strike through~~ text is deleted. Yellow
Highlighted text is new

EPA Reg. No. 239-2679

ORTHO Roach, Ant & Spider Killer

Alternative Brand Name: Ortho® Pro Select Roach, Ant & Spider Killer

[FRONT]

[icon] INDOOR AND OUTDOOR USE

NOTIFICATION

FOR HOME USE ONLY

FEB 21 2009

[icon] WATER BASED

Active Ingredients:

Prallethrin [(RS)-2-Methyl-4-oxo-3-(2-propynyl) cyclopent-2-enyl (1-RS)-cis, trans-chrysanthemate].....	0.03%
Esfenvalerate.....	0.05%
* N-Octyl bicycloheptene dicarboximide.....	0.30%
** Other Ingredients.....	99.62%

* MGK 264, Insecticide Synergist

** Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

CAUTION See back panel for additional precautionary statements.

NET WT 15 OZ/ 425 g

SHAKE WELL BEFORE USING *[neck of can]*

DIRECTIONS FOR USE

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

READ ENTIRE LABEL

PRODUCT FACTS

KILLS INSECTS

ants, boxelder bug, brown dog ticks, carpet beetles, centipedes, cigarette beetles, cockroaches, confused flour beetles, crickets, earwigs, fleas, Indian meal moths, rice weevils, sawtoothed grain beetles, scorpions, silverfish, sowbugs, and spiders (including black widow spiders).

WHERE TO USE

To kill ants, black widow spiders, carpet beetles, centipedes, cigarette beetles, cockroaches, confused flour beetles, crickets, Indian meal moths, rice weevils, sawtoothed grain beetles, scorpions, silverfish, sowbugs and spiders: spray areas where these insects are found or may hide, including:

- dark corners of rooms and closets
- cracks and crevices in walls
- along baseboards and door and window frames
- behind and beneath sinks, stoves, refrigerators and cabinets
- around garbage cans, plumbing and other utility installations.
- ant trails and around doors and windows.



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Wherever these pests enter home

To kill black carpet beetles: spray along baseboards and edges of carpeting, under carpeting, rugs and furniture, and wherever these insects are seen or suspected of hiding.

To kill brown dog ticks and fleas:

Spot treat:

Pet beds and resting quarters

Nearby cracks and crevices

Along and behind baseboards, window and door frames and localized areas of floor and floor coverings where these pests may be present.

Remove old pet bedding and replace with clean fresh bedding after treatment.

Do not spray pets with this product.

Treat pets with a registered flea and tick control product before returning pet to treated areas.

For crack and crevice treatment: of ants, black widow spiders, brown dog ticks, carpet beetles, cockroaches, crickets, fleas, scorpions, silverfish, sowbugs and spiders:

Apply in small amounts directly into cracks and crevices. Equipment capable of delivering a pin stream should be used in points between different elements of construction, between equipment and floors, openings leading to voids and hollow spaces in walls, equipment legs and bases where these insects hide.

Flies and mosquitoes: use only outdoors to control these pests. Spray: outside surfaces of window and door frames and other areas where these pests may enter the home.

Spray dark corners and localized resting areas (such as under eaves) or porches, patios and garages where these insects may be found. Flies and mosquitoes coming to rest on treated surfaces will be killed. Repeat when needed.

HOW TO USE

Point nozzle toward surface to be sprayed and press button, Spray areas until wet.

Do not spray up into air.

Spray directly on insects when seen.

Do not spray on plants.

Do not treat pets with this product.

TO SPRAY FOOD STORAGE AREAS:

Remove all food and shelving paper before spraying.

Discard infested food packages.

Spray shelves and in cupboards where infested food containers were stored.

Replace food packages after spray has dried. Replace shelving paper.

STORAGE AND DISPOSAL [trashcan icon]

STORAGE: Store in a cool, dry place. Keep container tightly closed.

DISPOSAL: Do not Puncture or Incinerate. **If empty:** Place in trash or offer for recycling, if available. **If partly filled:** Call your local solid waste agency for disposal instructions.

PRECAUTIONARY STATEMENTS [icon]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in

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EPA Reg. No. 239-2679

some individuals. Wash thoroughly with soap and water after handling.
All food processing surfaces and utensils should be covered during treatment, or
thoroughly washed before use. Exposed food should be covered or removed. Remove
pets, birds, and cover fish aquariums before spraying.
[Re-entry icon] Keep children and pets out of treated area until spray has dried.

FIRST AID: [first aid icon +]

If swallowed: Call a poison control center or doctor immediately for treatment advice.
Do not give any liquid to the person. 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.

If on skin or clothing: Takeoff contaminated clothing. Rinse skin immediately with
plenty of water for 15-20 minutes. 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.

Note to Physicians: Emergency Information call 1-800-225-2883. This product contains a
light petroleum solvent and may present an aspiration problem.

ENVIRONMENTAL HAZARDS:

Do not contaminate water when disposing of equipment washwaters.

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. Do not apply this product around
electrical equipment due to the possibility of shock hazard.

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in
accordance with directions.

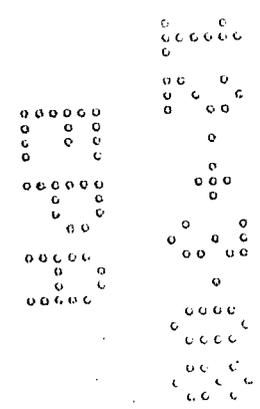
[The ORTHO Guarantee: If for any reason you are not satisfied with this product, mail us
proof of purchase to obtain a full refund of your purchase price.]

Questions, Comments or Medical Information?

[Call] 1-800-225-2883 [computer icon] www.ortho.com

[Logo] **NO CFCs**
CONTAINS NO CFCs WHICH DEplete THE OZONE LAYER
Federal regulations prohibit CFC propellants in aerosols.

The ORTHO Group
P.O. Box 190
Marysville, OH 43040
EPA Reg. No. 239-2679
EPA Est. 58996-MO-1
Made in USA



90910

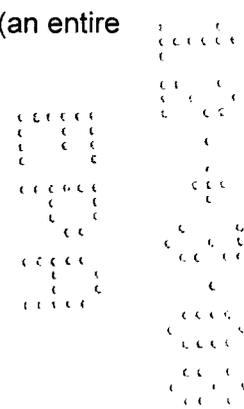
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EPA Reg. No. 239-2679

NOTE to PM: Scotts has the data for the asterisked claims

Marketing Claims

- A weapon in your defense (against bugs)
- A weapon in the war against bugs
- Also Kills brown dog ticks
- Apply along (and behind) baseboards
- Apply around (and behind) appliances
- Apply beneath (and behind) sinks
- Apply in other areas where insects are often found: In cracks and crevices, around pipes and plumbing, around waste containers, in dark corners of rooms, cabinets and closets.
- Bug-stopping power
- Change the way you spray
- Consistent spray for maximum accuracy
- Consistent! even coverage
- Does not stain (fabrics, floors, wood, surfaces)
- Dual Action Formula
- Easy to use
- Fast Acting plus Long Residual*
- Gets into cracks and crevices
- Gets to the places bugs hide
- Great (Your) Weapon for the war (fight) against bugs
- Ideal (Great) for large or small jobs (areas) (rooms)
- Guaranteed (results)*
- Guards against bugs so you don't have to
- Guards against the bugs you can't (don't) see
- Keeps on killing after spray has dried
- Kills bugs inside (in) (indoors).
- Kills bugs inside
- Kills Insects & Spiders
- Kills Roaches, Ants, Fleas, Spiders, Earwigs, Silverfish, and other listed insects.
- Kills the bugs for you
- Kills Two (2) Ways: 1) Kills Bugs Fast (On Contact) and 2) It keeps on killing with residual action even after you spray
- Kills on Contact [Guaranteed]*
- Long-lasting insect control *
- Light(ly) scent(ed)
- No more bug hunting
- No Sticky Mess
- Now Kills German Cockroaches for up to 15 Weeks indoors (4 months) (an entire Season)
- Proven (formula) (technology)
- Proven results (technology)
- Quick Knockdown plus Extended Indoor Residual Control*
- Reaches where bugs hide
- Ready to Use
- Save(s) time and energy
- Stands guard against bugs
- Stops Ants & Roaches in Their Tracks!
- Targeted bug kill



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Targets bugs in tight places
The easy way to spray
Treats points of entry and trails
Use (Can be used) in garages[s] and/or basement[s] and/or attic[s].
Use with confidence in garage [s] and/or basement [s] and/or attic [s].
Use (Can be used) in (bathrooms), (kitchens), (family rooms), (pantry) and (bedrooms),
Use with confidence in the kitchen (and/or family room) (and/or bedroom) (and/or
bathroom)
Weapon in your defense (against bugs)
Works on all listed surfaces
You're always ready to spray
No greasy residue
Won't Stain (Carpets and floors)
Non-Staining
Kills on Contact, keeps on killing (for up to 15 weeks)*
Keeps on killing for up to 15 weeks
Keeps on killing for weeks (for up to 15 weeks)
FAST Knockdown*
Just one shot (squirt) (spray) and bugs stop in their tracks
Just one shot (squirt) (spray) and bugs stop (die) within seconds
Kills bugs in seconds
Stops (Kills) bugs dead in their tracks instantly
Flushes hidden pests out of hiding places and kills them

NOTIFICATION

FEB 21 2009

Outdoor Residual Claims

Keeps Killing for Up to 6 Weeks!
Keeps Killing for 6 Weeks!
Kills Ants & Roaches for 6 Weeks!

