

239-2681

09/07/2001

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number

239-2681

Date of Issuance

September 7, 2001

Term of Issuance: Conditional

Name of Pesticide Product

Ortho Fire Ant Killer

NOTICE OF PESTICIDE:

Registration

Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of you product under FIFRA section 4.
2. **Make the following labeling changes:**
 - a) Revise the EPA Registration Number to read "EPA Reg. No. 239-2681"
 - b) The use of the word "New" to describe this product (front panel claim) will be acceptable for 6 months from the date of registration. After that time this claim must be deleted.
 - c) Please remove the following terms/phrases from your front panel claims: "... (Without all the odor)", "Now effective way to control fire ants", "Now a better way to control fire ants", "Better coverage", "More even coverage", "Fire ant free", "Destroys", and "Stops". Misleading comparisons to other pesticides and claims implying total eradication or elimination of pests are unacceptable. Additionally, please change the bullet which reads "Kills fire ants and other lawn insects" to "Kills fire ants and other listed insects". Thank you.

Signature of Approving Official:

George T. LaRocca
George T. LaRocca

Date:

September 7, 2001

- d) Since your product is an 100% repak or EPA Reg. No. 279-3207, your Directions for Use should be exactly the same with the omission of their product name and the insertion of yours. In your effort to be different you have made your label is less clear - for example it is unclear whether one drenches the mounds after application only if the soil was not originally moist or after all applications. Please rewrite your entire directions for use, including the addition of the New York state prohibitions exactly as found on EPA Reg. No. 279-3207. We have attached a copy of the last stamped label with the section highlighted for your information.

 - e) Your new CSF has been approved. Thank you.
3. Please submit two (2) copies of your final printed label for before your release the product for shipment. Please refer to the A-79 enclosure for a further description of final printed labeling. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact Tracy Keigwin of my team at (703) 305-6605.

Sincerely,

George T. LaRocca
 Product Manager (13)
 Insecticide Branch
 Registration Division (7505C)

ORTHO Fire Ant Killer

[front]
[scissors / zipper]
DO NOT CUT BELOW DOTTED LINE

ORTHO®

FIRE ANT KILLER

- Kills Mounds and The Queen
- Controls Fire Ants Up to 4 Months
- Prevents Reinfestation for up to 4 months
- KEEPS NEW MOUNDS FROM FORMING**
- Kills Fire Ant Fast [without all the odor]
- Kill Fire Ants On Contact
- Keeps New Mounds from forming
- New/Now Effective way to Control Fire Ants
- Now a better way to control Fire Ants
- 4 month Fire Ant Control
- Fire Ant Free for up to 4 months
- Destroys the Mound
- Protects the entire yard for up to 4 months
- Stops and Prevents Fire Ant Mound formation
- Kills foraging Fire Ants
- Prevents new Fire Ant mounds from forming for up to 4 months
- Penetrates down to where fire ants forage
- Fast Acting
- Kills on Contact
- Ready-To-Use
- Kills fly-in Queens
- Kills Fire Ants and other Lawn Insects
- More Even Coverage
- Apply twice for season long control

ACCEPTED
with COMMENTS
in EPA Letter Dated

SEP - 7 2001

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
239-2681

Active Ingredient

Bifenthrin*	0.200%
Other Ingredients	99.800%
Total	100%

* Cis isomers 97% minimum, trans isomers 3% maximum.

For residential lawn use only

KEEP OUT OF REACH OF CHILDREN
CAUTION

See back for precautionary statements and directions for use.

[bottom]

ORTHO®

FIRE ANT KILLER

[FIRE ANT Illustration]

DO NOT CUT BELOW DOTTED LINE

PRODUCT FACTS	
KILLS INSECTS	Fire ants
WHERE TO USE	On residential lawns
AMOUNT TO USE	Apply 1/2 cup per mound
[phone icon]	Questions, Comments or Medical Information call 1-800-225-2883 www.ortho.com

DIRECTIONS FOR USE

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

[Mound Treatment]

FOR BEST RESULTS	
APPLY PRODUCT [optional illustration]	Apply 1/2 cup of ORTHO Fire Ant Killer over, and 4 ft around, each fire ant mound.
WATER [optional illustration / watering can]	If the soil is not moist, then it is important to irrigate before application. After applying the product, drench the mounds with 1 to 2 gallons of water.
WHEN TO APPLY [optional illustration]	<ul style="list-style-type: none"> • Apply when temperatures are between 65 and 80°F. • For best results, apply during morning or late evening when it is cool and the ants are most active. • For extended fire ant control and prevention, apply ORTHO® Fire Ant Killer in spring and late summer.

IMPORTANT

Food utensils such as teaspoons and measuring cups must not be used for food purposes after use with pesticides

[Broadcast Treatment]

Apply uniformly over your lawn using the suggested spreader settings. Water lawn after application to wash granules from the lawn foliage.

[Spreading Tips
For best results

Spreader	Spreader Settings - Covers 5,000 sq. ft.	Directions
Drop Spreaders	X	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform coverage. Shut off spreader when you have reached the header strips or stopped.
EasyGreen® Rotary	X	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one so some overlapping occurs.
SpeedyGreen® Rotary	X	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs. Avoid applying this product on vegetables.

Additional Spreader Settings

- EZ Drop, Republic (#530)----- (X)
- EZ Broadcast, Republic (#540)----- (X)
- Scotts® Handy Green® II----- (X)
- Scotts® Easy™ Hand Held Spreader----- (X)
- ORTHO® Whirlybird® Multipurpose Spreader----- (X)

Spreader settings are approximate. You may need to adjust for proper coverage.

Illustrations: spreading patterns]

[ORTHO Fire Ant Killer kills the following types of ants:

- Fire Ants
- Argentine
- Carpenter
- Odorous
- Pyramid
- Pavement
- Pharoah (sugar)
- Red Harvester]

[Re-entry icon] Do not allow children or pets on treated areas until granules have been watered into the soil and the grass or soil is dry.

STORAGE AND DISPOSAL [trash can icon]

STORAGE: Store in original bags/containers only. Store in a cool, dry place and avoid excess heat. Carefully open bags/containers. After partial use close tightly. Do not contaminate water, food or feed by storage or disposal.

DISPOSAL: CONTAINER - Do not reuse empty bags/containers. Wrap bags/containers and put in trash.

PRECAUTIONARY STATEMENTS [icon]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing.

FIRST AID: IF ON SKIN OR CLOTHING: Take off 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 Physician: This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and so should be avoided.

ENVIRONMENTAL HAZARDS: This product is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

[phone icon]

Emergency Assistance Call: 1-800-225-2883.

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

Manufactured for
The ORTHO Group
P.O. Box 1749
Columbus, OH 43216

EPA Reg. No. 239-NEW
EPA Est. 58996-MO-1A, 44616-MO-1G, 44616-GA-1D
Made in USA