



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

November 22, 2004

Charles T. Levey
The Scotts Company
14111 Scottslawn Rd.
Marysville, OH 43041

Subject: Label Amendment - Response to Agency's October 22, 2004 Letter
Ortho Fire Ant Killer
EPA Reg. No. 239-2681
Your Submission Dated October 26, 2004

Dear Mr. Levey:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. Two (2) copies of the revised finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Delete "12 months/1 year" from bullets 7 and 10. As indicated in our last letter the data supports up to 6 month control. Also change "yard" to "lawn" in the 7th bullet.
2. Delete "provides season lawn control protection" since a season is usually 12 months. This also conflicts with apply to product in spring and late summer.

Since you agreed to submit corroborating efficacy data for study sites in two additional states in accordance with the 810.3100 guideline and agreed to commence testing by March 2005, we are accepting the 6 month control/12 month suppression claims on a conditional basis.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

A handwritten signature in cursive script that reads "BeWanda Alexander for".

George T. LaRocca

Product Manager (13)

Insecticide Branch

Registration Division (7505C)

3/7

ORTHO Fire Ant Killer

EPA Reg. No. 239-2681

ORTHO Fire Ant Killer

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

ORTHO®**FIRE ANT KILLER**

ACCEPTED
 with COMMENTS
 In EPA Letter Dated

NOV 22 2004

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

239-2681

Kills Mounds and The Queen
 6 month Fire Ant Control
 12 month Fire Ant suppression
 Kills Fire Ant Fast
 Kill Fire Ants On Contact
 Keeps New Mounds from forming
 Protects the entire yard for up to 6 months/12 months/1 year
 Prevents Fire Ant Mound formation
 Kills foraging Fire Ants
 Prevents new Fire Ant mounds from forming for up to 6 months/12 months/1 year
 Fast Acting
 Kills on Contact
 Ready-To-Use
 Kills fly-in Queens
 Kills Fire Ants and other Listed Insects
 Provides season-long control/protection
 Quick/Immediate release granules and deep penetrating formula

Active Ingredient

Bifenthrin*0.200%

Other Ingredients99.800%

Total100%

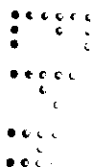
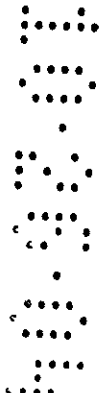
* Cis isomers 97% minimum, trans isomers 3% maximum.

For residential lawn use only

KEEP OUT OF REACH OF CHILDREN**CAUTION**

See back panel for additional precautionary statements.

Rev71403.ct1



[bottom]

ORTHO®**FIRE ANT KILLER**

[FIRE ANT illustration]

DO NOT CUT BELOW DOTTED LINE

PRODUCT FACTS	
KILLS	Fire ants
INSECTS	
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 each fire ant mound. A 4 ft. diameter circle around the mound should also be treated.

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]

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

5/7

[Broadcast Treatment]

Apply uniformly over your lawn using the suggested spreader settings. Water lawn after application to wash granules from the lawn foliage. For best results, apply during the morning or late evening when it is cool and the ants are most active. Don't treat just the infested areas of the lawn where mounds are visible. Treat the entire lawn area to prevent reinfestation of fire ants from neighboring areas. Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments that will kill existing colonies. If the soil is not moist, then it is important to irrigate before application.

**[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:

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

•••••

6/7

Fire Ants
Argentine
Carpenter
Odorous
Pyramid
Pavement
Red Harvester]

[Re-entry icon] People and pets may enter treated area after granules have been watered and treated area has dried.

[NY state required information/product sold/distributed in NY] In New York state, this product may NOT be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of ORTHO Fire Ant Killer Granule if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

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: If empty: Do not reuse this bag/container. 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 [icon]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

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

7/7

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 190
Marysville, OH 43040

EPA Reg. No. 239-2681
EPA Est. 58996-MO-1A, 44616-MO-1G, 44616-GA-1D
Superscript is first letter of lot number
Made in USA