



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 239-2681	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ORTHO Fire Ant Killer	PM# 13	
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)(ii), 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 checked="" type="checkbox"/> Final printed labels in response to Agency letter dated <u>11/22/04</u>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

NOTIFICATION
JAN 18 2005

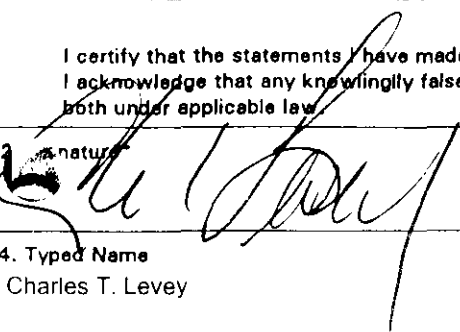
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

The ORTHO Group is submitting a notification of "additional marketing claims" per PR Notice 98-10. 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 sections 12 and 14 of FIFRA.

Section - III

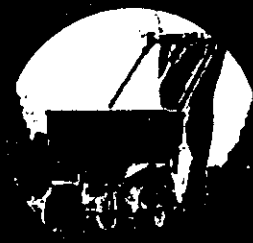
1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 11.5 lbs.		5. Location of Label Directions <input type="checkbox"/> On package	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Charles T. Levey	Title Manager, Federal Registrations	Telephone No. (Include Area Code) 937-644-7696
Certification 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.		6. Date Application Received (Stamped)
Signature 		
3. Title Manager, Federal Registrations	5. Date December 21, 2004	
4. Typed Name Charles T. Levey		

2/4

Treats
5,000
sq. ft.



KILLS ON CONTACT
Mata al contacto

ORTHO®

MAX™

FIRE ANT KILLER
MATA HORMIGAS BRAVAS

Broadcast Granules



One Application Suppresses Fire Ants for
One Year

Una aplicación suprime las hormigas bravas por un año

KEEP OUT OF REACH OF CHILDREN
CAUTION See back of bag for
precautionary statements.

NET WT 11.5 LB / 5.22 kg

Active Ingredient
Bifenthrin.....0.20%
Other Ingredients.....99.80%
Total.....100.00%
*Cis isomers 97% minimum,
trans isomers 3% maximum.
For residential lawn use only

MANTENER FUERA DEL ALCANCE DE LOS NIÑOS
NOTIFICACION PRECAUCION Ver el reverso de la bolsa
para avisos de precaución

JAN 1 8 2005

PESO NETO 11.5 LB / 5.22 kg

One application suppresses fire ant activity year.

FACTS	
INSECTS	Fire ants
WHERE TO USE	On residential lawns
AMOUNT TO USE	BROADCAST TREATMENT: Apply uniformly over your lawn using the suggested spreader settings. MOUND TREATMENT: Apply 1/2 cup per mound.
COVERAGE	Treats up to 5,000 square feet
PEOPLE AND PETS	People and pets may enter treated area after granules have been watered and treated area has dried.

DIRECTIONS FOR USE

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

FOR BEST RESULTS

BROADCAST TREATMENT	Apply uniformly over your lawn using the suggested spreader settings. Water lawn after application to wash granules from the lawn foliage. If the soil is not moist, then it is important to irrigate before application.
MOUND TREATMENT	Apply 1/2 cup of Ortho® Max Fire Ant Killer over each fire ant mound. A 4-foot diameter circle around the mound should also be treated. 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.

HELPFUL TIPS

- 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 application that will control foraging workers and newly-mated fly-in queens with mound treatments that will kill existing colonies.
- For best results, apply when temperatures are between 65°F and 80°F.

IMPORTANT

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

SPREADER TIPS Spreader settings are approximate. You may need to adjust for proper coverage. For best results, use a Scotts® spreader.

SPREADER	SPREADER SETTING covers 5,000 sq ft	DIRECTIONS
Scotts AccuGreen Drop Spreader	4 1/2	Overlap wheel marks to ensure uniform coverage.
Scotts SpeedyGreen Rotary Spreader	2 1/2	For complete coverage, make each pass about five feet from the previous one.



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

STORAGE & DISPOSAL

PESTICIDE STORAGE: Store in original bag only. Store in a cool, dry place and avoid excess heat. Carefully open bag. After partial use close tightly. Do not contaminate water, food or feed by storage or disposal.
DISPOSAL: If empty: Do not reuse this bag. 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

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 re-use.

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 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 pesticide 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.

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.

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.

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Manufactured for The ORTHO Group
PO Box 190
Marysville, OH 43040
Form 8B008210010

EPA Reg. No. 239-2681
EPA Est. 9198-OH-1M, 9198-OH-2B,
9198-AL-001A, 44616-GA-1D
Superscript is the first letter of lot number
Made in USA

Una aplicación suprime la actividad de las hormigas bravas por 1 año.

Datos del Producto	
Insectos que mata	Hormigas bravas
Donde usar	En céspedes de residencias
Cantidad a usar	Tratamiento con esparcidor: Aplique uniformemente sobre su césped empleando los ajustes recomendados para su esparcidor. Tratamiento de hormigueros: Aplique 1/2 taza por hormiguero.
Cobertura	Trata hasta 465 metros cuadrados
Personas y mascotas	Personas y mascotas pueden entrar al área tratada después de regar el área y el césped esté seco.

Instrucciones para el uso:

El uso de este producto de manera diferente a la indicada en su etiqueta constituye una violación de las leyes Federales.

Para Los Mejores Resultados

Tratamiento con esparcidor	Aplique uniformemente sobre su césped usando los ajustes recomendados para su aspersor. Riegue el césped después de aplicar para quitar los gránulos del follaje del césped. Si el suelo no está húmedo, es importante regar antes de aplicar el producto.
Tratamiento a hormigueros	Aplique 1/2 taza de Ortho® Max Fire Ant Killer sobre cada hormiguero. Se debe tratar también un círculo de 1.2 metros de diámetro alrededor del hormiguero. Si el suelo no está húmedo, es importante regar antes de aplicar el producto. Después de aplicar, empape el hormiguero con 4 a 8 litros de agua.

Consejos útiles

- Para mejores resultados, aplique en la mañana o en la noche, cuando está fresco y las hormigas están más activas.
- No trate sólo las áreas infestadas del césped donde los homigueros están visibles. Trate todo el césped para evitar la re-infestación de hormigas bravas de áreas vecinas.
- El control se optimiza mediante la combinación de la aplicación con esparcidor que elimina a las obreras forrajeras y a las reinas recién apareadas, con el tratamiento de los hormigueros que elimina las colonias existentes.
- Para los mejores resultados, aplique cuando la temperatura esté dentro de 18°C y 27°C.

Importante

- Los utensilios de cocina, como cucharas y tazas de medir, no deben utilizarse para alimentos después de haberse usado con pesticidas.

Consejos para el esparcidor: Los ajustes del esparcidor son aproximados. Usted puede necesitar ajustarlos para lograr la cobertura apropiada. Para obtener mejores resultados, utilice esparcidores Scotts®.

Esparcidor	Ajuste del Esparcidor cubre 465 metros cuadrados	Instrucciones
Esparcidor por goteo Scotts AccuGreen®	4 1/2	Superponga las marcas de las ruedas para garantizar una cobertura uniforme.
Esparcidor rotatorio Scotts SpeedyGreen®	2 1/2	Para lograr una cobertura total, haga cada pase a 1.5 metros del pase anterior.



¿Preguntas, comentarios o información médica?
Llame al 1-800-225-2883 www.ortho.com

ALMACENAMIENTO Y ELIMINACIÓN

ALMACENAMIENTO DEL PESTICIDA: Almacene solamente en la bolsa original. Almacene en un lugar fresco y seco y evite el calor excesivo. Abra la bolsa con cuidado. Después de su uso parcial, cierre firmemente. No contaminar el agua, alimentos, o comida de animales durante el almacenamiento o eliminación.
DESECHO DE LOS ENVASES DE PESTICIDA: Si está vacío: No reutilice esta bolsa. Póngalo en la basura o envíelo a reciclar si es posible. Si aún contiene producto: Llame a su agencia local de desechos sólidos o al 1-800-CLEANUP y solicite instrucciones. Nunca vierta el producto sobrante en desagües interiores o exteriores.

AVISOS DE PRECAUCIÓN

RIESGOS PARA LAS PERSONAS Y ANIMALES DOMÉSTICOS
PRECAUCIONES: Es dañino si se absorbe por la piel. Evite el contacto con la piel, los ojos o la ropa. Lávese bien con agua y jabón después de manipular el producto y antes de comer, beber, mascar goma, o usar tabaco. Quite y lave la ropa contaminada antes de volver a usarla.

PRIMEROS AUXILIOS

SOBRE LA PIEL O LA ROPA: Quitese la ropa contaminada. Enjuague la piel con abundante agua durante 15-20 minutos. Llame al centro de control de venenos y pida asesoría para el tratamiento. Tenga el envase o la etiqueta del producto a mano cuando llame al centro de control de venenos, al médico o cuando vaya en busca de tratamiento. **NOTA PARA EL MÉDICO:** Este producto es un piretroide. Si se ha ingerido una gran cantidad, no se debe consumir leche, cremas y otras grasas y aceites alimenticios, ya que pueden aumentar la absorción.

RIESGOS AMBIENTALES

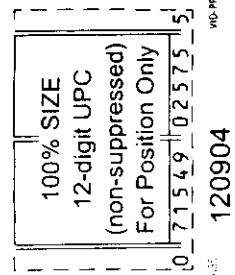
Esta pesticida es extremadamente tóxico para los peces y los invertebrados acuáticos. No aplicar directamente al agua. No contaminar las aguas al desechar el agua con que se lavan o enjuagan los equipos.

TELÉFONO DE EMERGENCIA: 1-800-225-2883

NOTA: El comprador asume todos los riesgos por el uso, almacenamiento o manipulación de este producto ajenos a estas instrucciones.

La Garantía ORTHO

Si por cualquier razón usted no está satisfecho con este producto, envíenos por correo el comprobante de venta para recibir un reembolso total del precio de compra.



NOTIFICATION

JAN 18 2005

Sherada Hobgood
U.S. Environmental Protection Agency
Office of Pesticide Programs
Registration Division, H7505C
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Subject: Notification for EPA Reg. No. 239-2681, ORTHO Fire Ant Killer

Dear Ms. Hobgood:

The Scotts Company d/b/a as the ORTHO Business Group is submitting into application a label notification. We are adding the following language to our label:

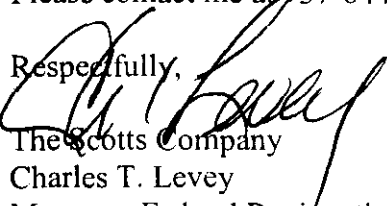
- 1) Marketing claim "One application suppresses fire ants for one year" and "One application suppresses fire ant activity for 1 year", the currently approved claim is "12 month fire ant suppression". Since only the words have been changed and not the context of the statement, this should be a notification.

Please find enclosed the following:

- 1) Application Form 8570-1.
- 2) A final printed label with the changes highlighted.

Please contact me at 937-644-7696, if you have any questions or need further information.

Respectfully,


The Scotts Company
Charles T. Levey
Manager, Federal Registrations