

239-2684

03-14-2011

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

OFFICE OF CHEMICAL SAFETY AND
POLLUTION PREVENTION

March 14, 2011

Jane Rothwell
The Scotts Company
d/b/a The Ortho Group
PO Box 190
Marysville, OH 43040

Subject: Notification consistent with Pyrethroid Non-Agricultural guidance
EPA Registration Number: 239-2684
Date of Submission: October 22, 2010 & March 3, 2011

Dear Ms. Rothwell:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN)98-10 dated October 22, 2010 & March 3, 2011, for the above mentioned product. 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 regarding this letter, please contact BeWanda Alexander at (703) 305-7460 or e-mail alexander.bewanda@epa.gov.

Sincerely,

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

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

Enclosures: Copy of Label Stamped "Notification"

EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number The Scotts Company d/b/a The Ortho Group / 239-2684	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Ortho Group / Ortho Lawn Insect Killer Granules	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company d/b/a The Ortho Group PO 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 to NOTIFICATION EPA Reg. No. _____ MAR 14 2011 Product Name _____	

Section II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Submitting Notification consistent with guidance in the June 4, 2009 EPA letter and PR Notice 98-10. See attached page for certification statements.

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 4 to 20 pounds		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 Mandy Slack	Title Scientist, Regulatory Affairs	Telephone No. (Include Area Code) (937) 644-7187
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)
2. Signature The Scotts Company LLC BY: <i>Mandy Slack</i>	3. Title Scientist, Regulatory Affairs	
4. Typed Name Mandy Slack	5. Date October 22, 2010	



The Scotts Company LLC
and Subsidiaries

October 22, 2010

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

ATTENTION: Richard Gebken
Registration Division
Product Manager 13

SUBJECT: The Scotts Company d/b/a The Ortho Group
Ortho Lawn Insect Killer Granules, EPA Reg. No. 239-2684
Submission of Label Notification consistent with Pyrethroid
Non-Agricultural guidance in the June 4, 2009 EPA letter
and PR Notice 98-10

Dear Mr. Gebken:

The Scotts Company d/b/a The Ortho Group is submitting a notification for Ortho Lawn Insect Killer Granules, EPA Reg. No. 239-2684. We are making several minor updates to the label.

The following documents are enclosed in support of this submission:

- One (1) fully executed Form 8570-1;
- One (1) "mark up" copy of the label highlighting changes; and
- One (1) copy of the revised master label.

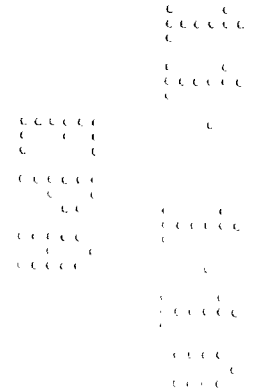
If you have any questions concerning this correspondence please contact me by telephone at 937.644.7187. If you prefer, I am also available by email at Amanda.Slack@scotts.com.

Sincerely,

Mandy Slack

Mandy Slack
Scientist, Regulatory Affairs

Enclosures



Ortho Lawn Insect Killer Granules
EPA Reg. No. 239-2684
EPA Form 8570-1
Page 2

Certification Statements:

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 section 12 and 14 of FIFRA."

June 4, 2009 Letter

"Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR part 156, 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."

5
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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]. Text separated by † denotes and/or options.

EPA Reg. No. 239-2684

NOTIFICATION

MAR 14 2011

Ortho Lawn Insect Killer Granules

[ABN: Ortho Fire Ant Killer Mound Treatment]

KILLS THE MOUND IN 12 HOURS!

KILLS QUEEN & COLONY

GUARANTEED RESULTS†

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See back of bag for precautionary statements.

Active Ingredient

Bifenthrin*	0.1%
Other Ingredients	99.9%
Total	100.0%

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

For residential lawn use only

NET WT XX LB (XX kg)

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EPA Reg. No. 239-2684

6
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Ortho Lawn Insect Killer Granules

DIRECTIONS FOR USE

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

- Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.
- Do not make applications in the rain.

PRODUCTS FACTS	
KILLS FIRE ANTS	On lawns, flower beds, landscape areas, patios, driveways and sidewalks
WHERE TO USE	On fire ant mounds
WHEN TO USE	Apply any time fire ant mounds are present.
HOW TO USE	Gently sprinkle ½ cup of product over, and 2 feet around, each mound. To maximize product performance, slowly and gently water-in 1 to 2 gallons of water to limit run-off from the mound and reduce the chance of disturbing the ants.
HELPFUL TIPS	For best results, apply in cool weather (65° to 80°F), or in early morning or late evening hours when it is cool and the ants are most active. Food utensils, such as teaspoons and measuring cups, must not be used for food purposes after use with pesticides.
PEOPLE AND PETS	For best results, avoid disturbing particles by keeping people and pets off of treated area until product has been watered-in and soil is dry.
[Optional phone icon] [Optional computer icon] Questions, Comments or Medical Information? 1-800-225-2883 www.ortho.com	
ORTHO AND YOUR ENVIRONMENT Your home and yard are places for family and pets to enjoy. That's why Ortho products are designed with care to provide effective solutions to insect problems inside and outside your home. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.	

STORAGE AND DISPOSAL [Optional trash can icon]

PROHIBITIONS: Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original bag/container only. Store in a clean, dry, well ventilated place and avoid excess heat. For bags/containers after partial use, reseal opened bag/container by folding top down and securing.

PESTICIDE AND CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. If empty: Place in trash or offer for recycling, if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

NOTE:

EPA Reg. No. 239-2684

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS: CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

FIRST AID [Optional icon]
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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
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.
IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further 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. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutter 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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

EMERGENCY ASSISTANCE CALL: 1-800-225-2883

NOTICE: To the extent consistent with applicable law, 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, the consumer, are not satisfied with this product, mail us your original proof of purchase to obtain a full refund of your purchase price.

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EPA Reg. No. 239-2684

EPA Est. 538-OH-1^S, 9198-OH-1^M, 9198-OH-2^B, 9198-AL-001^A, 44616-GA-1^D

[Superscript is first letter of lot number]

Manufactured for/ Sold by The ORTHO Group
P.O. Box 190, Marysville, OH 43040
Made in USA