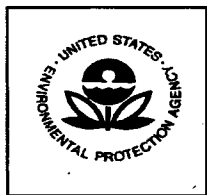


239-2695

08/13/2008

1/9



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7505P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:

239-2695

Date of Issuance:

AUG 13 2008

Term of Issuance: **Conditional**

Name of Pesticide Product:

Home Defense Max Perimeter  
Insect Killer Aerosol (1)

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

The Scotts Company  
D/B/A The Ortho Group  
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 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 your product under FIFRA section 4.
2. Submit the results of a one-year Storage Stability study, Guideline 63-17 (830.6317), and Corrosion Characteristics study, Guideline 63-20 (830.6320). It is required that the observations be made at 0, 3, 6, 9, and 12 month intervals. Upon completion of the study, the results should be submitted in electronic and hard copy format.
3. Based upon your request of May 15, 2008, the Confidential Statement of Formula (CSF) initially designated as Alternate Formula (A) will be redesignated as the Basic Formula of record for this product. Please revise your copy of the CSF to reflect this change in block "A" of the CSF form.
4. Make the labeling changes listed below before you release the product for shipment:
  - a. Add the phrase "EPA Registration No. 239-2695".

Signature of Approving Official:

George LaRocca  
Product Manager 13  
Insecticide Branch  
Registration Division (7505P)

Date:

AUG 13 2008

website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attentions that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

As an alternative, you may refer consumers to the company's phone number or e-mail address.

- j. In the optional marketing claims, delete all the "Knockdown" claims. The are not supported by the submitted data.
- k. In the optional marketing claims delete all the "Residual control" claims. These are not supported by the submitted data.
- l. In the optional marketing claims, delete all the "Barrier-related" claims. These are not supported by the submitted data.
- m. In the optional marketing claims delete all the "Area-related" claims except for "Consistent spray for maximum accuracy", Consistent/even coverage", "Ideal for small areas", and "Use inside and outside your home".
- n. In the optional marketing claims, in the "Where to use/How to use" claims, delete "Targeted bug control (kill)", "Targets bugs in tight places", and "Works on all listed surfaces".
- o. In the optional marketing claims, in the "Other claims", delete "Kills ants and roaches (and many other listed pests)" and "Kills roaches, ants, fleas, flies, mosquitoes, Brown dog ticks, spiders, earwigs, silverfish, and other listed insects".
- p. Include the Storage and Disposal label revisions specified by PR Notice 2007-4, which is available at [www.epa.gov/opppmsd1/PR Notices/pr2007-4.pdf](http://www.epa.gov/opppmsd1/PR_Notices/pr2007-4.pdf).

Submit three copies of the revised final printed label for the record.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

- b. Under the heading "Precautionary Statements", add as the first subheading "Hazards to Humans and Domestic Animals" with the following associated text:

Avoid contact with skin 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.

- c. Add the heading FIRST AID with the following associated text:

**If on skin:**

- 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. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.

- d. Include the Environmental Hazards label revisions specified by PR Notice 2008-1, which is available at

[www.epa.gov/opppmsd1/PR\\_Notices/pr2008-1.pdf](http://www.epa.gov/opppmsd1/PR_Notices/pr2008-1.pdf).

- e. The data submitted do not support claims against pests for public health concern. Also, the 12-month residual claims have not been supported. Remove all pests of public health concern (carpenter, fire, pharaoh and harvester ants, roaches, scorpions, black widow and brown recluse spiders, centipedes, fleas, flies, mosquitoes, and ticks) and all residual claims from the label. The label may retain general contact kill claims against pests NOT of public health concern.
- f. Delete the claim "Keeps bugs out all year!\*" and the associated "\*12 month control indoors for Ants (excluding Fire, Pharaoh, and Carpenter), Crickets, Scorpions, and Spiders (excluding Black Widow and Brown Recluse)".
- g. Delete "InvisiShield Bug Barrier" and "Create a bug barrier".
- h. Modify the claim "For best results, it may be necessary to re-apply every six months in high traffic and high sunlight areas" to read "Reapply every [x amount of time]". The time should be no more frequently than permitted according to the risk assessment.
- i. Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a

Home Defense Max Perimeter Insect Killer Aerosol <sup>1</sup>  
EPA Reg. No. 239-NEW

[FRONT]

New! Continuous Spray!

Ortho  
Home Defense Max

Ant & Roach Killer  
(Indoor & Perimeter Insect Killer)

Keeps bugs out all year!\*  
Kills on contact!

Active Ingredient	
Bifenthrin.....	0.050%
ETOC .....	0.030%
Other Ingredients.....	99.920%

\*Cis isomers 97% minimum, trans isomers 3% maximum  
US Patent No. 4,223,505

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION** See back panel for additional precautionary statements.

**NET WT 16 oz/XXX g**

InvisiShield™ Bug Barrier

[BACK PANEL of can]

\* 12 month control indoors for Ants (excluding Fire, Pharaohs, and Carpenter), Crickets, Scorpions and Spiders (excluding Black Widow and Brown Recluse).

ORTHO®

HOME DEFENSE MAX® ANT & ROACH KILLER  
(HOME DEFENSE Max INDOOR & PERIMETER INSECT KILLER)

[ICON] Water based

[ICON] People and pets may re-enter treated areas after spray has dried

- Non-staining
- Dries fast

**ACCEPTED**  
with **COMMENTS**  
In EPA Letter Dated:  
*P/13/08*  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
239-2645

Kills all types of Ants including Carpenter Ants, all types of beetles including Asian lady beetles, Centipedes, Cockroaches, Crickets, Earwigs, Fleas, Flies, Fire Ants, Mosquitoes, Pantry Pests, Scorpions, Spiders (such as Black Widow, Brown Recluse and Hobo), Silverfish and Ticks.

**DIRECTIONS FOR USE:** It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

**Before you apply:**

- Cover or remove exposed food (including pet food)
- Cover all food processing surfaces and utensils. Thoroughly wash with soap and water before re-use.

**Create a bug barrier:**

- Shake well before using.
- Hold can about 18" from surface being sprayed.
- Apply a 4" wide band in areas where insects are a recurring problem to create a barrier.
- Spray until surfaces are wet.
- **Indoors:** Apply along baseboards, beneath and behind appliances, sinks, cabinets, in pantries, on floor coverings (including carpet, tile, linoleum and wood floors), around plumbing and garbage cans, in cracks and crevices in walls, around window frames and doorways, and in attics and basements. In pantries: Remove all items and clean thoroughly before applying.
- **Outdoors:** Apply along the foundation, around window frames and doorways, on porches and patios, in garages, (and) along eaves and exterior siding.

Do not use as a room spray. Do not spray animals or animal bedding [or resting quarters].

**After you apply:**

- People and pets may re-enter treated areas after spray has dried.
- For long lasting residual control, leave spray undisturbed so that the product will keep killing for up to 12 months\*. (For best results, it may be necessary to re-apply every six months in high traffic and high sunlight areas).

For more information and a demonstration on how to apply Ortho® Home Defense Max®, visit [www.HomeDefenseMax.com](http://www.HomeDefenseMax.com).

**STORAGE AND DISPOSAL**

**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**

**ENVIRONMENTAL HAZARDS:** This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds

6/9

**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 responsibility for safety and use not in accordance with directions. Federal regulations prohibit CFC propellants in aerosols.

CONTAINS NO CFCs WHICH DEplete THE OZONE LAYER  
**[NO CFCs icon]**

*[phone icon]* **Questions, Comments or Medical Information ?**

**¿Preguntas, Comentarios o Información Médica?**

**1-800-225-2883**

[www.ortho.com](http://www.ortho.com)

**Ortho & 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.**

Specially formulated for residential use.

© 2007, Licensed by The ORTHO Group. World rights reserved.

Manufactured for

The ORTHO Group

P.O. Box 190, Marysville, OH 43040

Part Number TBD

EPA Reg. No. NEW TBD

EPA Est. 58996-MO-1

Superscript is first letter of lot number

UPC CODE TBD

ITF Code TBD

-----OPTIONAL MARKETING CLAIMS-----

**Knockdown claims:**

- Fast acting
- Quick knockdown
- Fast knockdown
- Kills bugs in seconds
- Kills (bugs) fast
- Starts killing in seconds
- Kills on contact [Guaranteed]

**Water based product claims:**

- Water based
- Dries clean
- Dries fast
- No oily residue
- No mess
- Does not stain (fabrics, floors, wood, surfaces)
- Non-staining
- Unscented
- Fragrance-Free
- Leaves no odor
- No sticky mess
- No lingering odor
- Odor Free
- Odorless
- No greasy residue (mess)
- Continuous (aerosol) spray

**Residual Control claims:**

- Keeps bugs out all year! \* \* for listed insects (\* 12 month control on Ants (excluding Fire, Pharaohs, and Carpenter), Crickets, Scorpions and Spiders (excluding Black Widow and Brown Recluse)
- Up to 12 month control indoors\* \*for listed insects
- Provides year long control indoors\* \* for listed insects
- Up to 12 month (one year) control indoors for listed insects
- Up to 12 month (one year) control indoors for listed insects: crickets, ants (including harvester ants), spiders and scorpions
- Kills Two (2) ways: 1) Kills insects fast (on contact) and 2) It keeps killing with residual action even after you spray, for up to 12 months inside (\* \*for listed pests) (for listed pests)
- Long-lasting insect protection (control)
- Now up to 12 month indoor control\*
- One application provides year-long control indoors of listed insects
- Protects against home-invading insects all year long\* \*for listed insects
- Year long indoor insect protection\* \* for listed insects
- Keeps killing all year\* \* for listed insects
- Kills on contact, keeps on killing for up to 12 months inside\* \*for listed insects
- Kills bugs inside (indoors). Keeps bugs outside (out) (all year\* \* for listed insects) (long)
- Kills the bugs you have and prevents new bugs (from coming inside) (from coming in) (all year long\* \*for listed insects)

**Barrier-related claims:**

- Kills all major home invading insects (with a bug barrier)
- Kills home-invading pests/insects (with a bug barrier)
- Creates a barrier that will kill the bugs you have and prevent new bugs from coming in all year\* \*for listed insects
- (New) Barrier Technology stays put (lasts) (keeps killing bugs) for 12 months\* (an entire year\*) \*for listed insects
- (New) Barrier Technology
- Protect(s) your home from bugs
- Protect(s) your family from (home-invading) insects (bugs)
- Immediately forms (creates) (establishes) a (bug) (insect) barrier
- Kills and prevents (insects) (inside your home) (outside your home)
- Kills bugs inside. Keeps bugs out(side)
- Protect against (invading) bugs
- Provides protection against home invading insects
- Spray around entire inside of your home to create a bug barrier
- Barrier protection
- Keeps on killing with residual action, even after you spray
- Use in garages, basements, attics to keep bugs/insects from coming into (entering) your home.
- Use with confidence in garages and/or basements and/or attics.
- 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

#### **Area-related claims:**

- 16 oz treats (covers) 151 linear feet
- 16.5 oz treats (covers) 156 linear feet
- 17 oz treats (covers) 161 linear feet
- 17.5 oz treats (covers) 166 linear feet
- 18 oz treats (covers) 170 linear feet
- 18.5 oz treats (covers) 175 linear feet
- 19 oz treats (covers) 180 linear feet
- Treats (142) (146) (151) (156) (161) 166 (170) (175) (180) linear feet!
- Treats the average 1800 sq. ft. home one time!
- Enough to create an (one) entire bug barrier (treatment) for the average 1800 sq. ft. home!
- Treats (161) 166 linear feet (170) (175) (180)- enough to create an entire bug barrier for the average 1800 sq. ft. home!
- Consistent spray for maximum accuracy
- Consistent/even coverage
- Ideal for small areas
- Use inside and outside your home!

#### **Where to use/How to use claims**

- Apply along (and behind) baseboards
- Apply along (and behind) appliances
- Apply beneath (and behind) sinks
- Apply in other areas where insects are often
- Gets into cracks and crevices
- Gets to the places bugs hide
- Reaches where bugs hide
- Ready to Use



- You're (It's) always ready to spray
- Easy to use
- The easy way to spray (Home Defense Max)
- Stays where you spray it
- Change the way you spray
- Targeted bug control (kill)
- Targets bugs in tight places
- Use (Can be used) in (bathrooms), (kitchens), (family rooms), (pantry) and (bedrooms)
- Works on all listed surfaces

**Other claims**

- Guaranteed (results)
- Kills ants and roaches (and many other listed pests)!
- Kills roaches, ants, fleas, flies, mosquitoes, Brown dog ticks, spiders, earwigs, silverfish, and other listed insects.
- No more tired hands
- No more hand fatigue
- Precise control for maximum accuracy
- Broad spectrum