

239-2698

4/13/2011

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

OFFICE OF CHEMICAL SAFETY AND
POLLUTION PREVENTION

April 13, 2011

Mandy Slack
The Scotts Company LLC
d/b/a The Ortho Group
P.O. Box 190
Marysville, OH 43040

Subject: Notification – Response to Agency’s June 4, 2009 Letter
EPA Registration Number: 239-2698
Date of Submission: January 21, 2011

Dear Ms. Slack:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated January 21, 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”

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Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060. Approval expires 05-31-98

EPA

United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number The Scotts Company LLC d/b/a The Ortho Group / 239-2698	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 Home Defense Max Perimeter Insect Killer RTS	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company LLC 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 and labeling to: EPA Reg. No. NOTIFICATION APR 13 2011 Product Name _____	

Section II

- | | |
|--|---|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels |
| <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. |

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification to add pyrethroid language per EPA letter dated 6-4-09. See cover letter for certification statement.

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		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 Analyst, Federal Registrations	Telephone No: (Include Area Code) (937) 644-7187

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.

Date Application Received (Stamped)

2. Signature The Scotts Company LLC BY: <i>Mandy Slack</i>	3. Title Analyst, Federal Registrations	5. Date January 21, 2011
4. Typed Name Mandy Slack		

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NOTE:

Bold, italicized text is information for the reviewer and is not part of the label.
[Bracketed information is optional text]. Text separated by / denotes and/or options.
Underlined-highlighted text is new.

EPA Reg. No. 239-2698

[For outdoor residential use only.]

NOTIFICATION

APR 13 2011

Home Defense[®] MAX[®] Perimeter Insect Killer RTS

[ABN: Ortho[®] Home Defense[®] MAX[®] Outdoor Perimeter Insect Killer Ready-Spray[®]]

ACTIVE INGREDIENT:

Bifenthrin*.....0.3%

OTHER INGREDIENTS:.....99.7%

* Cis isomers 97% minimum, trans isomers 3% maximum
U.S. Patent No. 4,238,505

KEEP OUT OF REACH OF CHILDREN
See back for additional precautionary statements

NET CONTENTS [[32 FL OZ] [(1 QT)] [946 mL]] [[30 FL OZ] [(0.93 QT)] [887 mL]]
[[X FL OZ] [(X QT)] [X mL]]

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DIRECTIONS FOR USE

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

Do not water the treated area to the point of run-off. Do not make applications during rain.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

1. Treatment to soil or vegetation around structures;
2. Applications to lawns, turf, and other vegetation;
3. Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

[Reentry icon] People and pets may enter treated area after application has dried.

Home Defense MAX Perimeter Insect Killer RTS can be used to control Home Invading Pests: Ants (including Lasius, red harvester, pavement, odorous, pyramid, and Argentine), cockroaches (including American, Asian, German), crickets, earwigs, fleas, house flies, millipedes, mosquitoes, palmetto bugs, sowbugs, spiders (except black widow & brown recluse), and ticks (including American, deer tick, brown dog tick).

HOW TO APPLY:

Outdoor Perimeter Treatment Application	<p>To keep fleas and cockroaches from entering the house:</p> <ul style="list-style-type: none"> • Spray a 4 foot band around the house next to the foundation both on the soil and up the side of the house, using the illustration shown as an example. [Illustration] • This package will treat up to [360] [X] linear feet with a 4 foot band of product. Apply product at a rate of approximately 1 linear foot for every 2 seconds. [For example, if your house's footprint is 2,000 square feet (45 ft x 45 ft), it would take approximately 1.25 minutes to treat each side of the house.] • In addition to the foundation, product can also be used around window frames and doorways, on porches and patios, along eaves and exterior siding.
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WHEN TO REAPPLY

Repeat application is necessary only if there are signs of renewed insect activity. Repeat application must be limited to no more than once per seven days.

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NOTE:

EPA Reg. No. 239-2698

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HOW TO USE THE READY-SPRAY® SYSTEM:

Connect [illustration]	<ol style="list-style-type: none"> 1. Shake well before using. 2. Connect sprayer to hose. 3. Turn on water.
Spray [illustration]	<ol style="list-style-type: none"> 1. To begin spraying, point nozzle in the direction you want to spray. 2. Bend small plastic tab back and turn knob clockwise to ON position. 3. Spray as directed in the "HOW TO APPLY" section.
Finish [illustration]	<ol style="list-style-type: none"> 1. To STOP spraying, rotate the knob counterclockwise to the OFF position. 2. Turn off water. 3. Relieve water pressure by bending the plastic tab back and turning knob to ON position until water slows to a drip. Then, turn knob back to OFF position. 4. Disconnect sprayer from hose.

DO NOT TREAT FIREWOOD

Do not apply this product to humans or animals.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep from freezing. Keep pesticide in original container. Do not put in food or drink containers. Avoid contamination of feed and foodstuffs. Store in a cool, dry place, preferably in a locked storage area.

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.

PRECAUTIONARY STATEMENTS

ENVIRONMENTAL HAZARDS: This pesticide is extremely toxic to fish and aquatic invertebrates. 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. This product is highly toxic to bees exposed to direct treatment of residues on blooming crops or weeds. Do not apply this product or allow to drift to blooming crops if bees are visiting the treatment area. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

PHYSICAL OR CHEMICAL HAZARDS: Do not apply this product in or on electrical equipment due to the possibility of shock hazard.

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OPTIONAL CORNER FLAP LABELING INFORMATION

Indicate page where Spanish begins

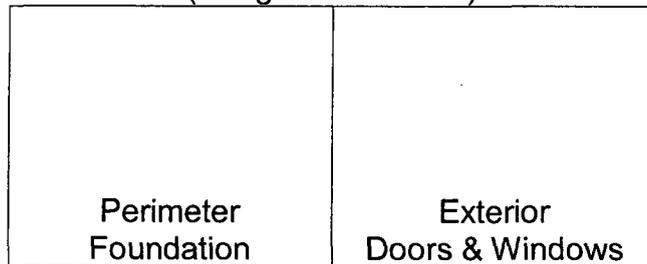
- OPEN
- PRESS TO RESEAL [*Placed on base of label.*]
- Resealable Label for Directions & Precautions

OPTIONAL NON-PESTICIDAL CLAIMS (*claims may appear on any or all label panel(s)*)

- Easy-to-use perimeter treatment
- Easy-to-use sprayer
- Great for treating the [exterior] home/house foundation!
- Great for treating large areas [like [around] the home/house foundation]!
- GUARANTEED*
- No mixing, no measuring- just spray!
- Non-Staining
- Odor-Free
- Formulated for residential use.
- Use Outside Your Home!
- **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, please follow instructions for appropriate usage, storage and disposal.

- (Usage Illustrations)



- Creates [a] long lasting 1 month control on Mosquitoes, Fleas, Cockroaches, and Flies around your home foundation!
- Kills/controls listed outdoor insects/pests by contact
- Kills mosquitoes that may transmit West Nile Virus
- Kills ticks that may transmit Lyme Disease
- One application keeps listed bugs/listed insects out for up to 1 month!*
- Provides fast knockdown
- Provides residual control for up to 1 month against mosquitoes, fleas, cockroaches, and flies.
- Treats the average [2,000] [X] sq ft home
- *Up to 1 month control on Mosquitoes, Fleas, Cockroaches, and Flies

