

239-2705

03-22-2010

1/8



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

EPA Reg. Number:
239-2705

Date of Issuance:
MAR 22 2010

Term of Issuance:
Conditional

Name of Pesticide Product:
Ortho® Home Defense® Max™
Outdoor Perimeter Insect Killer
Ready-Spray® II

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
P.O. Box 190
Marysville, OH 43040

~~Note: Changes in labeling, directions, or substances from those 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:

1. You will submit and/or cite all data required for registration/reregistration 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. You will make the following label changes before you release the product for shipment:
 - a) Revise the EPA Registration Number to read "EPA Reg. No. 239-2705."
 - b) Delete "except for the following permitted uses: Applications to building foundations, up to a maximum height of 3 feet" from the statement "All outdoor applications must be limited to spot or crack-and-crevice treatments only" under the *Directions for Use* section.
 - c) Replace "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" with "All outdoor applications to impervious surfaces: sidewalks, driveways, patios, porches and structural surfaces (windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only".

Signature of Approving Official:

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

Date:

March 22, 2010

Enclosure

- 2
8
- d) Replace “Repeat application should be limited to no more than once per seven days” with “Repeat application must be limited to no more than once per seven days” under [When to Reapply].
 - e) Delete the “(*Option 2 How To Use*), How to use the [Ready-Spray® II] [Ready-Spray® 2] [Applicator Name] system” section. This system must be identified and submitted to Agency for review.
 - f) Under *Optional Pesticidal Claims* replace, “One application keeps listed insects out for up to 1 month!*” with “One application keeps mosquitoes, fleas, cockroaches, and flies out for up to 1 month!*”.
 - g) Under *Optional Non-Pesticidal Claims* delete, “Broadcast [applicator] [spray pattern]”.
3. Reminder, the company’s website referenced on your label 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. Regardless of whether a 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. 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.
4. Please submit three (3) copies of your final printed labeling before releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact BeWanda Alexander at www.alexander.bewanda@epa.gov or (703) 305-7460.

3/8

NOTE:

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[Bracketed information is optional text]. Text separated by / denotes and/or options.
Underline text is new. ~~Strike-through text is being deleted.~~

EPA Reg. No. 239-NEW
ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 22 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
239-2705

For outdoor residential use only

Ortho[®] Home Defense[®] MAX[™] Outdoor Perimeter Insect Killer Ready-Spray[®] II

Alternate Brand Names:

- [Ortho[®] Home Defense[®] MAX[™] Outdoor Perimeter Insect Killer Ready-Spray[®] 2]
- [Ortho[®] Home Defense[®] Outdoor Perimeter Insect Killer Ready-Spray[®] II]
- [Ortho[®] Home Defense[®] Outdoor Perimeter Insect Killer Ready-Spray[®] 2]

ACTIVE INGREDIENT:

Bifenthrin*	0.3%
OTHER INGREDIENTS:	99.7%
TOTAL	100.0%

* 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.

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

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:

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.

Ortho® Home Defense MAX Outdoor Perimeter Insect Killer Ready-Spray® II can be used to control Home Invading Pests such as Ants (including Lasius, red harvester, pavement, odorous, pyramid, and Argentine), cockroaches (including American, Asian, German), crickets, earwigs, fleas, millipedes, palmetto bugs, sowbugs, spiders (except black widow & brown recluse), and ticks (including American, deer tick, brown dog tick).

[HOW TO APPLY:]

<p>Outdoor Perimeter Treatment Application</p>	<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. • 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 should be limited to no more than once per seven days.

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5
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(Begin Option 1 How To Use)-----

HOW TO USE THE READY-SPRAY® SYSTEM:

Connect	<ol style="list-style-type: none"> 1. Shake well before using. 2. Connect sprayer to hose. 3. Turn on water.
Spray	<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	<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.

(End Option 1 How To Use)-----

(Begin Option 2 How To Use)-----

HOW TO USE THE [READY-SPRAY® II] [READY-SPRAY® 2] [APPLICATOR NAME] SYSTEM:

Connect	<ol style="list-style-type: none"> 1. Shake well before using. 2. Connect sprayer to hose. 3. Turn on water.
Spray	<ol style="list-style-type: none"> 1. To begin spraying, [disengage safety lock and] point nozzle in the direction you want to spray. 2. Slide thumb activation switch forward to ON position. 3. Spray as directed in the "HOW TO APPLY" section.
Finish	<ol style="list-style-type: none"> 1. To STOP spraying, slide thumb activation switch backward to OFF position. 2. Turn off water. 3. Relieve water pressure by sliding thumb switch to [ON] [WATER] [WATER ONLY] position until water slows to a drip. Then, slide switch back to OFF position [and engage safety lock]. 4. Disconnect sprayer from hose.

[Optional illustrations may be used in conjunction with the above steps]

(End Option 2 How To Use)-----

DO NOT TREAT FIREWOOD

Do not apply this product to humans or animals

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EPA Reg. No. 239-NEW

6
8

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.

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 FILL MARKER EMBOSSED ON BOTTLE

- *Linear Feet*
- *Linear Ft*
- *Ounces*
- *Oz*

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

- Broadcast [applicator] [spray pattern]
- Convenient [Simple] [Design]
- Easily cover large areas
- [Easy] [Ergonomic] Comfort Grip [Design]
- Easy grip [control]
- Easy [to use]
- Easy-to-use perimeter treatment

NOTE:

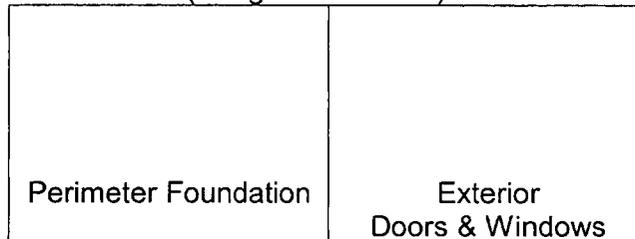
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7
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- Easy-to-use sprayer
- Economical – use to cover large areas
- Ergonomic [design]
- Gentle shower [applicator] [spray pattern]
- Great for treating the [exterior] home/house foundation!
- Great for treating large areas [like [around] the home/house foundation]!
- GUARANTEED*
- Hand doesn't get wet
- Hand stays dry
- Includes water [only] setting/[option]
- Instant/Easy [One-handed] on/off applicator/switch/action
- No mixing, no measuring - just spray!
- No mixing required
- Non-Staining
- Odor-Free
- One-handed operation
- [Outdoor] Perimeter [Exterior] Insect Killer
- Ready-Spray®/ Ready-to-Spray/ (Applicator Name)
- Simple [and easy] [to use]
- [Simply] attach to [garden] hose and spray /go
- 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)



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

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

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EPA Reg. No. 239-NEW

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NOTICE: To the extent allowed by applicable law, buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

[Phone Icon] **QUESTIONS, COMMENTS OR MEDICAL INFORMATION**
Call 1-800-225-2883

[Visit our website] [Computer icon]
www.ortho.com

Manufactured by
The ORTHO Group
P.O. Box 190
Marysville, OH 43040

***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.

Product of – and/or - Made in USA

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EPA Reg. No. 239-NEW
EPA Est. 239-IA-3^l, 58996-MO-1^A
[Superscript used is first letter of run code on end of container]