



279 - 3240

10/21/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

OCT 21 2003

Mr. Michael C. Zucker  
FMC Corporation, Agricultural Products Group  
1735 Market Street  
Philadelphia, PA 19103

Subject: Label Amendment Adding Marketing Claims and Updating Disposal per  
PR Notice 2001-6  
Lawn Insect Control  
EPA Reg. No. 279-3240  
Your Submission Dated July 22, 2003

Dear Mr. Zucker:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. You must delete the claim "NEW/NOW! - Next Generation Diazinon Replacement". We consider such a statement false or misleading under Section 2(q)(1)(A) of the FIFRA. The regulations at CFR 40 Section 156.10(a)(5) list examples of such statements. This would be considered a false or misleading comparison with other pesticides or devices (40 CFR Section 156.10(a)(5)(iv)).
2. You must delete the front panel claim "Low Concentration" and the phrase "specially designed to be used in very low concentrations" in the Directions for Use (Option I and Option II). Implied safety claims such as these are considered false or misleading in accordance with the regulations at 40 CFR Section 156.10(a)(5)(ix).
3. You should add a footnote to the spreader settings tables under Option I and Option II as follows:  
  
"When using other spreaders, calibrate the spreader settings based on the manufacturer's recommendations."

If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



George T. LaRocca  
Product Manager (13)  
Insecticide Branch  
Registration Division (7505C)

Enclosure

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:

OCT 21 2003

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
279-3240

Lawn Insect Control

[FRONT]

ABN: ORTHO® Ready-To-Use Lawn Insect Control Granules  
Scotts® Lawn Insect Control  
Scotts® Lawn Insect Control with Bifenthrin  
Scotts® Lawn Insect Control with Talstar

CLAIMS:

- Insect Control with Bifenthrin
- Insect Control with Talstar
- Insect Protection
- Lawn Insect Protection
- Treats 5000 Square Feet for insect control
- Kills Insects, Fleas & Ticks
- Ortho's patented technology
- Treats up to 5,000 Square Feet for insect control
- Specially formulated for lawns
- Protects against listed damaging insects
- Low odor formula
- Fast Acting against insects, spiders and ticks
- Easy-to-use granules
- Ready-to-spread granules
- Easy to apply
- Fire Ant Killer
- Kills fire ants fast.
- Kills mole crickets
- Kills most outdoor pests in lawns and around homes
- Broad spectrum
- Multi-Purpose Insect killer
- Kills pests on contact
- Not harmful to lawn grasses
- Low concentration
- Kills insects that cause your lawn to thin and turn brown
- Kills lawn-damaging insects that cause your lawn to thin and turn brown
- Kills fleas and ticks

- Kills ticks that may transmit Lyme Disease
- Corrects most lawn insect problems (for grub control, use Scotts® GrubEx®)
- Controls many lawn insect problems
- 
- Apply at first signs of insect damage or activity
- Corrects many lawn insect problems
- Controls chinch bugs, sod webworms (lawn moth), fleas, ticks (including ticks that may transmit Lyme's Disease), and other lawn pests listed on the back
- Soil Penetrating Formula
- Dual Action Technology/Formula
- Fourth Generation Pyrethroid
- A 10 lb bag treats up to 10,000 sq.ft.
- Treats up to 10,000 sq.ft. - 100%/twice more than 5,000 sq.ft. bags (for 10# bag)
- 2 X More Coverage\* - \*vs. Standard 5,000 sq. ft. Bags.
- Treats up to 20,000 sq.ft. - 100%/twice more than 10,000 sq.ft. bags (for 20# bag)
- Kills [insects/pests] above and/& below the [lawn] surface
- Kills insects in/& under the lawn
- Guaranteed kill or your money back.
- NEW/NOW! - Next Generation Diazinon Replacement

For Residential Lawn Use Only

[Insert photo/illustrations]

Active Ingredient

Bifenthrin .....	0.115%
Other Ingredients .....	<u>99.885%</u>
	100.00%

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

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

See additional precautionary statements on back of bag.

OR

See (back panel booklet, back panel) for additional precautionary statements.

NET WT 10.00 lb / 4.54 kg

**[\*\*SATISFACTION GUARANTEED OR YOUR MONEY BACK]**

## OPTION I. Directions for Use for the ORTHO Group of The Scotts Company

[Optional text]

[ORTHO<sup>®</sup>

LAWN INSECT CONTROL GRANULES is a high-performance product specially designed to be used in very low concentrations, and is:]

- [Virtually Odor-free]
- [Fast Acting]
- [Easy-To-Use]
- [Not harmful to grasses]

### DIRECTIONS FOR USE

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

Do apply when insect activity or damage is first observed in the lawn (lawn thins and turns brown or moths fly from the grass when you mow).

Don't treat just the browned area of lawn. To prevent further damage, treat entire lawn.

Retreat as necessary. Repeat application is necessary only if there are signs of renewed insect activity. Repeat application should be limited to not more than once per seven days.

In New York State, this product may NOT be applied to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

<b>PRODUCT FACTS</b>
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<p><b>SURFACE FEEDING LAWN INSECTS</b></p>	<ul style="list-style-type: none"> <li>• Use <b>ORTHO® LAWN INSECT KILLER READY-TO-USE GRANULES</b> for the control of: Ants (including Carpenter, Red Harvester, Pavement, Odorous, Pyramid, Argentine, Pharoah, Fire Ants and Foraging Fire Ants), Armyworms, Billbugs, Centipedes, Chinch Bugs, Crickets, Cutworms, Earwigs, European Crane Fly, Fleas, Grasshoppers, Leaf Hoppers, Mealybugs, Millipedes, Mole Crickets, Sod Webworms (Lawn Moth), Spiders, Ticks (including ticks that may transmit Lyme Disease), and Weevils (including Hyperodes).</li> </ul>
<p><b>HOW TO USE</b></p>	<p><b><u>Insects :</u></b></p> <ul style="list-style-type: none"> <li>• Uniformly apply 1 to 2 pounds over a 1,000 sq. ft. area of lawn using any hand or power operated gravity or rotary type spreader designed for the application of granular materials.</li> <li>• A 10 pound bag will treat a 5,000 sq. ft. to 10,000 sq. ft. area of lawn.</li> <li>• Best results are obtained if the treated area is thoroughly watered immediately after application.</li> </ul> <p><b><u>For Mole Crickets :</u></b></p> <ul style="list-style-type: none"> <li>• Uniformly apply 2 to 4 pounds over a 1,000 sq. ft. area of lawn. For best results, treat in late spring and water thoroughly immediate after application.</li> </ul> <p><b><u>For Fire Ant Mounds :</u></b></p> <ul style="list-style-type: none"> <li>• Uniformly apply 1 tablespoon or 3 teaspoons** of granules to the surface of each mound. For best results : 1)apply in cool weather, 65 to 80 F, in early morning or late evening hours 2)Avoid disturbing ants 3) treat new mounds as they appear 4) thoroughly water the treated area after application.</li> </ul>

\*\* Food utensils such as tablespoons/teaspoons must not be used for food purposes after use in measuring pesticides.

<b>SPREADER TIPS</b>				
<b>For best results, use a Scotts® spreader</b>				
<b>SPREADER</b>	<b>Spreader Settings covers 5,000 sq. ft</b>			<b>Directions</b>
	<b>Pounds of product per 1,000 sq.ft.</b>			
	<b>1lb</b>	<b>2lb</b>	<b>4lb</b>	
<b>Scotts Drop Spreader</b>	??	??	??	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform feeding. Shut off spreader when you have reached the header strips or stopped.
<b>Scotts Easy Green® Rotary</b>	??	??	??	Side shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one, so some overlapping occurs.
<b>Scotts SpeedyGreen® Rotary</b>	??	??	??	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs. Avoid applying this product on flower, vegetable and shrub plantings.

-----END OF OPTION I-----

**OPTION II. Directions for Use for the Consumer Lawns Business Group of The Scotts Company.**

**[BOTTOM FRONT]**

**Treats XXXX Square Feet**

[Above will be inverted on back of bag]

Scotts® Lawn Insect Control (XXXX – stock number)

[LEFT GUSSET]

[UPC Code] Treats Scotts® Lawn Insect Control (XXXX – stock number)  
XX,XXX Square Feet

[RIGHT GUSSET]

[UPC Code] Treats Scotts® Lawn Insect Control (XXXX – stock number)  
XX,XXX Square Feet

[BACK PANEL]

[DIAGONAL LINE – SCISSORS ART]

-----CUT HERE TO OPEN-----

**Optional Back Panel Claims**

Kills lawn-damaging insects, spiders, fleas and ticks. For grub control, apply Scotts® GrubEx® anytime from late-April to mid-August.

**OR**

Insect Control – controls chinch bugs, sod webworms (lawn moths) and other lawn insects. For grub control, apply Scotts® GrubEx® anytime from late-April to mid-August.

**OR**

Lawn Insect Control is a high-performance product specially designed to be used in very low concentrations and is:

- Virtually Odor-free
- Fast Acting
- Easy-to-Use
- Broad Spectrum
- Effective in killing Insects, Spiders, Fleas, and Ticks



**What to Expect**

Lawn Insect Control kills these lawn pests:

Ants (carpenter, red harvester, pavement, odorous, pyramid, argentine, and pharaoh	
Armyworms	Foraging Fire Ants
Centipedes	Sod Webworms (lawn moth)
Chinch Bugs	Spiders
Crickets	Ticks (including Ticks that transmit Lyme Disease)
Cutworms	Weevils (including Hyperodes)
Earwigs	Billbugs
Fleas	European Crane Fly
Grasshoppers	Leaf Hoppers
Millipedes	Mealybugs
Mole Crickets	
Fire Ants	

**KEY PRODUCT FACTS****How and When to Apply****Directions for Use**

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

- Apply product to the entire lawn when insect activity or damage is first observed.
- Spread uniformly over your lawn using the suggested spreader settings. For best results, use a Scotts spreader.
- Water-in product after application.
- Do not use any other weed, disease, or insect control products for at least one week after application.
- For grub control, apply Scotts® GrubEx® between late April and mid-August.
- **In New York State, this product may NOT be applied to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).**
- **In New York State, do make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.**

### Spreading Tips

Apply header strips. Then apply product in longest direction of lawn.  
For best results, use a Scotts® spreader.

### Spreader Settings

	Covers XX.XXX sq. ft.	Directions
Scotts® Drop Spreaders	XXX	Mow lawn first; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.
Scotts® EasyGreen® Rotary	XXX	Make each pass about 30 inches from previous pass to overlap spread width.
Scotts® previous SpeedyGreen® Rotary	XXX	Make each pass about 5 feet from pass to overlap spread width.

#### Additional Spreader Settings

EZ Drop, Republic (#530).....XX  
EZ Broadcast, Republic (#540).....XX

(Non-Scotts spreader settings are approximate. You may need to adjust for proper coverage.)  
[Illustrations: spreading patterns]

-----END OF OPTION II-----

### STORAGE AND DISPOSAL

**Prohibitions:** Do not contaminate water, food or feed by storage or disposal.

**Pesticide Storage:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. For rigid containers after partial use replace lids and close tightly. For bags after partial use, reseal opened bag by folding top down and securing.

#### **Pesticide Container Disposal:**

**If empty:** Do not reuse this container. 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 (and Domestic Animals)**

**Caution**

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

**FIRST AID:**

**If swallowed:** Call A poison control center 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 in eyes:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye. 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 by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

**HOTLINE NUMBER**

Have the product container or label with you when calling poison control center or doctor, or going for treatment. You may also contact 1-800-225-2883 for emergency assistance.

**Note to Physician:**

This product is a pyrethroid. If large amounts have been ingested, the milk, cream or 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.

U.S. Patent No. 4,238,505

**OPTION I. (The ORTHO Group)**

**NOTICE:** Buyer assumes all responsibility for safety and use not in accordance with directions.

[phone icon] **Questions, Comments or Medical Information**  
call 1-800-225-2883 **www.ortho.com**

**\*\*THE ORTHO GUARANTEE**

If you are not satisfied with the results after using this product, return the original proof-of-purchase and original receipt to your ORTHO Dealer or send to: The ORTHO Group, Consumer Affairs Dept., P.O. Box 1749, Columbus, OH 43216.

-----END OF OPTION I-----

**OPTION II. The Consumer Lawns Group**

[Phone Art]

**Questions/Information**

**Consumer Helpline:  
1-800-543-TURF (8873)**

[Computer Art]

**Visit our website:  
[www.scottslawn.com](http://www.scottslawn.com)**

Scotts No-Quibble Guarantee®: (XXXX – stock number).  
If for any reason you are not satisfied with results after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly.

Product of U.S.A.

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[UPC Code]

**[BOTTOM BACK]**

Treats XX,XXX Square Feet

[Above copy will be inverted]

-----END OF OPTION II-----

Manufactured by:  
FMC Corporation  
Agricultural Products Group  
1735 Market Street  
Philadelphia, PA 19103  
EPA Reg. No. 279-3240  
EPA Est. 279-  
Made in USA

