

538-260 12-19-2002

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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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 538-260	2. EPA Product Manager George LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) Turf Builder with Fire Ant-X	PM# PM-13	
5. Name and Address of Applicant (Include ZIP Code) The Scotts Company 14111 Scottslawn Road Marysville, OH 43041 <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. _____ Product Name _____	

Section II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated XX-XX-XX <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated 10-26-99 <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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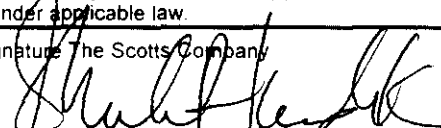
NOTIFICATION
10-26-99
DEC 19 2002

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
NOTIFICATION per PR Notice 98-10. See attached sheet.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per Container	2. Type of Container <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			
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 Sheila R. Kendrick	Title Senior Regulatory Specialist	Telephone No. (Include Area Code) (357) 644-7214
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.		6. Date Application Received (Stamped)
2. Signature BY: 	3. Title Senior Regulatory Specialist	
4. Typed Name: Sheila R. Kendrick	5. Date: November 13, 2002	

The Scotts Company

and Subsidiaries



November 13, 2002

George LaRocca, PM-13
Registration Division, H-7505C
Office of Pesticide Programs
U.S. Environmental Protection Agency
Ariel Rios Bldg.
1200 Pennsylvania Ave. NW
Washington, DC 20460-301

Subject: Turf Builder with Fire Ant-X
EPA Reg. No. 538-260

NOTIFICATION: Minor label revisions

Dear Mr. LaRocca,

We are notifying the Agency of the following additional claims for the subject product:

- **Kills Fire Ants! Plus Chinch Bugs, Fleas, Ticks & Other Tough Lawn Insects**
- **Insect Control with Lawn Fertilizer**
- **Protects your family and pets from fire ants and other lawn insects** (previously read (EPA stamped label – 10/26/99: Protects your lawn, family and pets from pests)
-

We have added the following information to the "Spreader Setting" section:

- AccuGreen®; 7 ½
- Scotts PrecisionGreen® Drop Spreader; 7
- SpeedyGreen® & EdgeGuard™; 4 ¼
- EZ Drop, Republic (#530); 6 ½
- EZ Broadcast Tractor Spreader; 4
- **Scotts Broadcast Tractor spreader; 4**

(Note: This information was previously noted as X's in the stamped label as the Product Manager understands that this information is subject to change and updated when the product formulation finalized. This information does not alter the application rate and is only included to assist the consumer in proper application techniques).

We have revised our Annual Lawn Care Program for St. Augustine to read:

- January – February: Halts®
- February – March : Bonus S®
- April – May: MaxGuard®
- June, July – August: MaxGuard® or Turf Builder®

We have the following information to the back panel:

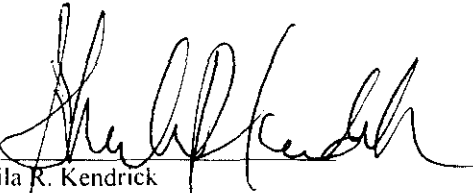
- **Dedicated to a Beautiful World™ Trusted by generations of gardeners, Miracle-Gro® is dedicated to helping you enhance and protect the natural beauty of your home environment.**

Per PR Notice 2001-6, we updated our Disposal statement

"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 sections 12 and 14 of FIFRA"

Proposed changes have been highlighted to help facilitate your review. If you have any questions regarding this NOTIFICATION, please contact me at 937-644-7214.

Respectfully,
THE SCOTTS COMPANY

BY: 
Sheila R. Kendrick
Senior Regulatory Specialist

NOTIFICATION
DEC 19 2002

KILLS FIRE ANTS! PLUS CHINCH BUGS, FLEAS, TICKS & OTHER TOUGH LAWN INSECTS!



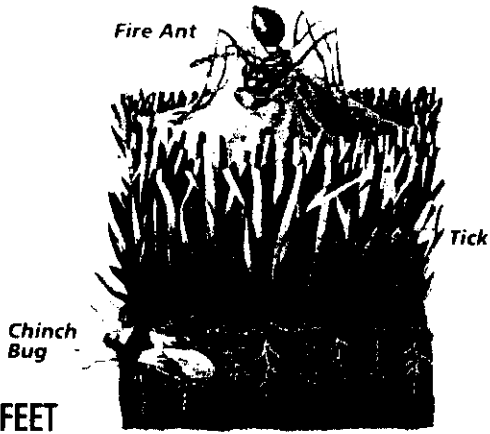
NOTIFICATION
DEC 19 2002

MAXGUARD®

Insect Control with Lawn Fertilizer

- Triple-action formula kills insects, keeps them away for up to 2 months, and feeds your lawn
- Protects your family and pets from fire ants and other lawn insects
- Hot weather formula won't burn your lawn... Guaranteed!

FEEDS AND TREATS 5,000 SQUARE FEET



ACTIVE INGREDIENT:	
Bifenoxin*	0.147%
OTHER INGREDIENTS	99.853%
	Total 100.000%

*Cis isomers 97% minimum, trans isomers 3% maximum.
 EPA Reg. No. 538-260 EPA Est. No. 538-OH-1
 ICASA# 82657-04-3
 For residential lawn use only.

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

24-3-10

NET WEIGHT 15.53 lb (7.09 kg)



MAXGUARD

Insect Control with Lawn Fertilizer

MaxGuard® contains a special active ingredient that kills fire ants, chinch bugs, fleas, ticks, mole crickets and many other tough lawn insects. Its triple-action formula kills insects, keeps them away for up to two months, and strengthens your lawn without burning.

The Scotts Advantage

MaxGuard® combines an insect control ingredient with a timed-release nitrogen, phosphate and potash fertilizer. This special hot weather formula will build thick, green turf from the roots up without burning your lawn.



For best results, apply Scotts Annual Lawn Care Program™

	St. Augustinegrass, <i>St. Augustine</i>	Bermudagrass, <i>Bermudagrass, Zoysia</i>	Tall Fescue, <i>Ryegrass</i>
January-February	Halo®	Halo®	
February-March	Halo®		Turf Builder® with Halo®
March-April		MaxGuard®	
April-May		Turf Builder® with Plus 2®	Turf Builder® with Plus 2®
June-July-August	MaxGuard®		MaxGuard®
August-September	MaxGuard®	MaxGuard®	
September-October	Halo®	Turf Builder®	Turf Builder®
November		Winterizer™	Winterizer™

* Apply MaxGuard® at 90-day intervals for fire ant control. For control of fire ants in Tall Fescue grass, MaxGuard® should be applied at least four times a year.

PRODUCT FACTS

MaxGuard® kills these lawn insects:

- | | | | | |
|---|--|--|--|---|
| Ants: Fire Carpenter Argentine Odorous Pavement P-baroab (sugar) Pyramid Red Harvester | Armyworms Billbugs (adults) Chinch Bugs | Cutworms Fire Ants Fleas (larvae) | Leafhoppers Mealybugs Mole Crickets (adults & nymphs) | Sod Webworms Ticks: American Dog Ticks Deer Ticks (includes ticks that may transmit Lyme Disease and Rocky Mountain Spotted Fever) |
|---|--|--|--|---|

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. In New York State, this product may not be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland or drainage ditch). 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.

General Use Instructions

- Apply as soon as insect activity or damage is first observed in the lawn.
- Spread uniformly over your lawn using the suggested spreader settings. For best results, use a Scotts spreader.
- Apply when the lawn foliage is dry. Water lightly immediately after application. See specific instructions on watering below.
- Re-treat as needed but not more than four times a year.

Specific Instructions

CHINCH BUGS: A moderate watering-in (up to 1/4 inch) is necessary to reach the chinch bugs which are found in the thatch layer. Make applications in early spring or whenever chinch bug activity is noticed. Repeat applications throughout the growing season as needed.

MOLE CRICKETS: Make application as late in the day as possible and water with 1/2 inch of water. If the soil is not moist prior to application, it may be necessary to irrigate first to bring mole crickets closer to the surface where they are more likely to contact the insecticide. Let the lawn foliage dry and then apply MaxGuard®. Mole crickets are best controlled by treating the young nymphs. For best control, treat prior to peak egg hatch in the spring.

FIRE ANTS: You should treat your entire lawn every two months. A broadcast application will control foraging workers and new fly-in females. For best results, treat during the morning or late evening when it is cool and the fire ants are most active. For complete control, treat established mounds with a mound control product 2-3 days prior to applying MaxGuard®.

FLEA LARVAE: Water in with 1/2 inch of water. Flea larvae develop in the soil of shaded areas where pets frequent.

TICKS: Apply in the spring when ticks are first noticed. A light watering (1/10 inch) is required to activate the insecticide. Retreat as needed.

ARMYWORMS, CUTWORMS, SOD WEBWORMS: Water with 1/10 inch of water after application to activate the insecticide.

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 container only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

DISPOSAL: If Empty: Do not reuse this container. Place in trash or offer for recycling if available. If Partially Filled: Call your local waste agency or 1-800-CLEANUP for disposal instructions. Never place this product down any indoor or outdoor drain.

Spreading Tips

Apply header strips. Then apply product in longest direction of lawn.



Spreader Settings

For best results, use a Scotts spreader

Spreader Settings	DIRECTIONS
Scotts AccuGreen® Drop Spreaders 7 1/2	Mow lawn first; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.
Scotts PrecisionGreen® Drop Spreader 7	Mow lawn first; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.
Scotts SpeedyGreen® & EdgeGuard™ Rotary Spreaders 4 3/4	Make each pass about 5 feet from previous pass to overlap spread width.

Additional Spreader Settings

EZ Drop, Republic (#930)	6 1/2
EZ Broadcast, Republic (#540)	4
Scotts Broadcast Tractor Spreader	4

(Non-Scotts spreader settings are approximate. You may need to adjust for proper coverage.)

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

Hazard to Humans and Domestic Animals

CAUTION: Harmful if inhaled, swallowed or absorbed through skin. Causes moderate eye irritation. Avoid breathing dust. Avoid contact with skin, eyes, or clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling.

First Aid:

+ 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 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 eyes. Call a poison control center or doctor for 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. Do not apply directly to water. Do not contaminate water when disposing of equipment washwater or rinsate.

Guaranteed Analysis

MaxGuard®	24-3-10	F643
Total Nitrogen (N)	24%	24%
0.6% ammoniacal nitrogen		
23.4% urea nitrogen*		
Available Phosphate (P ₂ O ₅)	3%	
Soluble Potash (K ₂ O)	10%	
Sulfur (S) (free)	9.9%	

Derived from: polymer-coated sulfur-coated urea, urea, ammonium phosphate, potassium sulfate

* A portion of the urea has been coated to provide 5.3% coated slow-release nitrogen.

Questions / Information

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

Visit our website
www.scotts.com

U.S. Patent Nos.: 5,219,465; 5,300,135; 5,405,426; 5,466,274
Product of U.S.A.

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Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-sc.com>.

Scotts No-Quibble Guarantee®

If for any reason you, the consumer, are not satisfied 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.

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MAXGUARD 5 M 36105A-1

128021023 V10-P-PP

100% (non-suppressed)

3224736105

PROOF OF PURCHASE

Dedicated To A Beautiful World
Trusted by generations of homeowners, Scotts is dedicated to helping you enhance and protect the natural beauty of your home environment.



The Scotts Company
14111 Scottslawn Rd.
Marysville, Ohio 43041