



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 20

DEC 20 2004

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Ms. Sheila R. Kendrick  
The Scotts Company  
14111 Scottslawn Road  
Marysville, Ohio 43041

Subject: Label Amendment- Addition of Alternate Directions for Use and Residual Claims for Fire Ants

EPA Registration No. 538-260  
Turf Builder with Fire Ant-X

Your submission dated May 7, 2004

Dear Ms. Kendrick:

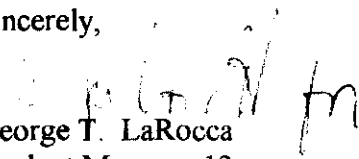
The amendment referred to above, submitted in connection with registration under section 3 (c) (7) (A) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), is acceptable provided that you:

1. Delete "tough" from "... insect control". There is no category of "tough insects". You may list specific pests appearing on the list of pests in the back panel of the label.
2. Claims that imply heightened efficacy, total control, eradication, are not acceptable. Delete "*death to insects, controls most insect problems, cures., rid...insect free, eliminates/destroys/eradicates, keeps ants away, protective barrier, complete control, strengthens against future insects, kills fleas and ticks before they get on your pet...*"
3. Replace "destroys" with "*kills*" fire ants throughout the label.
4. Change "yard" to "*lawns*". The only area being treated is the lawn.
5. Delete all bullets under "How it works". Words or phrases implying that a product possesses unique characteristics because of its composition are not acceptable.

- 6. As per our October 24, 2000 letter, delete all references to controlling, destroying, and/or preventing fire ant mounds/colonies. This product will kill foraging ants, but not the mounds.
- 7. Delete *chiggers* and *spiders* from the pest list. You have cited no data to support claims for these public health pests.
- 8. Replace "fleas" with "*fleas (larvae)*".
- 9. Delete "*special active ingredient*". See comment 5 above.
- 10. Delete "*Protects ...family...from pests.*" Vague or ambiguous terms stating or implying safety to humans or the environment are not acceptable.
- 11. Delete the "*up to 4 months*" residual control claims throughout the label. This claim is not supported by data cited to support this amendment. The cited data supports residual control of foraging ants for broadcast applications at 0.25 lb ai/acre. Residential use applications of bifenthrin products are restricted to 0.20 lb ai/acre. Additionally, the subject product contains half of the active ingredient (w/w) of the cited product, and the use directions provided are vague with regard to application rates. You must either cite or submit data demonstrating the proposed residual control claim at 0.20 lb ai/acre. Note that the application rate for this product cannot exceed 0.20 lb ai/acre.
- 12. Submit two (2) copies of the final printed labeling before you release the product for shipment.

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

If you have any questions regarding this action, please contact Olga Odiott of my team at (703) 308-9369.

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

Enclosure

3813

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

[Note to PM: Information contained in [brackets] is optional. Information in **[bold brackets]** is guidance for the reviewer]

**FRONT**

SCOTTS®  
-----Lawn Fertilizer with Tough Insect Control-----

## OPTIONAL FRONT PANEL CLAIMS

### [Claims regarding "General Benefits"]

- Helps/Helps keep/Keeps the lawn [look/looking] beautiful [all season long].
- Helps the lawn look beautiful [all season long].
- Great for neglected lawns.
- The cure for a neglected lawn.

### [Claims regarding "Problem Control"]

- Death to insects.
- Kills/controls/treats ants, fleas, ticks and other insects.
- Kills/controls/treats lawn & garden pests/insects/bugs.
- Kills/controls/treats pests/insects/bugs in lawns and landscapes.
- Kills fire ants quickly and completely.
- Kills/controls/treats chinch bugs, mole crickets and cutworms [or other listed insects].
- Kills/controls/treats surface and sub-surface pests/insects/bugs that ruin your lawn.
- Kills/controls/treats lawn-destroying insects.
- Kills/controls/treats a wide variety of insects/ants/fire ants/fleas/ticks/mole crickets/chinch bugs/other lawn-damaging insects.
- Kills/controls/treats insects that cause your lawn to thin and turn brown
- Controls most/many [lawn] insect problems.
- Kills/controls/treats chinch bugs, sod webworms (lawn moth), fleas, ticks (including ticks that may transmit Lyme Disease), and other lawn pests listed on the back.
- Cures/rids/ your lawn of tough insects.
- Highly effective insect control.
- Small, lightweight granules provide complete uniform coverage to help ensure complete control of insects.
- Specially formulated to kill/control/eliminate/eradicate/treat insects, won't harm lawns.
- Targets/ Kills insects leaving your grass [lawn] unharmed.
- Specially formulated to kill insects, won't harm lawns [grass].
- Contains a proven formula that targets/kills/eliminates/controls/destroys insects.
- Prevents new mounds from forming [for up to 4 months]
- Protective barrier kills fire ants and keeps them away [for up to 4 months].
- Kills/controls foraging fire ants throughout the entire yard.
- Protects the entire yard [for up to 4 months].
- Provides season-long control [of fire ants]
- Don't treat the mound, prevent the mound/problem
- No more treating mounds!
- Keeps fire ants away [for up to 4 months]
- Long-lasting [control]

**ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
DEC 20 2004**  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
538-260

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- Supplies these nutrients to help your lawn (X% Nitrogen, X% Available Phosphate and X% Soluble Potash).
- Kills fleas and ticks before they get on your pet
- Kills fleas, ticks and fire ants
- Kills insects that cause your lawn to thin and turn brown
- Kills insects that damage your lawn such as chinch bugs, mole crickets and sod webworms
- Kills nuisance pests in your lawn.
- Protects your lawn, family and pets from pests
- Can be used anytime of the year
- Formulated to be effective throughout the south
- Special southern formulation

**[Claims regarding the fertilizer properties]**

- Feeds and strengthens lawn against heat, drought, and wear and tear
- Heat-friendly [fertilizer] formula won't burn your lawn... Guaranteed!
- Won't [Will not] burn lawns – Guaranteed!
- Hot weather formula - Guaranteed not to burn
- Specially formulated for warm weather/season grasses [the hottest months]
- Specially formulated not to burn summertime lawns.
- Formulated not to burn summer lawns / Formulated not to burn even in hot, dry weather.
- Patented timed-release nitrogen formula builds thick, green lawns from the roots up without burning your lawn.
- Formulated with Scotts All-in-One particles™ (All-in-One = nitrogen, phosphorus, potassium and insect control ingredients contained in every particle).
- All-In-One Particles™ provide even insect control and feeding!
- Specially formulated with Scotts® Poly S® timed-release fertilizer
- Contains both readily available nitrogen for quick green-up and controlled release nitrogen for uniform growth and extended feeding
- [Turf Builder®] summer formula builds thick, green turf from the roots up without burning your lawn.
- Builds thick [strong], green turf from the roots up without burning your lawn\*
- Feeds lawn, helping turf to fill in where insect damage occurred.
- Helps repair bare spots from previous insect/fire ant damage.
- Feeds/Strengthens your lawn.
- Fast, long lasting greening power.
- Builds a thick, [green,] insect-free lawn
- Thickens and strengthens lawn [turf] against [future] insects [insect invasions]
- Builds thick, green lawns.
- Thicker, greener turf – satisfaction guaranteed
- Quick greening, long lasting.
- Improves lawn [s'] drought resistance.
- Feeds and greens up to 2 months [without burning your lawn].
- Contains Scotts Turf Builder® fertilizer [to help repair lawn from existing mound damage]
- Plus Scotts Turf Builder® Fertilizer to thicken/green lawn and help repair existing [mound] damage
- Strengthens lawn to defend against future invasions.
- Hot weather formula won't burn your lawn ... Guaranteed!

**[Claims regarding "How it works"]**

- Scotts revolutionary insect killer [killing technology].
- With [to be named], Scotts insect killing technology.
- Contains [a proven] formula that targets/kills/eliminates/controls/destroys insects.
- Provides a protective barrier around your home.

**[Claims regarding "Where to use/Grass types"]**

- For outdoor multi-insect control.



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- For use on [all] lawns [and] /grass types.
- For use on all Southern lawns.
- Won't harm your lawn.
- [Fertilizer] specially formulated for/for use on St. Augustine, Floratam, Bermuda, Bahia, Centipede, Zoysia, Carpetgrass, Bluegrass, Fine Fescue, Bentgrass, Ryegrass, Tall Fescue, and Dichondra lawns.

**[Claims regarding "Positioning"]**

- Scotts best.
- Our/Scotts best insect killing formula.
- Scotts' only/best solution that kills/prevents/protects against fire ants, keeps them away, and repairs/feeds your lawn.
- Scotts' only/best solution that kills/prevents/protects against fire ants and repairs your lawn from existing mound damage.
- Two products in one!
- Convenient, two-in-one product kills/prevents/protects against fire ants and repairs your lawn!
- Triple-action formula kills fire ants [and other insects], keeps them away/prevents new mounds [from forming], and greens/feeds your lawn

**[Claims regarding "Product Form"]**

- Easy to spread [granules].
- Ready to Use [granules].
- No measuring or scooping!
- No need to get close to active mounds!

**[Claims regarding "Coverage"]**

- Feeds and Treats [Covers] [up to] 5,000 sq. ft.
- Special/Value Size/Pack

**[Claims regarding "Application Timing"]**

- Apply in anytime [insects are active]
- Apply in spring and fall or anytime fire ants/insects are active

**[Claims regarding "Guarantee"]**

- Guaranteed [performance/results].
- Thicker, greener turf – satisfaction guaranteed
- Scotts® No-Quibble Guarantee®

**[Claims regarding "Cross-Sell"]**

- For a beautiful lawn, apply [a] Scotts fertilizer [product] four times a year [every six to eight weeks].

NET WEIGHT XX LBS

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back for additional precautionary statements.

ACTIVE INGREDIENT:

Bifenthrin* .....	0.147%
OTHER INGREDIENTS.....	99.853%
Total	100.00%

\*CIS isomers 97% minimum, trans isomers 3% minimum

For Residential Lawn Use Only



**OPTIONAL BACK PANEL CLAIMS**

**Scotts Tips**

The best insect prevention begins with a complete lawn care program. Tips for an insect-free lawn:

1. Feed your lawn regularly using Scotts Annual Lawn Care Program. It provides the correct balance of nutrients to strengthen the lawn against insect attack.
2. Drought stress can weaken the lawns resistance to insects. Always water the lawn early in the morning, not in the evening.
3. Mow your lawn at the recommended height for your grass and season
4. Lawn thatch is a breeding ground for insects. Dethatch when it exceeds 1/2-inch.

**Controls/Kills**

- Ants (including Argentine, Black Turf, Carpenter, Fire, Red Harvester, Odorous Pyramid, Pavement, Pharaoh [sugar])
- Armyworms (including Fall Armyworms)
- Billbugs (including Bluegrass Billbugs)
- Black Turfgrass Ataenius
- Centipedes
- Chiggers
- Chinchbugs
- Crickets
- Cutworms (including Black Cutworms)
- Earwigs
- European Crane Fly Larvae
- Fire Ants
- Fleas
- Grasshoppers
- Leafhoppers
- Mealybugs
- Millipedes
- Mole Crickets [tawny Mole Crickets]
- Sod Webworms (Lawn Moth)
- Spiders [brown recluse]
- Ticks [including ticks that may transmit Lyme disease and Rocky Mountain Spotted fever]
- Weevils (including hyperodes and Bluegrass)

**What to expect**

- Pests & lawn damaging insects will be controlled, but lawn damage will not be undone.
- Recovery of your lawn will occur from re-growth, reseeding or sodding.
- Does not control grubs. For grub control apply Scotts GrubEx Season Long Grub Control between late April and mid-August
- Grass/Lawn will become greener in 4 – 6 days after application
- Fire ants will be controlled and your lawn will be greener in one week.

**Where to use/Grass Types**

- For use on all lawns and grass types

**Coverage**

Covers X,XXX sq. ft.

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**OPTIONAL BACK PANEL CLAIMS**

**The Scotts Difference**

Every particle of Turf Builder® with Fire Ant-X contains Scots patented timed-release nitrogen, phosphorus, potassium and insect control.

Turf Builder® with Fire Ant-X contains a special active ingredient that kills fire ants, chinch bugs, fleas, ticks, mole crickets and may other 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**

Turf Builder® with Fire Ant-X combines an insect control ingredient with a time-released 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 (including Floratam)	Bermudagrass, Bahia grass, Zoysia	Tall Fescue, Ryegrass
January-February	Halts®	Halts®	
February-March	Bonus®S		Turf Builder® with Halts®
March-April		Turf Builder® with Fire Ant-X	
April-May	Turf Builder® with Fire Ant-X	Turf Builder® with Plus 2®	Turf Builder® with Plus 2®
June, July-August	Turf Builder® with Fire Ant-X or Turf Builder®		
August-September	Turf Builder® with Fire Ant-X	Turf Builder® with Fire Ant-X	
September-October	Bonus®S	Turf Builder®	Turf Builder®
November		Winterizer™	Winterizer™

† Apply Turf Builder® with Fire Ant-X at two months intervals for fire ant control.

†† For control of fire ants in Tall Fescue grass, Turf Builder® with Fire Ant-X should be applied at least four times a year.

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### Note to PM: Directions for Use Option 1

#### Directions for use

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

#### When to use/apply

- Apply when insect activity or damage is first observed in the lawn
- Apply when the grass blades are dry
- If treating for the following:
  - Mole Crickets – Apply in late spring as late in the day as possible. If the soil is not moist, irrigate first to bring mole crickets closer to the surface. Allow foliage to dry, then apply.
  - Fire Ants – For complete control, treat established mounds with a mound control product.
  - **[Note to PM: Optional Directions for Use when product is labeled for European Crane Fly]** For best control of European Crane Fly larvae in the Pacific Northwest, apply late winter (February & March) to early Spring or apply in the fall (October & November).

#### Reapplication

- Repeat application if there are signs of renewed insect activity, but not more than four times per year.
- Allow at least six weeks after the first application.
- In New York State, make a single repeat application if there are signs of renewed insect activity, but not sooner than six weeks after the first application.

#### [Optional] With other products

- Does not interfere with the performance of other lawn control products such as weed controls and insect controls.
- Allow at least one-week before applying other control products to the lawn and at least six weeks before applying fertilizer.

#### [Optional] With new lawns or seeding/When seeding, sprigging, or sodding

- Can be applied [immediately] before or after seeding or sodding.

#### [Optional] With other products, new lawns, or seeding

- Does not interfere with the performance of other lawn control products such as weed controls and insect controls.
- Allow at least one-week before applying other control products to the lawn and at least six weeks before applying fertilizer.
- Can be applied [immediately] before or after seeding or sodding.

#### [Optional] Reentry

For best results, avoid disturbing particles by keeping children and pets off of treated area until product has been watered in per instructions and foliage is dry.

#### How to apply

- Apply to dry grass blades.
- Apply with a drop or rotary spreader. Do not apply by hand or hand-held spreader. [Optional] For best results, use a Scotts Spreader.
- 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)

[Optional] Step	[Optional] Action
1	Mow Lawn



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- If grass is tall enough to touch bottom of spreader, mow before application.
- 2 Set Spreader
- 3 Fill spreader
  - Fill spreader over bare ground or hard surface.
  - Sweep or brush any particles off of hard surfaces and apply on lawn or dispose of properly.
- 4 Apply Product
  - Apply one or two header strips, then apply product in longest direction of lawn.
  - Shut off spreader each time you reach the header strip, or stop.
- 5 Water-In
  - Water-in lightly (up to 1/10 inch) after application. If treating for Chinch Bugs – water [in] moderately (up to ¼-inch)
  - Rain after application will not hurt product performance.

**[Optional How to apply**

- Apply to dry grass blades.
  - Apply with a drop or rotary spreader. Do not apply by hand or hand-held spreader. [Optional] For best results, use a Scotts Spreader.
  - 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)
1. If grass is tall enough to touch bottom of spreader, mow before application.
  2. Set Spreader
  3. Fill spreader over bare ground or hard surface. Sweep or brush any particles off of hard surfaces and apply on lawn or dispose of properly.
  4. Apply one or two header strips, then apply product in longest direction of lawn. Shut off spreader each time you reach the header strip, or stop.
  5. Water-in lightly (up to 1/10 inch) after application. If treating for Chinch Bugs – water [in] moderately (up to ¼-inch). Rain after application will not hurt product performance.

**Note to PM: End of Option 1**

**Note to PM: Directions for Use Option 2**

**KEY PRODUCT FACTS**

**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.

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- 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 Turf Builder® with Fire Ant-X. 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 Turf Builder® with Fire Ant-X.

**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.

**Note to PM: Directions for Use Option 2**

**KEEP OUT OF REACH OF CHILDREN  
CAUTION  
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 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 poison control center or doctor for further treatment advice.

**If swallowed:** Call a poison control center or doctor immediately for treatment advice. Have the 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.

Have the product container or label with you when calling 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, or other digestible fats and oils may increase absorption and so should be avoided.

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**ENVIRONMENTAL HAZARDS**

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

**STORAGE & DISPOSAL**

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

**Storage:** Keep out of reach of children and animals. Store in original container only. Store in a clean, dry, well ventilated place and avoid excess heat. For bags after partial use, reseal opened bag by folding top down and securing

**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.

**Spreader Setting**

For best results, use a Scotts spreader.

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

[ART]

		Directions
Scotts AccuGreen® Drop Spreaders	X	Mow lawn; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.
Scotts PrecisionGreen® Drop Spreader	X	Mow lawn; apply 2 header strips; apply longest direction of lawn, overlapping wheel marks.
Scotts SpeedyGreen & EdgeGuard™ Rotary Spreader	X	Make each pass about 5 feet from previous pass to overlap spread width.
Scotts EasyGreen® Rotary Spreader	X	Make each pass about 5 feet from previous pass to overlap spread width.

**Additional Spreader Settings:**

- EZ Drop, Republic (#530) X
- EZ Broadcast, Republic (#540) X
- Scotts Broadcast Tractor Spreader X

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

**-OR-**

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Spreader	Setting Covers x,xxx sq. ft.	Coverage Tip
<b>Rotary Spreaders</b>		
Scotts SpeedyGreen® (1000, 2000, 3000 series) & EdgeGuard™	X	Make each pass about 5 feet from the previous pass.
Scotts EasyGreen®	X	Make each pass about 30 inches from the previous pass.
Scotts Tractor Spreader	X	
<b>Drop Spreaders</b>		
Scotts Accugreen® (1000, 2000, 3000 series)	X	Overlap wheel marks to ensure uniform coverage.
Scotts PrecisionGreen®	X	

Product of U.S.A.

EPA Reg. No. 538-260  
EPA Est. Nos. 538-OH-1(S)  
Superscript used is first letter of run code on end of container.

**Scotts No-Quibble Guarantee®**

If for any reason you, the consumer, are not satisfied with results after using the product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly.

- OR -

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

**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.

**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  
Scotts®

**Questions / Information**

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

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

[Illus]SMG listed NYSE

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The Ortho Group  
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SCOTTS.....the lawn people  
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