

538-303

3/25/2010

10/11



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

MAR 25 2010

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Jessica McLaughlin
The Scotts Company LLC
1411 Scottslawn Road
Marysville, Ohio 43041

Subject: Revised Storage and Disposal Statement

Dear Ms. McLaughlin:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 4, 2010 for:

EPA Registration 538-303

Grub Ex®2 Season –Long Grub Killer

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "Dani Daniel".

Dani Daniel
Registration Division (7504P)
Insecticide/Rodenticide Branch

20911

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	NOTIFICATION MAR 25 2010	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number 538303LBL20100304
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Application for Pesticide - Section I

1. Company/Product Number 538-303	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) The Scotts Company/GrubEx 2	PM# PM-1	
5. Name and Address of Applicant (Include ZIP Code) THE SCOTTS COMPANY 14111 Scottslawn Road Marysville, Ohio 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 XX-XX-XX <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label Notification: Submission of one (1) marked-up copy and one (1) clean copy of labeling being modified to incorporate changes per PR Notice 2007-4.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) Plastic Bag
*Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 14.35	5. Location of Label Directions <input checked="" type="checkbox"/> On Bag <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Jessica McLaughlin	Title Scientist, Regulatory Affairs	Telephone No. (include Area Code) (937) 578-5703
2. Signature The Scotts Company BY:		3. Title Scientist, Regulatory Affairs
4. Typed Name: Jessica McLaughlin	5. Date: March 4, 2010	
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)

30211



The Scotts Company LLC
and Subsidiaries

March 4, 2010

Venus Eagle, PM1
Office of Pesticide Programs (7505P)
U.S. Environmental Protection Agency
Document Processing Desk (NOTIF)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Subject: Notification of General Label Revisions per PR Notice 2007-4
EPA Reg. No. 538-303 – GrubEx 2
OPP Form 538303LBL20100304

Dear Ms. Eagle,

The Scotts Company (Scotts, EPA Company Number 538) is submitting a revised label for GrubEx 2 EPA Reg. No. 538-303. The enclosed product label has been updated as follows:

- To incorporate revisions to Storage and Disposal per PR Notice 2007-4 (noted in yellow highlights);

Enclosed please find the following documents to support this request:

- One (1) copy of Application form (EPA Form No. 8570-1)
- Two (2) copies of the updated Master Label: one (1) with changes noted and one (1) clean copy.

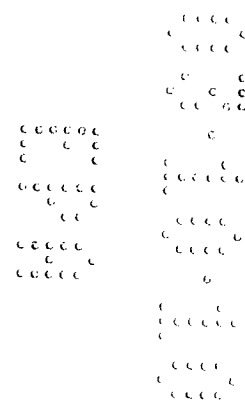
This notification is consistent with the provisions of PR Notice 2007-4 and EPA regulations at 40 CFR §152.46 and §156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation 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 requirements of PR Notice 2007-4 and CFR §152.46 and §156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

If you have any questions regarding this submission, please contact me at 937-578-5703.

Best Regards,

Jessica McLaughlin
Scientist, Regulatory Affairs

Enclosures



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EPA Reg. No. 538-303

Note to PM:

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

NOTIFICATION

MAR 25 2010

[FRONT]

FROM THE
EXPERTS AT
(ORTHO®)

(Scotts®)
GrubEx® 2
SEASON-LONG GRUB KILLER
EPA Reg. No. 538-303

Alternate Brand Name: Grubex_{II}

Optional Front Panel Claims

- One Application Kills & Prevents All Season...Guaranteed!*
- One Application Kills & Prevents Season Long...Guaranteed!*
- Protects Your Lawn From Damage Caused By Grubs
- Protects Your Lawn From Harmful Grubs
- Protects Your Lawn From Root Feeding Insects Such As Grubs
- For Best Results, Apply Spring-Late Summer
- For Best Results, Apply April-mid-August
- Also kills mole crickets and the larvae of Japanese beetles
- Use on Lawns, Groundcovers and Flowers
- Kills and prevents all season

ACTIVE INGREDIENT:

Imidacloprid†.....	0.2%
OTHER INGREDIENTS:.....	99.8%
Total	100.0%

†CAS# 138261-41-3

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE BACK FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NOT FOR SALE, USE, OR DISTRIBUTION IN OR INTO NASSAU, SUFFOLK, QUEENS, OR KINGS COUNTIES NEW YORK

[Optional alternative statement] Not for sale, sale into, distribution and or use in Nassau and Suffolk counties of New York.

Product may contain peanut by-products

NET WT. 14.35 lb (6.50 kg)

**TREATS UP TO
5,000 SQ.FT.
Apply Spring – Late Summer**

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Optional Back Panel Information

Scotts and Your Environment

We care. Scotts® products are designed with care to grow, maintain, and protect healthy lawns.

Because green is good. A healthy lawn cleans the air, produces oxygen and prevents runoff and soil erosion.

You can make a difference. Help keep our water resources clean. Apply this product to your lawn, groundcover, and flowers and sweep any product that lands in the driveway, sidewalk or street back on to your lawn.

Tips for Lawncare Success:

Feed regularly for your best lawn. A healthy, well fertilized lawn with strong roots can withstand minor grub infestations. Grubs can ruin the enjoyment of your lawn at any time. In fact, it can take several seasons for your lawn to recover from a grub infestation. Preventing grub infestations could reduce damage caused by moles, skunks, and raccoons that dig in your yard

Check your lawn for grub infestations. If turf detaches from soil without effort or peels away like carpeting being rolled up, check for grubs.

Do not treat your lawn for grubs in the fall. Grubs have done all of their damage for the season and are ready to stop eating. Remove dead grass, cultivate, and reseed the area. Apply GrubEx 2 the following Spring,

Plan your feeding schedule.

GrubEx 2 can be applied in combination with Scotts fertilizers at any time. For best results, consider the following combinations:

Scotts Turf Builder Lawn Fertilizer and GrubEx 2

Apply spring to late summer if weeds are not a problem.

Water-in Turf Builder Lawn Fertilizer and GrubEx 2 to activate the product.

Scotts Turf Builder with Plus 2 Weed Control

Apply in late spring to kill weeds.

Apply to dew-covered lawn or water lawn before applying Turf Builder with Plus 2 Weed Control. Wait 24 hours before watering-in Scotts GrubEx 2 to activate the product.

Scotts Turf Builder with SummerGuard

Apply in summer to kill surface insects.

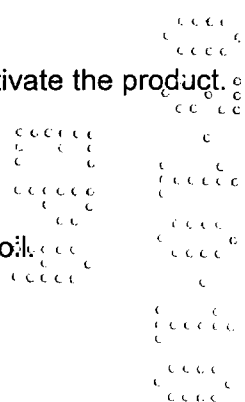
Water-in Scotts Turf Builder with SummerGuard and Scotts GrubEx 2 to activate the product.

Scotts GrubEx 2

Apply spring-late summer to kill subsurface insects.

[Optional: Apply April-mid August to kill subsurface insects.]

If no rain is expected, water in to move the active ingredient down into the soil.



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White grubs can cause extensive damage to turf by feeding on grass roots. Affected turf turns yellow, then brown, and is easily pulled up in pieces with your hands. Mole crickets can seriously damage lawns by their tunneling activity. Some species also feed on the grass roots as well.

ONE APPLICATION STOPS GRUBS ALL SEASON LONG!

GRUBEX 2 works best when applied before grubs and mole crickets hatch. The active ingredient will remain in the root zone of the turf until the eggs of grubs or mole crickets hatch. These newly hatched insects are highly susceptible to GRUBEX 2 and are killed before they become large enough to cause turf damage.

[Optional Header: KEY PRODUCT FACTS]

What GRUBEX 2 does

- Scotts GRUBEX 2 prevents turf damage by killing grubs and mole crickets when they are newly hatched, before they can cause damage.
- For residential use on lawns and landscaped areas.
- DO NOT use in vegetable gardens.

Coverage

Treats up to 5,000 sq.ft. (3,775 sq. ft. for mole crickets)

End of Optional Back Panel Information

Directions for use

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

Read all directions for use before using.

[Optional alternative statement] Read Directions for Use carefully before using.

Controls

Regular Rate

White Grubs

(Larvae of Japanese beetles, oriental beetles, chafers, Asiatic garden beetles, and black turfgrass atenioid)

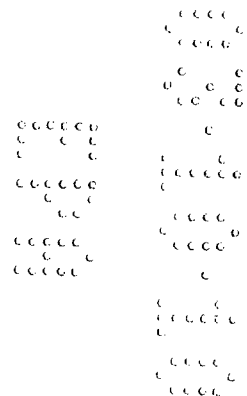
Heavy Rate

Mole Crickets (lawn application)

When to apply

[Optional Art: Japanese Beetle Lifecycle]

[Optional Art: Grub Lifecycle based on calendar months]



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Works best when applied before grubs and mole crickets hatch.

[Optional alternative statement] Grubs are best controlled when they are small and actively feeding near the soil surface in June and July. Control of grubs in late fall or early spring is difficult because the grubs are large and may not be feeding.

For best results, apply as follows:

- White grubs – apply once, anytime from April through mid-August.
- Mole crickets (lawn application) – In Florida, apply once from early April through early May. Elsewhere, apply once from mid-May through mid-June.

Your local County University Extension Office can be consulted for the best application timing in your area. Be sure that you describe the product you are using when seeking such advice.

DO NOT apply GRUBEX 2 when turf areas are waterlogged. The product may not work effectively under these conditions.

How much to apply

For control of grubs, GRUBEX 2 should be applied at the rate of 2.87 pounds per 1,000 square feet. For mole cricket control (lawn application), apply 3.8 pounds per 1,000 square feet. Use the table below as a guide for applying the proper rate of GRUBEX 2. However, the application rate can vary depending on the speed of application and the condition of the spreader. For best results, use a normal, steady pace when applying in order to obtain accurate, even application.

Application

Lawn products work in harmony with the environment when used correctly. Read and follow package recommendations and instructions for use.

Apply to any grass type, including newly seeded and sodded areas.

Can be applied to a wet or dry lawn.

[Spreader setting instructions]

Easy to Follow Instructions

Apply with a drop or rotary spreader. For best results, use a Scotts® Spreader.

STEP 1 – Set and Fill Spreader

Set spreader according to the chart below.

Fill spreader over bare ground or hard surface and clean up any spilled product.

STEP 2 – Apply product.

Water thoroughly to move the active ingredient down into the soil.

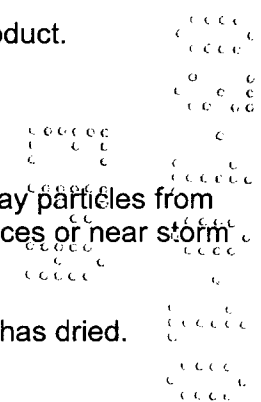
STEP 3 – Clean-Up

Return unused product to original container.

To keep lawn products from reaching storm sewers, sweep or blow any stray particles from hard surfaces back onto lawn area. Do not clean spreader over hard surfaces or near storm drains.

STEP 4 – Enjoy your lawn

Lawn is safe to re-enter after the product has been watered in and the turf has dried.



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[Optional alternative spreader setting instructions]

How to apply to lawns

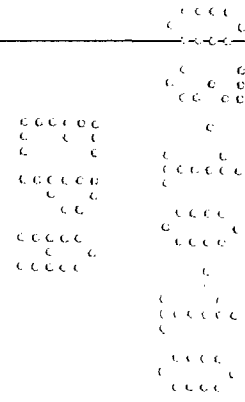
Using either a drop- or rotary-type spreader, apply GRUBEX 2 uniformly over the area being treated. Avoid the use of spreaders that may apply the product in narrow, concentrated, or uneven bands. Calibrate your spreader according to the manufacturer's directions to ensure the proper amount of GRUBEX 2 is applied. Check frequently to be sure the spreader is working properly and spreading granules evenly.

Note to PM: Spreader Settings section will have settings on the final printed label

Spreading Tips

Spreader Settings

Apply header strips. Then apply product in longest direction of lawn. For best results, use a Scotts® spreader. Shut off spreader or stop each time you reach a header strip. Spreader Settings	REGULAR RATE Covers 5,000 sq. ft.	HEAVY RATE Covers 3,775 sq. ft.
Scotts Broadcast/Rotary Spreaders Apply header strips. Then apply product in longest direction of lawn. For best results, use a Scotts® spreader. Shut off spreader or stop each time you reach a header strip. Each pass should be within 5 feet of each other to ensure an overlap. Scotts Basic™, Standard™, Deluxe™ EdgeGuard®, Lawn Pro™, or SpeedyGreen®	XX	XX
Scotts EasyGreen®	XX	XX
Scott Drop Spreaders Make sure spreader wheel completely overlaps previous wheel marks. Scotts® AccuGreen®	XX	XX
Scotts Hand-Held Spreaders Handy Green® II Easy® Hand-Held	XX	XX
For additional spreader settings, please call 1-800-543-TURF (8873)		



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After applying to lawns

GRUBEX 2 will work best if rain occurs or the lawn is watered thoroughly after application to move the active ingredient through the thatch and down into the soil. Avoid mowing until watering or rainfall has occurred, so that the uniformity of the granules is not disturbed. GRUBEX 2 can be applied in combination with Scotts fertilizers at any time. The lawn is safe to re-enter after the product has been watered-in and the turf has dried.

Pests controlled in landscape areas

White grubs (including larvae of Japanese beetle, oriental beetle, chafers, Asiatic garden beetle, and black turfgrass atenius).

Application to landscape plantings

(Trees, shrubs, evergreens, flowers, ground covers)

Apply as a broadcast treatment to soil, mulch or other substrate. Prior to application remove black plastic from area to be treated to allow water to penetrate into the soil. Permeable weed barriers need not be removed prior to application.

NOTE: DO NOT apply GRUBEX 2 to vegetable gardens.
DO NOT apply GRUBEX 2 to waterlogged areas. The product may not work effectively under these conditions.

After applying to landscape plantings

GRUBEX 2 will work best if material is worked into the soil around plants or if a thorough watering or rainfall occurs within 24 hours after application to move product down through mulch and into the soil.

[Optional Header] First Aid and Environmental Information

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through the skin. Causes eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwater.

[Optional Environmental Hazards statement per PPDC and upcoming PR Notice on Environmental Statements]

This product is highly toxic to aquatic invertebrates. Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn, and sweep any product that lands on the driveway, sidewalk, or street back onto your lawn.

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EPA Reg. No. 538-303

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FIRST AID

If swallowed: Call 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 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 the 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 treatment advice.

Note: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call Toll Free 1-800-543-8873 for medical emergency information. Active ingredient: Imidacloprid [*CAS # 138261-41-3].

TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.

STORAGE AND DISPOSAL

Pesticide Storage: Store in a clean, dry place. Reseal opened bag by folding top down and securing.

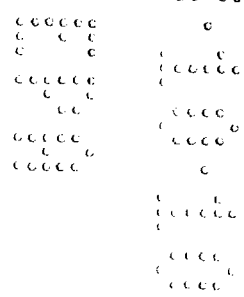
Container Disposal: Nonrefillable container. Do not reuse or refill this container. **If Empty:** ~~Do not reuse this container.~~ Place in trash or offer for recycling if available. **If Partly Filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

[Note to PM: Optional Alternative Storage and Disposal Information]

STORAGE AND DISPOSAL

Pesticide Storage: Store in a clean, dry place. Reseal opened bag by folding top down and securing.

Pesticide Disposal: Nonrefillable container. Do not reuse or refill this container. **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 for disposal instructions. Never place unused product down any indoor or outdoor drain.



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EPA Est. Nos. 538-OH-1^S
9198-OH-1^M
9198-OH-2^B
8378-IN-1^K

Superscript used is first letter of run code on end of container.

Product of U.S.A.

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Questions / Information

Get expert advice for your lawn NOW!

Want more information on what to use and when?

Sign up today to get free expert advice specifically for your lawn.

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

Visit our website
www.scotts.com

[NYSE symbol]

The Scotts Company
14111 Scottslawn Rd.
Marysville, OH 43041

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

***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.

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®)

