

538-306

OS-27-2009

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Janelle Restum  
The Scotts Company  
14111 Scottslawn Road  
Marysville, Ohio 43041

MAY 27 2009

Dear Ms. Restum:

Subject: Labeling Amendment; General Revisions  
Grubex 111  
EPA Registration No. 538-306  
Submission Date: March 18, 2009

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. The following comment applies:

1. Should you wish to retain the company's website on your label, then please be aware that the language presented in the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to the false and misleading provisions of 40 CFR 156.10(a)(5). Therefore should the Agency find or if it is brought to our attention that a website contains claims substantially differing from the EPA approved section 3 registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the above mentioned label before releasing the product for shipment.

Please note that the proposed alternate product name Grubex I has been reviewed and deemed acceptable. The product file will be updated to include this name.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", written over a horizontal line.

Kable Bo Davis  
Entomologist  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- Stamped Labeling

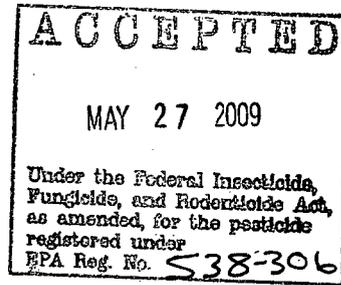
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# GRUBEX III



ACTIVE INGREDIENT:		
Chlorantraniliprole[*]	.....	0.08%
OTHER INGREDIENTS	.....	99.92%
	Total.....	100.00%

[\*Chlorantraniliprole belongs to the anthranilic diamide chemical class.]  
[(Protected by) US Patent No. X,XXX,XXX (*insert appropriate patent number(s)*)]

For Use on Residential Lawn[s] [and Landscaped Areas] Only  
[[Treats/covers] X,XXX square feet/sq. ft.]

**KEEP OUT OF REACH OF CHILDREN**  
[No signal word [required]]

Net Wt. \_\_\_\_\_ lb (\_\_\_\_\_ kg) (*appropriate bag weight will be inserted*)



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**DIRECTIONS FOR USE**

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

**OPTION 1 – QUICK START GUIDE (LAWNS)**

Scotts Quick Start Guide

[You're just three [simple] steps away from a beautiful Scotts lawn]

[ICON – Spreader Dial]

[1.] Fill & Set Spreader

[Scotts® Broadcast/Rotary Spreaders

X]

[Scotts® Drop Spreaders

X]

**[See SPREADER SETTINGS [AND INFORMATION] for additional spreader descriptions and settings]**

[Use only with Scotts® spreaders.]

[Scotts® products are designed to work with Scotts® spreaders.]

[For additional spreader settings, [please] call 1-800-543-TURF (8873).]

[ICON – Lawn]

[2.] Apply

Apply to dry lawn and [lightly] water to activate.

[ICON – Broom]

[3.] Clean-Up

Sweeping product from hard surfaces onto the lawn keeps product on the grass.

You're Done! What's Next?

People or pets may re-enter lawn once grass has dried.

Your lawn will be protected from grubs [and other listed insects]

Question? [Call] [now!] 1-800-543-TURF

[or] [visit] [www.scotts.com]

[Other Things You Should Know]

Apply spring to late summer.

Do not apply to waterlogged areas.

**[Also for use in] Landscape and/or Ornamental [Fruit and Nut] Tree Plantings**

Apply as a broadcast to soil/mulch/other substrate and [lightly] water in to activate. Apply 2.87 lbs. of product per 1,000 sq. ft. – **or** – 0.287 lbs. product per 100 sq. ft – **or** – 0.0287 lbs product per 10 sq. ft. Do not apply to vegetable gardens or under [ornamental] fruit or nut trees [in landscaped areas] being grown for consumption.

**Kills/Controls** White grubs (including larvae of): Japanese beetles, Asiatic garden beetles, Black turfgrass atenioides, Aphodius spp. , European chafers, Green June beetles, May/June beetles, Northern masked chafers, Oriental beetles, Southern masked chafers, Caterpillars]

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**OPTION 2 – HANDHELD APPLICATOR (LAWNS)**

Apply [Grubex III] anytime between the beginning of April and the end of August.

Easy to Follow Instructions

Step 1 - Flip [icon]: Remove seal under cap. Flip spout from cap.

Step 2 - Tilt [icon]: Tilt bottle to a 90° angle.

Step 3 - Feed [icon]: Walk at a steady pace and shake bottle side-to-side using your wrist. For uniform coverage apply product in rows as you move across the lawn overlapping the rows a few inches. For best results maintain a 90° angle during application at all times.

Step 4 – Apply to dry lawn and [lightly] water to activate

Step 5 – Clean-up [icon]: To keep lawn products from reaching storm sewers, sweep or blow any stray particles from hard surfaces or near storm drains.

Step 6 – People or pets may re-enter lawn once grass has dried.

[TIP: 1,000 sq ft (20x50 ft) is approximately half the size of a tennis court [image]]

Do not apply to vegetable gardens or under [ornamental] fruit or nut trees [in landscaped areas] being grown for consumption. Do not apply to waterlogged areas.

**OPTION 3 –For Use in Landscape and/or Ornamental [Fruit and Nut] Tree Plantings**

**[Kills/Controls [the following]-[additional] [insects]]**

***Insert any insects from List 1***  
Caterpillars

[Apply]

Apply as a broadcast to soil/mulch/other substrate and [lightly] water in to activate.

Apply 2.87 lbs. of product per 1,000 sq. ft.

~~–or–~~ 0.287 lbs. product per 100 sq. ft

~~–or–~~ 0.0287 lbs product per 10 sq. ft.

Do not apply to vegetable gardens or under [ornamental] fruit or nut trees [in landscaped areas] being grown for consumption. Do not apply to waterlogged areas. Permeable weed barriers need not be removed.

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**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

When used as directed this product does not present a hazard to humans or domestic animals. Wash hands thoroughly after use. Remove and wash contaminated clothing before reuse.

**ENVIRONMENTAL HAZARDS**

This product is toxic to aquatic invertebrates, oysters and shrimp. Do not apply directly to water. 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. Sweeping any product that lands on a driveway, sidewalk or street back onto the treated area will help to prevent run off to water bodies or drainage systems.

**Ground Water Advisory**

This chemical has properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

**STORAGE AND DISPOSAL**

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

**CONTAINER DISPOSAL: If empty:** Non-refillable container. Do not reuse or refill 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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**OPTIONAL PRODUCT EFFICACY CLAIMS**

[Turf Damaging Pests]

**List 1. Kills/Controls [the following] [additional] [insects]**

- White grubs (including larvae of):
  - Japanese beetles
  - Asiatic garden beetles
  - Black turfgrass ataenius
  - Aphodius spp.
  - European chafers
  - Green June beetles
  - May/June beetles
  - Northern masked chafers
  - Oriental beetles
  - Southern masked chafers

**List 2. Kills/Controls [the following] [additional] [insects]**

- Caterpillars [such as/including]:
  - Armyworms
  - Cutworms
  - Sod webworms
- Annual bluegrass weevils
- Billbug grubs
- Crane fly larvae

**List 3. [Also] Suppresses [the following] [additional] [insects]**

- Chinchbugs

[What **GrubEx III** does:]

[Annual bluegrass weevils can cause damage by feeding on grass blades and stems. **GrubEx III** controls these turf damaging insects and prevents damage.]

[Billbug grubs feed on roots, stolons, stems, and crowns. Infested turf may look drought damaged and the grass blades break off at the crown. **GrubEx III** prevents turf damage by killing grubs [when they are young] [and] [before they can cause damage to your turf.]]

[Caterpillars such as armyworms, cutworms and sod webworms can cause damage by feeding on grass blades and stems. **GrubEx III** controls these turf damaging insects and prevents damage.]

[Crane fly larvae cause damage by feeding on grass blades, stems, crowns and roots. **GrubEx III** controls these turf damaging insects and prevents damage.]

[White grubs can cause extensive damage to turf by feeding on grass roots. Infested turf turns brown and is easily pulled up by hand. **GrubEx III** prevents turf damage by killing grubs [when they are young] [and] [before they can cause damage to your turf.]]

[Grubs and other listed insects can cause extensive damage to lawns by feeding on grass and its roots. [**GrubEx III** kills/controls/suppresses listed turf damaging insects and prevents damage.] [Infested turf turns brown and is easily pulled up by hand.] [**GrubEx III** prevents turf damage by killing grubs] [when they are young] [and] [before they can cause damage to your turf.]]

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[[Treats/covers] X,XXX square feet (sq. ft.)]]

**SPREADER SETTINGS [AND INFORMATION] (optional)**

Spreader	Setting
Scotts Drop Spreaders	X
<i>(insert trade names from List 2. as appropriate)</i>	
Scotts Broadcast/Rotary Spreader	X
<i>(insert trade names from List 2. as appropriate)</i>	
Scotts <b>GrubEx III</b> cartridge applicator/spreader	X
<i>(insert trade names from List 2. as appropriate)</i>	
Scotts Broadcast Tractor Spreader	X
<i>(insert trade names from List 2. as appropriate)</i>	
<b>Appropriate spreader settings and coverage will be inserted on Final Printed Label to replace "X"</b>	

**List 2.**

**Drop Spreader Trade Names and Descriptions (to be entered above as appropriate)**

Scotts AccuGreen [Drop]	X
Scotts Basic [Rotary]	X
Scotts Deluxe EdgeGuard [Rotary]	X
Scotts EasyGreen [Rotary]	X
Scotts Lawn Pro [Rotary]	X
Scotts SpeedyGreen [Rotary]	X
Scotts Broadcast Tractor Spreader	X

[Use only with Scotts® spreaders.]

[Scotts® products are designed to work with Scotts® spreaders.]

[For additional spreader settings, [please] call 1-800-543-TURF (8873).]

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### **OPTIONAL MARKETING CLAIMS**

***The following claims may appear on any label panel***

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**PESTICIDAL CLAIMS**

- [Annual use can] help[s] control Japanese Beetle [infestations][populations]
- Apply anytime spring through late summer
- Apply both in Spring or Summer
- [Apply] Spring to [late] Summer
- Apply [anytime] early April to late August
- Controls key [lawn damaging] grubs
- Control/kills grubs for up to 4 months/an entire season
- Corrects lawn [grub] problems [caused by grubs]
- Controls **insert any insect from List 2**
- Defends against grubs
- Defends against grubs [[plus] [to] help[s] turf recover]
- Four month soil insect protection
- Guaranteed kill or your money back
- **GrubEx III** also kills grubs in landscaped ornamental areas that contain flowers, groundcovers, shrubs and trees.
- **GrubEx III** prevents turf damage by killing grubs when they are newly hatched, before they can cause damage
- **GrubEx III** prevents turf damage by killing grubs [when they are young] [and] [before they can cause damage to your turf.]
- **GrubEx III** works best when applied before grubs hatch
- Helps prevent root damage for a healthier/stronger lawn
- Keeps [on] killing [for four [4] months] [guaranteed] [all season long]
- Kill/control/prevent/stop [lawn damaging] grubs
- Kills/controls/prevents/stops **insert any insect from List 1.**
- Kills/controls/prevents/stops lawn damaging insects
- Kills/controls/prevents/stops grubs and strengthens your lawn
- Kills/controls/prevents/stops grubs below the ground/soil/surface
- Kills/controls/prevents/stops for a stronger lawn
- Kills/controls/prevents/stops grubs so the lawn can repair itself
- Kills/controls/prevents/stops grubs with a single application
- Kills/controls/prevents/stops grubs/lawn insects/Prevents lawn damage for a healthier/stronger lawn
- Kills/controls/prevents/stops 2 more grubs [species] [types]\* \*versus original Grubex [Green June beetle and Aphodius spp.]
- Kills/controls/prevents/stops grubs [keeps on killing] [for four months guaranteed] [all season long]
- Kills/controls/prevents/stops grubs before they become beetles
- Kills/controls/prevents/stops grubs now and prevents them all season
- Kills/controls/prevents/stops more species of [grubs/pests/insects]
- Improved/better killing power [with] 60% fewer chemicals/60% less active ingredients \* \*versus original Grubex
- Lawn protection [against/from] grubs
- Long lasting grub control [up to 4 months guaranteed] [all season long]
- [Exclusive] [Patented] active ingredient
- Kills 2 more grub species\* \*versus original Grubex
- Kills/controls [**insert any insect from list 2**] too
- Kills 25% More Grub species/types\* \*versus original GrubEx
- One application kills and protects [for four months/all season] [guaranteed]
- [One application] kills and prevents [grubs/lawn insects] [for four months/all season] [guaranteed]
- One application stops [grubs/lawn insects] all season long
- Penetrates deep (in the soil) to kill lawn (damaging) grubs
- Prevents [lawn damaging] grubs all season long
- Promotes root growth by killing [lawn damaging] grubs
- Protects the lawn [against/from] grubs

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**PESTICIDAL CLAIMS (cont.)**

- Protect(s)/revitalize(s)/regenerate(s)/renew(s)/rejuvenate(s)/refresh(es) your lawn by killing [lawn damaging] grubs
- Provides [protection/a protective barrier] to keep(s) grubs away all season
- Season-long grub killer
- Season-long grub control/ prevention/ protection
- Specifically targets lawn damaging grubs
- Stops [and repairs] grub damage
- Stops grubs from further damaging your lawn
- [Stops/kills] grubs and [helps the lawn repair [itself]] [repairs the lawn]
- Sub-surface ingredient specifically targets turf larvae (grubs)
- Suppresses *insert any insect from List 3*
- The active ingredient in **GrubEx III** will remain in the root zone of the turf until the grub eggs hatch. Young, newly hatched grubs are very susceptible to **GrubEx III** and are killed before they become large enough to cause turf damage.]
- Use in landscape beds to protect shrubs, flowers and ground cover from (*insert any insect from List 1*)
- Use **GrubEx III** every year to control grub populations in your lawn
- Kills grubs with less chemicals\* \*versus original Grubex
- Highly Effective at Low Usage Rates

**NON-PESTICIDE CLAIMS**

- Ready-to-spread granules
- Don't forget to feed your lawn. A strong root system will also help your lawn defend against grub[s] [damage]
- Easy to apply/use [granules]
- From the leader in lawn care
- Helps build a healthier/stronger lawn
- Helps restore/repair the lawn
- Helps turf recover from grub damage
- Helps your lawn stay strong during stressful summer months
- Most trusted brand in lawn care
- Now with [quick-release] [quick-dissolve] [Eco®] granule [ingredient]
- [Grubex III is [Made] [with Eco® Granule] [to] add[s] back organic matter to [your] soil
- Eco® Granule is biodegradeable
- Specially formulated for lawns
- Guaranteed Results
- From the Experts at Ortho

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**The Scotts® Advantage**

Scotts has been the leader in helping homeowners enjoy their lawns for more than 140 years. Scotts® is guaranteed to provide even feeding and greening with the right balance of essential nutrients in every particle. When you fertilize, your lawn will become thicker, with deeper roots to better absorb water and nutrients.

[GRAPHIC – lawn damaged by listed insects] – UNTREATED/BEFORE/Grub Infested Turf  
[GRAPHIC – lawn treated with **Grubex III**] – TREATED/AFTER/Lawn Protected by Grubex III

**Dedicated To A Beautiful World™**

Trusted by generations of homeowners, Scotts® is dedicated to helping enhance and protect the natural beauty of your home environment. –Scotts®

**Scotts & Your Environment**

We Care - Scotts products are designed with care to grow thicker, greener 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 only to your lawn. And sweep any product that lands in the driveway, sidewalk or street back on to your lawn.

**GRUB LIFECYCLE**

[Stop the Destructive Cycle]  
[Scotts GrubEx III kills grubs as they develop, BEFORE they cause damage to your lawn]  
[Apply GrubEx III spring to late summer.]

[Graphics depicting the grub lifecycle (e.g., egg, pupa, grub, beetle)]

Spring	Summer	Fall
Grubs come out of winter hibernation and start to eat your lawn's roots.  By late spring, grubs enter the pupa stage to transform into beetles.	Adult beetles surface to feed on your garden and lay eggs in your lawn.	Eggs hatch into new grubs, which will feed on your lawn's roots, starting the destructive cycle all over.

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

**Tips for Lawncare Success**

- Feed Regularly For Your Best Lawn. [Fertilizing regularly/Regular feedings will help grow a lawn you and your family can enjoy. Fertilizing/feeding provides the nutrients your lawn needs to look its best and withstand the stresses of weeds, heat, drought and family activity.]
- Mow Your Lawn. [Mowing high allows the grass to develop a deep root system & helps your lawn use water more effectively.]
- Leave The Grass Clippings On Your Lawn. [This recycles the plant nutrients back into the soil.]
- Conserve Water. [Your lawn will begin to wilt when water is needed. As much as possible, take advantage of nature's sprinkler and rely on the rain to water your lawn.]

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**Questions/Information**

[ICON - PHONE] Phone toll-free -or- Consumer Helpline -or- [toll-free] consumer hotline  
1-800-543-TURF (8873)

[ICON - Web] [Visit [our website]]  
www.scotts.com

[ICON - SMG] The Scotts Company, [LLC,]  
14111 Scottslawn Rd.,  
Marysville, OH 43041

Questions? Call 1-800-543-TURF (8843)

**Scotts [No-Quibble] Guarantee™**

If for any reason you, the [consumer or customer], are not satisfied [with the 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.

**Get expert advice for your lawn. [NOW]**

Want information on what to use and when?  
Sign up today to get free expert advice specifically for your lawn.  
Consumer Helpline/Call [now]  
1-800-543-TURF (8873)

Contact the Experts/Learn more at www.scotts.com [or 1-800-543-TURF (8873)]  
Scotts®... the lawn people Marysville, Ohio 43041  
"Lawn success made easy" [Call 1-800-543-TURF (8873)]

Notice: To the extent consistent with applicable law, [the] buyer assumes all risks of use, storage, or handling of this product not in accordance with directions.

[Manufactured by/Distributed by:]  
The Scotts Company, [LLC,] 14111 Scottslawn Rd., Marysville, OH 43041

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EPA Est. No. XXX-XX-X [Superscript used is first letter of run code on end of container]

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Made in/Product of \_\_\_\_\_