

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:

**The Scotts Miracle-Gro Company,
The Scotts Company LLC, and
The Ortho Business Group d/b/a
The Scotts Company,
14111 Scottslawn Road
Marysville, Ohio 43041**

Respondents.

**STOP SALE, USE, OR
REMOVAL ORDER**

I. Authorities

1. Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (FIFRA), 7 U.S.C. § 136k(a), authorizes the Administrator of the United States Environmental Protection Agency (EPA) to issue an order prohibiting the sale, use, or removal of any pesticide or device by any person who owns, controls, or has custody of such pesticide or device whenever there is reason to believe that, *inter alia*, the pesticide or device is in violation of FIFRA, or the pesticide or device has been or is intended to be distributed or sold in violation of FIFRA.
2. This authority has been delegated from the Administrator of the EPA to the Chief of the Chemicals Management Branch, Land and Chemicals Division, EPA, Region 5.

II. Background

3. Section 12(a)(1)(B) of FIFRA, 7 U.S.C. § 136j(a)(1)(B), states that it shall be unlawful for any person in any state to distribute or sell to any person any registered pesticide if any claims made for it as a part of its distribution or sale substantially differ from any

claims made for it as a part of the statement required in connection with its registration under Section 3 of FIFRA.

4. Section 12(a)(1)(C) of FIFRA, 7 U.S.C. § 136j(a)(1)(C), states that it shall be unlawful for any person in any state to distribute or sell to any person any pesticide the composition of which differs at the time of its distribution or sale from its composition as described in the statements required in connection with their registration under Section 3 of FIFRA in violation of Sections 12(a)(1)(C) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(C).
5. Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), states that it shall be unlawful for any person in any state to distribute or sell to any person any pesticide which is misbranded.
6. Section 12(a)(2)(I) of FIFRA, 7 U.S.C. § 136j(a)(2)(I), states that it shall be unlawful for any person to violate any order issued under section 13 of FIFRA.
7. Section 2(q)(1)(E) of FIFRA, 7 U.S.C. § 136(q)(1)(A), defines a pesticide as “misbranded” if any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.
8. Section 2(q)(1)(F) of FIFRA, 7 U.S.C. § 136(q)(1)(A), defines a pesticide as “misbranded” if the labeling accompanying it does not contain directions for use which are necessary for effecting the purpose for which the product is intended and if complied with, together with any requirements imposed under section 3(d) of FIFRA, are adequate to protect health and the environment.

9. Section 2(q)(1)(G) of FIFRA, 7 U.S.C. § 136(q)(1)(A), defines a pesticide as “misbranded” if the label does not contain a warning or caution statement which may be necessary and if complied with, together with any requirements imposed under section 3(d) of FIFRA, is adequate to protect health and the environment.
10. Section 2(s) of FIFRA, 7 U.S.C. § 136(s), defines a “person” as any individual, partnership, association, corporation, or any organized group of persons whether incorporated or not.
11. Section 2(gg) of FIFRA, 7 U.S.C. § 136(gg), defines “to distribute or sell” as to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver.
12. 40 C.F.R. § 152.132 provides that a registrant may distribute or sell his registered product under another person’s name and address instead of (or in addition to) his own. Such distribution or sale is termed “supplemental distribution” and the product is referred to as a distributor product.
13. 40 C.F.R. § 152.132 further provides that the distributor is considered an agent of the registrant for all intents and purposes under the Act, and both the registrant and the distributor may be held liable for violations pertaining to the distributor product.
14. Section 2(u) of FIFRA, 7 U.S.C. § 136(u), defines a “pesticide” as any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. *See also* 40 C.F.R. § 152.15.
15. The Ortho Business Group d/b/a The Scotts Company is the Registrant of Record for the company number 239 assigned by EPA.

16. The Ortho Business Group d/b/a The Scotts Company is a supplemental distributor for the registration number 2217-896-239 assigned by EPA.
17. The Ortho Business Group d/b/a The Scotts Company is a “person” within the definition of FIFRA.
18. The Scotts Company merged into The Scotts Company LLC.
19. The Scotts Company is the Registrant of Record for the company number 538 assigned by EPA.
20. The Scotts Company LLC is a “person” within the meaning of FIFRA.
21. The Scotts Miracle-Gro Company is the parent corporation of The Scotts Company LLC, and owns and markets the Scotts and Ortho brands through its subsidiaries.
22. The Scotts Miracle-Gro Company is a “person” within the meaning of FIFRA.
23. The Ortho Business Group d/b/a The Scotts Company, The Scotts Company, and The Scotts Company LLC, are affiliated with The Scotts Miracle-Gro Company.
24. This Order refers to the Ortho Business Group d/b/a The Scotts Company, The Scotts Company, The Scotts Company LLC, The Scotts Miracle-Gro Company, and all of their divisions, offices, branches and subsidiaries, collectively, as “the Respondents.”
25. “Season Long Max Weed and Grass Killer Plus Preventer” (EPA Registration Number 239-2516, also known by names including “Season Long MaxTM Weed and Grass Killer Plus Preventer”) is a “pesticide” within the meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating weeds.
26. “Weed B Gon Lawn Weed Killer 3” (EPA Registration Number 239-2665, also known by names including “Weed B Gon[®] MaxTM SinglesTM”) is a “pesticide” within the

meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating weeds.

27. “Weed B Gon Max Plus Crabgrass Control Singles” (EPA Registration Number 2217-896-239, also known by names including “Weed B Gon_® Max[™] Plus Crabgrass Control Singles[™]”) is a “pesticide” within the meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating weeds.
28. “ORTHO Roach, Ant and Spider Killer” (EPA Registration Number 239-2679, also known by names including “Roach, Ant and Spider Killer”) is a “pesticide” within the meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating insects and spiders.
29. “Winterizer with Plus 2 Weed Control” (EPA Registration Number 538-281, also known by names including “Winterizer with Plus 2[®] Weed Control”) is a “pesticide” within the meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating weeds.
30. “Super Winterizer with Plus 2 Weed Control” (EPA Registration Number 538-283, also known by names including “Super Turf Builder Winterguard_™ with Plus 2_® Weed Control”) is a “pesticide” within the meaning of FIFRA and is intended for preventing, destroying, repelling, or mitigating weeds.
31. EPA has reason to believe that Respondents have distributed or sold the pesticide products identified in paragraphs 25 and 28 with labeling claims that substantially differ from claims made for them as a part of the statements required in connection with their registration under Section 3 of FIFRA in violation of Sections 12(a)(1)(B) of FIFRA, 7 U.S.C. §§136j(a)(1)(B).

32. EPA has reason to believe that Respondents have distributed or sold the pesticide products identified in paragraphs 29 and 30 with composition that differs from its composition as described in the statements required in connection with their registration under Section 3 of FIFRA in violation of Sections 12(a)(1)(C) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(C).
33. EPA has reason to believe that Respondents have distributed or sold the pesticide products identified in paragraphs 26 and 27 with labeling that is misbranded as that term is defined in Section 2(q)(1)(E) of FIFRA in violation of Sections 12(a)(1)(E) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(E).
34. EPA has reason to believe that Respondents have distributed or sold the pesticide product identified in paragraph 28 with labeling that is misbranded as that term is defined in Section 2(q)(1)(F) and (G) of FIFRA in violation of Sections 12(a)(1)(E) of FIFRA, 7 U.S.C. §§ 136j(a)(1)(E).

III. Order

35. The Respondents are hereby ordered to **immediately** cease the distribution or sale of the pesticide products identified in paragraphs 25 through 30 of this Order as “Season Long Max Weed and Grass Killer Plus Preventer,” “Weed B Gon Lawn Weed Killer,” “Weed B Gon Max Plus Crabgrass Control Singles,” “ORTHO Roach, Ant and Spider Killer,” “Winterizer with Plus 2 Weed Control” and “Super Winterizer with Plus 2 Weed Control” including but not limited to all of these products’ optional and alternative brand names (“collectively, the “violative pesticide products”).

36. This Order shall pertain to all quantities of the violative pesticide products which are within the ownership, control, or custody of the Respondents, wherever the violative pesticide products are located.
37. The violative pesticide products shall not be sold, offered for sale, held for sale, shipped, delivered for shipment, received; or having been so received, shall not be delivered, offered for delivery, moved, or removed for disposal from any facility or establishment of the Respondents, for any reason, other than in accordance with the provisions of this Order or such further Orders as may be issued by EPA in connection with the violative pesticide products.
38. Respondents may immediately begin shipping or distributing the violative pesticide products for the purpose of relabeling and repackaging, within Respondents' registered pesticide producing establishments.
39. Respondents will relabel the violative pesticide products identified in paragraphs 25 through 28 using only the most recent EPA accepted label modified in accordance with the terms and conditions set forth in the accompanying acceptance letter and any subsequent label changes submitted as notifications and accepted by EPA.
40. Respondents will relabel the violative pesticide products identified in paragraphs 29 and 30 using only an EPA accepted label declaring MCP-P (CAS #16484-77-8) as the active ingredient and modified in accordance with the terms and conditions set forth in the accompanying acceptance letter and any subsequent label changes submitted as notifications and accepted by EPA.
41. Prior to relabeling of the violative pesticide products described in paragraphs 29 and

- 30, Respondents will submit a copy of the labeling for review and written approval to Hope Johnson, Office of Pesticide Programs, via e-mail at johnson.hope@epa.gov.
42. In addition, Respondents may distribute, for the purposes of disposal, the violative pesticide products in compliance with federal, state and local laws and regulations for such disposal.
43. Any agent, owner, or operator of the Respondents violating the terms or provisions of this Order may subject the violator to civil or criminal penalties as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.
44. The issuance of this Order shall not constitute a waiver by EPA of its remedies, either judicial or administrative, under FIFRA or any other federal environmental law, to address this matter or any other matters of unlawful acts not specified in this Order.
45. This Order shall be effective IMMEDIATELY upon receipt by the Respondents.

IV. OTHER MATTERS

46. For any additional information about this Stop Sale, Use, or Removal Order, please contact Terry Bonace, Enforcement Officer at (312) 886-3387. For any legal matters concerning this Order, you are encouraged to contact, Jeffery M. Trevino, Associate Regional Counsel, at (312) 886-6729.

Tony Martin, writing for MK

Mardi Klevs, Chief
Chemicals Management Branch

9/12/08

Date

239-2516

10/23/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

NOTICE OF PESTICIDE:

Registration
 Reregistration

(under FIFRA, as amended)

EPA Reg. Number:

239-2516

Date of Issuance:

OCT 23 2007

Term of Issuance:

Name of Pesticide Product:

Ortho Fence & Grass Edger
Formula II

Name and Address of Registrant (include ZIP Code):

The Scotts Company
14111 Scottslawn Road
Marysville, OH 43041

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.


Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA section 4(g)(2)(C) provided you agree in writing to:

1. To the label the acid equivalent of the active ingredient glyphosate needs to be added as a substatement to the ingredients list and "contains petroleum distillates, xylene, or xylene aromatic solvents" must be added to the label. The physical/chemical hazards statement must be revised to include "Combustible. Do not use or store near heat or open flame."
2. To the First Aid section add "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.". Place the First Aid section in a box.

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3. Change the Hazards to Humans and Domestic Animals statements to "Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing."
4. Change the Environmental Hazards statements to "Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinseate."
5. To the General Precautions and Restrictions add "Do not allow people or pets to enter treated area until sprays have dried. Do not apply this product in a way that will contact people or pets."
6. The application instructions must be revised to reflect the maximum consumer product (residential) rate of 3 lbs ai/A.

<p>Signature of Approving Official:</p>  <p>Kathryn V. Montague, Acting Product Manager (23) Herbicide Branch, Registration Division (7505P)</p>	<p>Date:</p> <p>OCT 23 2007</p>
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EPA Form 8570-6

You will submit one copy of your final printed labeling before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions please call Erik Kraft at 703-308-9358.

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EPA REGISTRATION NUMBER 239-2516

ORTHO® Fence & Grass Edger Formula II

[ICON OUTDOOR USE ONLY]

Active Ingredients

- Glyphosate, isopropylamine salt0.25%
- Oxyfluorfen.....0.25%
- Other Ingredients99.50%

KEEP OUT OF REACH OF CHILDREN
CAUTION

See back panel booklet for additional precautionary statements.

NET CONTENTS 1 gal / 3.78 L
NET CONTENTS 1.33 GAL / 5.03 L

ACCEPTED
with COMMENTS
in EPA Letter Dated

9-26-8
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
239-2516

ORTHO® Fence & Grass Edger Formula II

Gives complete kill of weeds and grasses and prevents weed and grass seeds from sprouting for up to 4 months. Can be used over root zones without harming ornamental plants.

WHERE TO USE: Apply only where no vegetation is desired, such as driveways, along fences, sidewalks, walkways, patios, curbs, gutters, landscaped areas, and ~~even cracks~~ in sidewalks.

DO NOT USE IN VEGETABLE GARDENS.

Peel open for use directions and further information

PULL HERE TO OPEN LABEL PRESS TO RESEAL

Questions, Comments or Medical Information call 1-800-225-2883

ACCEPTED
with COMMENTS
In EPA Letter Dated:

OCT 23 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

239-2516

[Gives complete kill of weeds and grasses and prevents weed and grass seeds from sprouting for up to 4 months. Can be used over root zones without harming ornamental plants.]

-OR-

[Provides complete kill of weeds (and grasses) PLUS prevents new weeds (and grasses) from growing for up to 4 months. Can be used in landscape[d] areas (over root zones) without harming ornamental plants (trees or shrubs).]

-OR-

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EPA REGISTRATION NUMBER 239-2516

[[Ortho GroundClear SuperEdger PLUS is] Specially formulated to kill weeds and grasses PLUS prevent new growth for up to 4 months. Use to eliminate existing weeds [and grasses] OR use in areas where you want to prevent weeds [and grasses] from even growing.]

Product Facts	
Treats up to 266 sq ft [for 1.33 Gal size] [or 200 sq ft for 1 Gal size]	
KILLS WEEDS	Unwanted weeds & grasses [weed icon]
PREVENTS WEEDS	For up to 4 months
WHERE TO USE	• Driveways, sidewalks, patios, curbs and gutters • Along fences • In landscape[d] areas (except vegetable gardens)
☎	Questions, Comments or Medical Information call 1-800-225-2883 www.ortho.com

WHERE TO USE:
 [Apply only where no vegetation is desired, such as driveways, landscape[d] areas [around trees and shrubs], along fences, sidewalks, walkways, patios, curbs, gutters and even cracks in sidewalks.]
 - OR - [Apply only where no vegetation is desired, such as driveways, PLUS landscape[d] areas, PLUS fence lines, PLUS sidewalks, PLUS walkways, PLUS patios, PLUS curbs, PLUS gutters and even cracks in sidewalks.]

DO NOT USE ON OR AROUND EDIBLE FEED OR FOOD CROPS.

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

WHERE TO USE
 Apply only where no vegetation is desired, such as driveways, landscape[d] areas, [around trees and shrubs] along fences, sidewalks, walkways, patios, curbs, gutters and even cracks in sidewalks.

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EPA REGISTRATION NUMBER 239-2516

DO NOT USE IN VEGETABLE GARDENS.

WHEN TO APPLY

Apply to actively growing weeds and grasses. Visible effects will occur within 3 to 5 days with complete kill in 2 to 4 weeks.

If rainfall occurs within 6 hours, repeat treatment may be required. To avoid drift to desirable plants, apply only when air is calm. If leaves of desirable plants are accidentally sprayed, immediately wash off plants with water.

OPTION 1 Sprinkle-Pour Spout (1 Gal.)

HOW TO APPLY/USE

Remove cap and be certain that applicator head is screwed on firmly. Invert jug and apply to thoroughly cover unwanted vegetation. For killing vegetation around trees, shrubs and buildings and edging around lawns, fences and sidewalks, hold the jug about 2 to 6 inches from the area to be treated depending upon desired width. The width of the spray pattern may be adjusted by either raising or lowering the jug. One gallon will cover a band 2 inches wide and 1200 feet long.

For controlling weeds in walks and patios, hold jug at about waist height away from body to avoid contact with skin or clothing. Walk slowly making sure that all weeds are thoroughly covered. Thoroughly cover all cracks and joints in sidewalks, driveways and patios.

End of OPTION 1

OPTION 2 - Pull 'N Spray (II) (PNSII) (1 gal or 1.33 gal)

(Illustration #1)

- Remove sprayer from side carrier and unwrap hose completely.
- Insert (color of plug) plug at end of hose into (color of spout) spout on cap until it clicks.
- Flip up spout. Spout must remain up while spraying

(Illustration #2)

- Twist nozzle at end of sprayer to desired spray pattern (narrow, medium or wide stream).

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(Illustration #3)

- Point sprayer away from body.
- Grasp sprayer by the handle.
- Slowly pull ring at bottom of sprayer handle until it stops and hold for two (2) seconds to ready the sprayer.

(Illustration #4)

- Press and hold button on sprayer to begin spraying.
- Pull ring at sprayer bottom again as needed to continue spraying.

HOW TO APPLY/USE

- Follow illustrations and instructions above.
- For best results pull out slowly and hold for two (2) seconds.
- Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth.
- Do not spray plants or grasses you like - they may die too.
- When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water.

-----End of OPTION 2 -----

-----OPTION 3 Pull 'N Spray 1(1 gal or 1.33 gal) -----

(PNS I EPA Required Language)

(FRONT PANEL - LARGE TYPE, BOLD FACE)

DO NOT UNSCREW CAP. DO NOT REFILL CONTAINER.

(wand sticker)

IMPORTANT! Follow directions and illustrations on back to assemble and use Pull N' Spray correctly.

(Illustration) 1. Detach yellow wand and pull plug and tubing from bottom of wand. Insert plug firmly into "T-handle" until it clicks. ONCE CONNECTED, PLUG CANNOT BE REMOVED WITHOUT DAMAGING "T-HANDLE."

(Illustration) 2. Slide white strip on cap, then grab "T-handle" and pull all the way up. JUST PULL UP -- NO NEED TO PUMP.

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(Illustration) 3. Point wand at area to be treated and push button to begin spraying. Twist nozzle at end of wand to adjust spray pattern.

UP ((Illustration) 4. Pull "T-handle" again as needed to continue spraying. JUST PULL - NO NEED TO PUMP. When finished, push "T-handle" gently down to cap and follow storage instructions.

HOW TO APPLY/USE:

- Adjust nozzle on wand to deliver a narrow or wide spray. Pull up on handle - DO NOT PUMP. Follow illustrations and instructions above. Point wand at area to be treated and push button to begin spraying. Twist nozzle at end of wand to adjust spray pattern. Spray to thoroughly cover unwanted weeds and grasses or spray to thoroughly cover areas where you want to prevent weed and grass growth. When treating around desirable plants shield plants from drift with a sheet of cardboard or plastic. If desirable plants are accidentally sprayed, rinse off immediately with water. Pull "T-handle" again as needed to continue spraying. JUST PULL UP - NO NEED TO PUMP.

-----END OF OPTION 3-----

WEEDS CONTROLLED:NOTE: For best control, apply to actively growing, immature weeds. Heavy lawn grass or well established difficult to control perennial weeds, such as Bermudagrass, Nimblewill, Dandelion, or Canada Thistle may require a repeat application if regrowth occur.

GRASSES	
Bahiagrass	Orchardgrass
Bentgrass	Perennial Ryegrass
Bermudagrass	Quackgrass
Bluegrass	Sandspur
Bromegrass	St. Augustinegrass
Crabgrass	Tall Fescue
Creeping Bentgrass	Torpedograss
Diffuse Lovegrass	Whitetop
Fescue	Wild Barley
Johnsongrass	Yellow Nutgrass
Maiden Cane	Zoysia

BROADLEAF WEEDS

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Bindweed	Knotweed
Black Medic	Lambsquarters
Blue Toadflax	Little Bitter Cress
Brassbuttons	London Rocket
Broadleaf Plantain	Mallow
Bur Clover	Mayweed
Canada Thistle	Mouseear Chickweed
Chickweed	Nimblewill
Common Groundsel	Oldenlandia
Common Plantain	Oxalis
Creeping Beggarweed	Pennsylvania Smartweed
Creeping Charlie	Pennywort
Curly Dock	Prostrate Spurge
Dandelion	Primrose
Dog Fennel	Puncture Vine
Evening Primrose	Ragweed
False Dandelion	Shepherdspurse
Fennel	Smooth Cat's Ear
Fiddleneck	Sowthistle
Filaree	Spotted Spurge
Florida Pusley	Tansy Ragwort
Garden Spurge	White Clover
Henbit	Wild Morningglory

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep from freezing. Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Avoid contamination of feed and foodstuffs. Store in a cool, dry place, preferably in a locked storage area.

PESTICIDE 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 & DOMESTIC ANIMALS

CAUTION: Causes moderate irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

FIRST AID: [first aid symbol +]

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the

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first 5 minutes, then continue rinsing eye. 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 Physicians: Emergency Information-call 1-800-225-2883.

ENVIRONMENTAL HAZARDS: Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

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.

Questions, Comments or Medical Information call 1-800-225-2883

Manufactured for
The ORTHO Group
P.O. Box 190
Columbus, OH 43040
EPA Reg. No. 239-2516
EPA Est. 239-IA-3
Made in USA

• APPENDIX

Applicator Claims

- [Quick &] Easy to Use
- No Leaks or Mess
- EASY-TO-USE [Store]
- Pull 'N Spray
- The easier (easy) way to spray :
- No [More] Hand Fatigue
- No more squeeze, squeeze, squeeze
- 33% more than 1 gallon size
- Precise control for maximum accuracy
- Consistent spray for maximum accuracy
- No more tired hands
- Revolutionary [new] applicator

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- Change the way you spray
- Ideal for large or small jobs [areas]
- Great for large or small jobs [areas]
- Ready-to-Use
- Precise control—sprays only what you want
- Adjustable spray nozzle for maximum control
- Adjustable spray pattern for maximum control
- Cut your time spent spraying in half
- You're always ready to spray
- It's always ready to spray
- Targets weeds in tight places
- Save [s] time and energy
- One pull [delivers] [=] 34 trigger sprays
- Improved [Applicator!]/Improved [Application!]
- Improve Applicator System! [Device!]/Improved Application System! [Device!]
- Improved [!]
- NEW
- NOW
- No pumping, just pull
- Exclusive [technology]
- Patented [technology]
- No Mixing, No (or) Measuring
- [water droplet] water based
- Convenient Applicator Top

Formula Claims

- Long-lasting [formula] (weed [and grass] control)
- Ideal (great) for use in [landscape[d]] areas
- For maximum weed [and grass] control [in [landscape[d]] (mulched) areas] - use [Ortho GroundClear Super Edger PLUS] before spreading (applying) (putting down) mulch around trees, shrubs and in [landscape[d]] areas.
- Use before putting down (landscaping with) mulch
- Provides long-term weed [and grass] control
- Use around trees and shrubs (in [landscape[d]] areas) to prevent weed growth (weeds from growing)
- Use to edge (edges) (it's an edger) (use as an edger) PLUS so much more!
- Keeps (prevents) weeds [and grasses] from growing in cracks [and joints] in sidewalks, driveways and patios
- Kill and prevent weeds before mulching (putting down mulch)
- [For] Use on driveways, sidewalks, patios, along fence lines and around trees & shrubs

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EPA REGISTRATION NUMBER 239-2516

- **[For] Use on driveways, sidewalks and patios, PLUS along fence lines, PLUS around trees & shrubs**
- **Dual-action [formula]**
- **READY-TO-USE**
- **NO MIXING**
- **Spray-Ready**
- **Before and After**
- **2-WAY ACTION - Kills Weeds & Grasses, Roots & All - Prevents Weed Seeds from Sprouting for up to 4 Months**
- **Can be Used Over Root Zones Without Harming Ornamental Plants.**
- **Kills Moss on Brick Walks and Patios**
- **Prevents re- (new) growth [for up to 4 months]**
- **Prevents growth [for up to 4 months]**
- **Prevents weeds [and grasses] from growing [for up to 4 months]**
- **Use in landscape(d) areas to kill [and prevent] weeds [for up to 4 months]**
- **Use in flower beds to kill [and prevent] weeds [for up to 4 months]**
- **Use around trees & shrubs to kill [and prevent] weeds [for up to 4 months]**
- **Use on driveways [and patios] to kill [and prevent] weeds [for up to 4 months]**
- **Prevents [weeds and grasses] [for up to 4 months] in landscaped areas**
- **Prevents [weeds and grasses] [from growing] [for up to 4 months]**
- **Kills weeds [for up to 4 months]**
- **Kills and prevents weeds and grasses [for up to 4 months]**
- **Blocks weed(s) [growth] [for up to 4 months]**
- **Works for up to 4 months**
- **Season long [weed] [and grass] control**
- **Kills weeds [and grasses] all season long**
- **Prevents weeds [and grasses] all season long**
- **Stops weeds [and grasses] from growing for up to 4 months**
- **Stops weeds [and grasses] all season long**
- **Works all season**
- **Up to 4 month extended weed and grass control**
- **Up to 4 month complete weed and grass control**
- **Lasts 33% longer**
- **33% longer control**
- **Prevents [kills] weeds 33% longer**
- **Specially formulated to kill weeds [and grasses] [for up to 4 months]**
- **Keeps weeds from growing [for up to 4 months]**
- **Rainproof in hours [so you don't have to re-spray]**
- **Prevents [kills] weeds longer**
- **For use in landscape(d) areas**

12/12

EPA REGISTRATION NUMBER 239-2516

- **Special ingredient(s) prevents [kills] weeds [and grasses] [from growing] [for up to 4 months]**
- **Made [specifically] for use in landscape(d) areas**
- **Scientifically formulated to prevent [kill] weeds [and grasses] [for up to 4 months]**
- **Exclusive blend of ingredients**
- **Now with longer [weed] control**
- **New/Now**
- **Easy to use**
- **Requires no mixing, no measuring and no messy cleanup**
- **Great [ideal] for spot treatments**
- **Apply to landscaped areas to kill [prevent] weeds [and grasses]**
- **Protects against weeds [and grasses] [for up to 4 months]**
- **Up to 4 month control**
- **No weeds for up to 4 months**
- **[Up to 4 month] long-lasting [weed and grass control]**
- **Visible Results Overnight**
- **Overnight Results**
- **Fast Results**
- **Fast-acting formula**
- **Fast Acting – Long Lasting.**
- **[Results/Starts working/Starts to Kill/Visible [see] Results] in [4, 6, 8, 10, 12, 24] Hours**
- **Same Day [Visible] Results**
- **[See results/Starts to kill/Visible Results] in hours**
- **Speedy Results**
- **Starts working [immediately/overnight/on contact/in hours]**
- **Starts to kill immediately**
- **Weeds start dying in [4, 6, 8, 10, 12, 24] hours**
- **Works to the root(s) in [4, 6, 8, 10, 12, 24] hours**
- **Works in hours**



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Kathleen Lee
The Scotts Company, d/b/a The Ortho Group
14111 Scottslawn Road
Marysville, OH 43041

Subject: Weed-B-Gon Lawn Weed Killer 3
EPA Registration Number 239-2665
Resubmission by email on September 3, 2008, application dated August 29, 2008

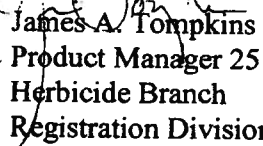
Dear Ms. Lee:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable, provided you make the following changes before you release the product for shipment.

- 1) Remove, modify, or submit efficacy studies to substantiate the following claims found on pages 9 and 10, as they are overly broad:
 - a. "Kills all major broadleaf lawn weeds: List of the weed species"
 - b. "(Brand name) kills all major broadleaf lawn weeds including....."
 - c. "Kills all major broadleaf weeds including....."
 - d. "Complete root [weed] kill"
 - e. "Kills all major [common] broadleaf weeds"
 - f. "Complete kill"
- 2) Remove the claims "New" and "New [LawnGuard] formula," as this product is no longer new. The claim new may only be used on labeling of a product of new composition for a period of 6 months following approval of the labeling.

Submit one (1) copy of final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supercede all previously accepted ones. A stamped copy of labeling is enclosed for your records. If you have any questions, please contact Hope Johnson at 703-305-5410.

Sincerely,


James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)

2217-896

06/26/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

26 JUN 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

James L. Kunstman, Ph.D.
Manager of Regulatory Services
PBI/Gordon Corporation
1217 West 12th Street
Post Office Box 014090
Kansas City, Missouri 64101

Dear Dr. Kunstman:

Subject: EH-1437 Herbicide
Registration No. 2217-896
Application and Letter Dated November 5, 2007, Request To
Amend Registration, in Response to EPA Reregistration Eligibility Decision
for 2,4-D (EPA RED), 2,4-D Dimethylamine Salt, 8-month Response to the
Reregistration Eligibility Decision, ID#: PDCI-030019-2610; Resubmission
Application and Your Letter Dated April 3, 2008, Response to Agency's Letter
Dated March 21, 2008

The resubmission application and your letter dated April 3, 2008; and revised labeling have been reviewed. The proposed labeling has been reviewed and found acceptable under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, provided that you:

1. Delete reference to "spot applications". On page 5 reference to "excluding spot treatments" in the table foot note and directions for spot treatments on the following pages of the label must be deleted (labeling claims for mixtures of 2,4-D and Dicamba may not claim "spot treatments", see enclosed "2,4-D and Dicamba Combination Label Table". Note, the limitation of 2 applications of Dicamba per year does not bear the phrase "excluding spot treatments" as allowed for 2,4-D products.
2. The issue of when 2,4-D products may be shipped and the matter of handling existing stocks are addressed in the 2,4-D RED (See pages 111 and 112). The standard statement that goes with Agency's accepted labeling: "Submit one copy of the final printed labeling prior to shipping under the revised labeling.", allows time to determine when to use the accepted labeling.

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3. Submit one copy of the final printed labeling prior to shipping under the revised labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6 (e). Your release for shipment of this product under the revised labeling constitutes acceptance of these conditions. A stamped copy of the accepted labeling is enclosed for your records.

Please submit a copy of the labeling, submitted with your April 3, 2008 application, showing all revisions (designating deletions and additions) to the final printed label; and highlighted in yellow to allow an expedited review of the final printed labeling.

The enclosed copy of this Agency's "2,4-D and Dicamba Combination Label Table" should be followed in revising the labeling for your products that contain 2,4-D and Dicamba as active ingredients. As you have many such products, we request that you use the language and conditions as described in that Table at this time. Applications to amend the labeling of these products should include a statement that the labeling conforms to conditions described in that Table. Applications that do not bear such a statement may be unacceptable.

Sincerely yours,



Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505P)

Enclosures (2)

3/12

ACCEPTED
with **COMMENTS**
In EPA Letter Dated:

26 JUN 2008
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

2217-896

EH-1437 HERBICIDE

EPA Reg. No. 2217-896

ACTIVE INGREDIENT:

2,4-D, dimethylamine salt	6.42%
Quinclorac	2.13%
Dicamba, dimethylamine salt.....	0.60%
INERT INGREDIENTS:.....	<u>90.85%</u>
TOTAL.....	100.00%

THIS PRODUCT CONTAINS:

- 0.456 lb. 2,4-dichlorophenoxyacetic acid equivalent per gallon or 5.33%
 - 0.182 lb. 3,7-dichloro-8-quinolinecarboxylic acid per gallon or 2.13%
 - 0.043 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 0.50%
- Isomer Specific By AOAC Methods.

Note: If the design, format, or small size of the container labels makes it impractical to present the entire ingredient statement on the front panel, then add a referral statement and present this substatement on the back panel: "See back panel for substatement of ingredient statement".

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Harmful if swallowed. When using this product, wear long-sleeved shirt, long pants, socks, shoes, and rubber gloves.

Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower.

User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.



First Aid	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.</p>	

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

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

General Precautions and Restrictions:

- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- Do not allow people or pets to enter the treated area until sprays have dried.

SHAKE WELL BEFORE USING

<p>PRODUCT FACTS:</p> <p>What It Does: Kills major broadleaf and troublesome grass weeds including dandelion, chickweed and clover as well as crabgrass and foxtail. (See inside for complete list)</p> <p>Where to Use: Lawns: Kills the weeds not the lawn when used as directed. (icon weeds)</p> <p>When to Use: Apply when daytime temperatures are below 90°F.</p> <p>Questions & Comments: (icon phone) (icon computer) Call 1-800-xxx-xxxx or Visit our Website at www.companyname.com</p>
--

HOW IT WORKS:

EH-1437 Herbicide contains three proven weed killers that target lawn weeds and crabgrass. This herbicide enters the lawn weeds through their leaves and moves throughout the plant to provide control. And lawns listed on this label will not be harmed when used as directed.

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WHERE TO USE:

EH-1437 Herbicide can be applied to residential lawns with the following turfgrass species:

Lawns To Be Treated:	
Cool Season Turfgrass	Warm Season Turfgrass
Kentucky bluegrass	Bermudagrass ¹ , common and hybrid
Ryegrass, perennial and annual	Zoysiagrass
Tall fescue	Buffalograss
Mixtures of cool season grasses containing fine fescues (red, hard and chewings)	
¹ Application to bermudagrass may cause temporary yellowing or discoloration but full recovery can be expected. Do not apply to bermudagrass when daytime temperatures exceed 85° F.	

DO NOT apply EH-1437 Herbicide to the following:

Bahiagrass
Bentgrass, colonial and creeping
Carpetgrass
Centipedegrass
Dichondra
Gardens including vegetables, fruit trees, vines and berries
Ornamental plants (flowers, trees, groundcovers, landscape beds and shrubs)
Seashore paspalum
St. Augustinegrass
Turfgrass species that are not listed on this label.

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GRASS AND BROADLEAF WEEDS CONTROLLED:

A partial list is presented below:

GRASS WEEDS			
Crabgrass, large and smooth	Foxtail, green, yellow and giant	Signalgrass, broadleaf	
BROADLEAF WEEDS			
Annual yellow sweetclover	Cocklebur	Mustard	Spiny cocklebur
Aster	Common mullein	Narrowleaf plantain	Spiny sowthistle
Austrian fieldcress	Creeping Jenny (Creeping Charlie)	Narrowleaf vetch	Spotted catsear
Bedstraw	Cudweed	Nettle	Spotted spurge
Beggarticks	Curly dock	Orange hawkweed	Spurweed
Betony, Florida	Daisy, English	Oriental cocklebur	Stinging nettle
Bindweed, field	Daisy fleabane	Oxalis	Strawberry, India mock
Bird vetch	Daisy, oxeye	Parsley-piert	Tall nettle
Bitter wintercress	Dandelion	Parsnip	Tall vervain
Bittercress, hairy	Dichondra	Pearlwort	Tansy ragwort
Bitterweed	Dogbane	Pennycress	Tansy mustard
Black-eyed Susan	Dogfennel	Pennywort	Tanweed
Black medic	Dollarweed	Peppergrass	Thistle
Black mustard	Elderberry	Pepperweed	Trailing crownvetch
Blackseed plantain	False dandelion	Pigweed	Tumble mustard
Blessed thistle	Falseflax	Pineywoods bedstraw	Tumble pigweed
Bloodflower milkweed	False sunflower	Plains coreopsis (tickseed)	Velvetleaf
Blue lettuce	Fiddleneck	Plantain	Venice mallow
Blue vervain	Florida pusley	Poison ivy	Virginia buttonweed
Bracted plantain	Frenchweed	Poison oak	Virginia creeper
Brassbuttons	Galinsoga	Pokeweed	Virginia pepperweed
Bristly oxtongue	Goathead	Poorjoe	Water pennywort
Broadleaf dock	Goldenrod	Prairie sunflower	Wavyleaf bullthistle
Broadleaf plantain	Ground ivy	Prickly lettuce	Western clematis
Broomweed	Gumweed	Prickly sida	Western saisyfy
Buckhorn	Hairy fleabane	Prostrate knotweed	White mustard
Buckhorn plantain	Hawkweed	Prostrate pigweed	Wild aster
Bulbous buttercup	Healall	Prostrate spurge	Wild buckwheat
Bull thistle	Heartleaf drymary	Prostrate vervain	Wild carrot
Bullnettle	Heathaster	Puncturevine	Wild four-o'clock
Burclover	Hedge bindweed	Purslane, common	Wild garlic
Burdock	Hedge mustard	Ragweed	Wild geranium
Burning nettle	Hemp	Red sorrel	Wild lettuce
Burweed	Henbit	Redroot pigweed	Wild marigold
Buttercup	Hoary cress	Redstem filaree	Wild mustard
Buttonweed	Hoary plantain	Rough cinquefoil	Wild onion
Canada thistle	Hoary vervain	Rough fleabane	Wild parsnip
Carolina geranium	Horsenettle	Russian pigweed	Wild radish
Carpetweed	Jimsonweed	Russian thistle	Wild rape
Catchweed bedstraw	Knawel	Scarlet pimpernel	Wild strawberry
Catnip	Knotweed	Scotch thistle	Wild sweet potato
Catsear	Kochia	Sheep sorrel	Wild vetch
Chickweed, common	Lambsquarters	Shepherdspurse	Wild violet
Chickweed, mouseear	Lespedeza	Slender plantain	Woodsorrel
Chicory	Mallow	Smallflower galinsoga	Woolly croton
Cinquefoil	Matchweed	Smooth dock	Woolly morningglory
Clover, crimson	Mexicanweed	Smooth pigweed	Woolly plantain
Clover, hop	Milk vetch	Sorrel	Wormseed
Clover, red	Morningglory	Sowthistle	Yarrow
Clover, strawberry	Mouseear hawkweed	Spanishneedles	Yellow rocket
Clover, sweet	Mugwort	Speedwell	Yellowflower pepperweed and other broadleaf weeds
Clover, white	Musk thistle	Spiny amaranth	
Cockle			

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WHEN TO USE:

Apply this product when weeds are small and actively growing.

Weed species	Season	Timing	Maximum number of applications ¹	Application interval, days	Comments
Crabgrass (large and smooth):	Spring	From crabgrass emergence until the crabgrass is 3 to 4 inches in height	2	14	Re-treat at the same rate at 14 days later for dense populations or for continued crabgrass emergence.
Foxtail (green, giant and yellow):	Spring and early summer	During the early growth stages or when foxtail is 1 to 4 inches in height.	2	14	Re-treat at the same rate at 14 days later for dense populations.
Broadleaf signalgrass	Spring and early summer	During the early growth stages or during the 3 to 7 leaf stage.	2	14	Re-treat at the same rate at 14 days later if needed.
Dandelion, plantain, buttercup, speedwell, knotweed and other listed broadleaf weeds	Spring	When broadleaf weeds are small and actively growing.	2		Apply when broadleaf weeds are young and actively growing with adequate soil moisture.
Henbit, chickweed, white clover, ground ivy, lawn burweed and other listed broadleaf weeds	Fall	When broadleaf weeds are young and actively growing	2		Apply when broadleaf weeds are young and actively growing with adequate soil moisture

¹The maximum application rate is 6.4 fl.oz. of product per 1,000 sq.ft. per application (1.0 lb 2,4-D acid equivalent per acre per application).
 The maximum number of broadcast applications is limited to 2 per year.
 Do not apply more than 2 applications per year.
 The maximum seasonal rate is 12.8 fl.oz. of product per 1,000 sq.ft. (2.0 lbs 2,4-D acid equivalent per acre), excluding spot treatments.

HOW MUCH TO USE:

I. ENTIRE LAWN TREATMENTS WITH DIAL TYPE HOSE-END SPRAYERS

Three Easy Steps To Mix And Apply:

1. FILL

- Determine (Measure) the total lawn area to be sprayed. For rectangular areas, multiply the length by the width to obtain total square feet.
- The application rate for this product is 6.4 fl.oz. of product per 1,000 sq.ft. of lawn. Add an adequate amount of herbicide to the spray bottle to treat the total lawn area, or add 6.4 fl.oz. of product for every 1,000 sq.ft. of lawn area. Over-application or rates above those recommended on this label can cause turf injury.
- Do not add water to the sprayer jar.

2. SET THE DIAL

For hose-end sprayers: Set the dial to the rate per gallon and keep the dial set to this setting while spraying.

The dial setting or rate per gallon for this product is 2.5 oz. of product per gallon of water.

Types of hose-end sprayers	Dial setting
Ortho® Dial'N Spray® Hose-End Sprayer	2.5 oz.
Hudson® Hose End Liquid Concentrate Sprayer	2.5 fl. oz.
Gilmour® Dial-A-Mix® Lawn and Garden Sprayer	15 Teaspoons or 5 tablespoons

3. SPRAY— Apply evenly over the lawn.

II. ENTIRE LAWN TREATMENTS WITH READY-TO-USE HOSE-END SPRAYERS :

This product may be packaged as a ready-to-use product with no mixing. The retail plastic container is fitted with a sprayer body that delivers spray droplets at a fixed rate.

For READY-TO-USE Hose End Sprayers:

- This retail sprayer bottle will cover the treated areas described below when this product is applied at 6.4 fl.oz. of product per 1,000 sq.ft. Over-application or rates above those recommended on this label can cause turf injury.

Approximate treated areas for four retail container sizes:

Species	Amount of product to treat approximate area, sq. ft.				
	Fl.oz./1,000 sq.ft.	1.0 pt. (16 fl.oz.) sprayer jar or retail container	1.0 qt. (32 fl.oz.) sprayer jar or retail container	2.0 qt. (64 fl.oz.) retail container	1 gallon (128 fl.oz.) retail container
Kentucky bluegrass Ryegrass, perennial and annual Tall fescue Mixtures of cool season species Bermudagrass ¹ common and hybrid Zoysiagrass and Buffalograss	6.4 fl.oz. /1,000 sq.ft.	2,500 sq. ft.	5,000 sq.ft.	10,000 sq.ft.	20,000 sq.ft.

¹Application to bermudagrass may cause temporary yellowing or discoloration but full recovery can be expected. Do not apply to bermudagrass when daytime temperatures exceed 85° F.

Instructions:

- Determine (Measure) the total lawn area to be sprayed. For rectangular areas, multiply the length by the width to obtain total square feet.
- **CONNECT:** Remove bottle cap and screw the spray nozzle onto the bottle. Attach [connect] garden hose to spray nozzle. Turn [rotate] the spray nozzle lever to the "OFF" position.
- **SPRAY:** Turn on water at faucet. Extend hose to the farthest area of lawn [turf] to be treated. To begin spraying, turn [rotate] the spray nozzle lever to the "SPRAY" position. The herbicide mixes automatically with the water. Walk at a steady pace while spraying evenly and working towards the faucet.

Refer to view strip [graduated scale] on side of container to guide coverage. This xx fl.oz. container will treat up to xxx sq.ft. of turfgrass.

- **FINISH:** To stop spraying, turn [rotate] spray nozzle lever to the "OFF" position. Turn off water at faucet. To relieve pressure, turn [rotate] spray nozzle to the "ON" position and point sprayer away from any desirable plants before disconnecting the sprayer nozzle from the garden hose.

III. SPOT TREATMENTS WITH HAND-OPERATED SPRAYERS FOR SMALL AREAS OR INDIVIDUAL WEEDS:

For hand-operated sprayers (backpack, knapsack, tank-type or pump-up):

- Apply to actively growing grass and broadleaf weeds during the early growth stages.
- Measure and mix the proper amount of product with water as described below. Mix 2.5 fl.oz. of product with 1 gallon of water to treat 400 sq.ft. of lawn. See below for additional spray preparations
- Spray evenly over the lawn. Spray coverage should be uniform and complete. Over-application or rates above those recommended on this label can cause turf injury.

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Amount of Product to Use, Fluid Ounces	Amount of Water in Sprayer, Gallons	Approximate Treated Area, Square feet
2.5 fl.oz.	1 gallon	400 sq.ft.
3.75 fl.oz.	1.5 gallons	600 sq.ft.
5.0 fl.oz.	2 gallons	800 sq.ft.
7.5 fl.oz.	3 gallons	1,200 sq.ft.

Equal measures: 2.5 fl.oz. = 5 Tablespoons. 1 cup = 8 fl.oz. = 1/2 pint.

OR

Measure indicated amount of product and pour into tank. Dilute with water according to the following chart. Adjust the nozzle to deliver coarse spray droplets and treat the area indicated.

Amount of Product to Use, Fluid Ounces	Amount of Water in Sprayer, Gallons	Area To Treat, Square feet
2.5 fl.oz.	1 gallon	400 sq.ft.
5 fl. fl.oz.	2 gallons	800 sq.ft.
7.5 fl.oz.	3 gallons	1,200 sq.ft.

Equal measures: 2.5 fl.oz. = 5 Tablespoons. 1 cup = 8 fl.oz. = 1/2 pint.

**IV. ENTIRE LAWN TREATMENTS WITH THE ORTHO READY-SPRAY® SYSTEM:
HOW TO USE THE READY-SPRAY® SYSTEM**

Connect:

1. Shake well before using.
2. Connect sprayer to hose.
3. Turn on water.

Spray:

1. To begin spraying, point nozzle in the direction you want to spray.
2. Bend small plastic tab back and turn knob clockwise to ON position.
3. Spray evenly over measured area.

Finish:

1. To STOP spraying, rotate the knob counterclockwise to the OFF position.
2. Turn off water.
4. Relieve water pressure by bending plastic tab back and turning knob to ON position until water slows to a drip. Then, turn knob back to OFF position.
5. Disconnect sprayer from hose.

V. FOR SPOT TREATMENT: TANK SPRAYER:

- Add 2.5 fl.oz. per gallon of water for each 400 sq.ft.

For broadcast application: Ortho Dial 'N Spray® Applicator

1. Add 16 fl.oz. of concentrate directly into sprayer jar. DO NOT ADD WATER.
2. Set dial to 2.5 oz
3. Spray evenly over 2,500 sq.ft.
4. Any unused portion should be poured back into its original container.

VI. FOR ORTHO WEED-B-GON MAX PLUS CRABGRASS CONTROL [KILLER] SINGLES:

For Spot Treatment: (Use a) Tank Sprayer:

- Add entire contents (of 1 bottle) (5 oz.) to an empty 2-gallon tank sprayer. Slowly fill with 2 gallons of clean tap water.

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(Instructions) For Spot Weed Treatment

- Add entire contents (5 oz.) to an empty (2-gallon) tank sprayer. Slowly fill with 2 Gallons of clean tap water

CULTURAL TIPS AND NOTES:		
When to Apply:	For established lawns For newly seeded areas For newly sodded, sprigged, or plugged areas	<ul style="list-style-type: none"> • Apply when daytime temperatures are below 90°F. • Apply this product to newly seeded grasses when well-established (approximately 6 weeks after seedling emergence) or after the third mowing. • Apply this product 3 to 4 weeks after the sodding, sprigging, or plugging operations.
Seeding:		<ul style="list-style-type: none"> • The treated area can be seeded at 4 weeks after the application of this product.
Irrigation:	Non-stressed turfgrass Stress from high temperatures, drought, insects or diseases.	<ul style="list-style-type: none"> • Adequate soil moisture and favorable growing conditions enhance the performance of this product. • Avoid applications of this product when turfgrasses are under stress since injury may result. If dry conditions exist, schedule irrigations (watering) before and after the application. For best results, delay the irrigation until approximately 24 hours after application of this product.
Mowing:		<ul style="list-style-type: none"> • Delay mowing 2 days before and until 2 days after the application of this product. • Do not use clippings from the treated areas as mulch or compost around flowers, ornamentals, trees, or in vegetable gardens.
Nontarget plants:		<ul style="list-style-type: none"> • Do not apply this product to food crops (gardens, fruits and vegetables), forage crops, or ornamental plants including flowers, trees, shrubs, hedges, woody ornamentals, groundcovers established in landscape plantings and other nontarget plants. • Do not spray exposed roots of ornamentals and trees.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep from freezing. Store in original container in a locked storage area inaccessible to children and pets. Avoid contamination of food or feedstuffs.

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 toll free number (1-800-XXX-XXXX) for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

[OPTIONAL WARRANTY STATEMENT]

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.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on the retail containers of supplemental registrants.

- One quart covers up to 5,000 square feet.
- 1 quart treats [up to] 5,000 sq.ft.
- Keep from freezing.
- Controls crabgrass, dandelion, chickweed, knotweed, henbit, plantain, clover, spurge and many other broadleaf lawn weeds including those shown on the side panel.
- Kills even the tough weeds...roots and all!
- Controls even the tough weeds...roots and all!
- Kills the root.
- Water based.
- Won't harm lawn grass when used according to label directions.
- Kills lawn weeds plus crabgrass.
- Kills [Controls] 200+ broadleaf weeds.
- Kills the weeds not the lawn
- Attach to [garden] hose and spray
- Simple to use
- Easy to use
- Easy to mix
- Proven performance
- For home lawn care
- Won't harm lawn grass when used as directed.
- Controls (Number) weeds!
- Mixes with Water - Concentrate
- Kill crabgrass & [any listed weed(s)] too!
- **CONTROLS**
 - SENSITIVE WEEDS:** Crabgrass, Bedstraw, Black Medic, Buckhorn, Chickweed, Clover, Dandelion, Knotweed, Lambsquarters, Peppergrass, Plantain, Purslane, Ragweed and Wild Lettuce.
 - HARD-TO-KILL WEEDS:** Chicory, Creeping Charlie, Creeping Jenny, Dock, Ground Ivy, Heal-All, Lespedeza, Mallow, Morningglory, Oxalis, Pigweed, Poison Ivy, Poison Oak, Sheep Sorrel, Speedwell, Spurge, Wild Carrot, Wild Onion, Yarrow and other broadleaf weeds.
- Kills Lawn Weeds plus Crabgrass in One Step
- Kills Over 200 Lawn Weeds Plus Crabgrass in One Easy Step
- Kills Crabgrass plus Broadleaf Weeds
- Kills Listed Weeds
- Kills Hard-to-Control Weeds
- Systemic [Herbicide] [Activity]
- Kills Both Broadleaf and Grass Weeds
- Kills Dandelion, Crabgrass, Clover, plus 200 Other listed Weeds
- New!
- Three-in-One Product that Kills Crabgrass & Broadleaf Weeds
- Kills both Crabgrass & Broadleaf weeds
- Proprietary Formula that Kills Both Crabgrass and Broadleaf Weeds
- Effectively Kills Both Broadleaf and Certain Weed Grasses

For any of the ORTHO Products:

- Makes more than XX Gallon!
- Kills Even Tough Weeds – Roots & All
- Lawn Weed & Crabgrass Killer
- Kills Dandelions, Clover, and Other Broadleaf Weeds! Plus Kills Crabgrass and Other grass Weeds!
- Kills the Toughest Weeds in these Lawns (any lawn listed on label)
- Open Resealable Label for Directions & Precautions (Press to Reseal)
- People or pets may reenter treatment area after spray has dried.
- Ready-Spray
- Do Not Use on St. Augustine Lawns
 - Ortho Weed-B-Gon MAX Concentrate Plus Crabgrass Control [Killer]
 - Kills Weeds, Not Lawns(TM)
 - For [Use on] Lawns
 - ORTHO & Your Environment - Your yard is a place for your family and pets to enjoy. That's why ORTHO products are designed with care to provide effective solutions to weed problems. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.
- Kills Over 200 Lawn Weeds plus [including] Crabgrass [in one easy step.
- Guaranteed [Results]
- See Ortho.com for complete Spanish Translation.
- DO NOT use on St. Augustine, including Floratam species.

For ORTHO Weed-B-Gon MAX Plus Crabgrass Control [Killer] Singles:

- NET 5 FL.OZ.
- Pre-Measured Concentrate Bottles
- Treats 5,000 sq.ft.
- No Measuring, No Mess
- Weed-B-Gon® Max(TM) Singles makes using concentrates easier than ever. No more measuring and no more mess. Mix (contents) (each pre-measured bottle) with two gallons of water to deliver consistent results. And its' revolutionary formula won't harm your lawn - Guaranteed.

3. Trademark acknowledgements

- Ortho® Dial'N Spray® Hose-End Sprayer is a registered trademark of The ORTHO Group.
- Hudson® Hose End Liquid Concentrate Sprayer is a registered trademark of the H.D. Hudson Manufacturing Company.
- Gilmour® Dial-A -Mix® Lawn and Garden Sprayer is a registered trademark of the Gilmour Manufacturing Company.
- Trimec® is registered trademark of PBI/Gordon Corporation

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00896.20080403.proposed.doc

2. Reason for Issue: Modify per EPA comments. Environmental Hazards, Warranty, Ad Claims.

239-2679

4-6-2006

APR - 6 2006

1/9

Mr. Charles T. Levey
The Scotts Company d/b/a The Ortho Group
14111 Scotslawn Road
Marysville, OH 43041

Dear Mr. Levey:

Subject: Label Amendment- add additional marketing claims and residual control
ORTHO Roach, Ant and Spider Killer
EPA Registration Number 239-2679
Your submission dated November 2, 2005

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

a. The data submitted in support of this label amendment are acceptable in support of a 15 week kill claim against German cockroaches however the majority of the marketing claims are unacceptable due to the fact that they are too vague, misleading, comparative in nature or not supported by the data. Note also that the cited product is not substantially similar to the formulation of the subject product. Prallethrin is present in the subject formulation, but Imiprothrin is in the cited product. The other two active ingredients are the same but the percentage of these active ingredients is higher in the cited formulation. Therefore delete or modify the following claims:

1. Delete (Barrier) Activates on contact, (Invisible) shield (boundary) (barrier) (wall) (force field) of protection (death), (Now) Stay put formula (barrier) controls indoor insects (for up to 15 weeks) (for up to 4 months) (for an entire season) (New) Barrier Technology stays put (lasts) for 15 weeks indoors (4 months) (an entire season), (New) Stronger Barrier Technology, Apply once a season, Barrier (technology) (formula) (shield) locks in place, Blocks Bugs, Clear(s), Protect(s) and Secure(s) your home (from bugs), Constant Control, Continuous presence! protection, 150z covers 283 linear feet, Covers up to 6 rooms. .based on average size room of 12' x 12', Dries clean (fast), Entomologist tested and recommended, Get (Take) control of the war on bugs, Get (Take) control over bugs, Immediately forms (creates) (establishes) a (bug) (insect) barrier, Insect control that lasts indoors all season, Keeps working indoors all season without re-application, Kills and prevents (insects) (inside your home) (outside your home), Keeps bugs outside (out) (outdoors), Keeps bugs out(side), Kills home invaders (invading) bugs (insects) (pests), Kills the bugs you have and prevents new bugs from coming inside, No more bug worries, Now 4 Month indoor (15 week) (season long)

(Insect) Control, Now up to 15 Weeks (4 months) (season long) (Ant) (Roach) (Spider) indoor Control, Now/Season Long (Ant) (Spider) (Roach) indoor Control, One application provides indoor season-long control, Only one application per season for indoor control, Proactive bug (insect) control (protection), Protect against (invading) bugs, Protect your family (home) from bugs, Protects against bugs all season-long, Provides control over bugs, Provides protection against home invading insects, Puts you in control (of bugs), Quick Knockdown and Season Long (15 weeks) (4 months) indoor Control, Repels (bugs) (invaders), Rid your home of bugs, Seals and protects against bugs, Season-long indoor insect control, Shield of protection against bugs, Spray around the entire inside of your home to create a bug barrier, Takes the guesswork out of bug control, The easier way (to spray), (to kill bugs), (to kill insects), The ultimate weapon (against bugs) (for the war on bugs), Total barrier protection, Tri-Force Protection - Kills, Repels and Prevents, Up To 15 weeks Indoor (4 months) (season long) Ant Control, Use in garage [s] and/or basement [s] and/or attic [s] to keep bugs/insects from coming into (entering) the (your) home., Effective control of listed pests, Kills bugs before they escape. ,Brought to you by the bug experts, Get professional results, Prevent lurking bugs, Professional quality results, professional strength without the professional price tag, provides professional results, same active ingredient used in professional products, the proactive bug killer, used by professional.

2. A (Ultimate) weapon in your defense (against bugs) and A (ultimate) weapon in the war against bugs. Delete "ultimate".

3. Also Controls [Kills] Ticks Brown Dog Ticks. Delete "Control" and "Ticks".

4. Kills Insects, Spiders & Ticks Brown Dog Ticks. Delete "Ticks Brown Dog Ticks".

5. Kills Roaches, Ants, Fleas, Flies, Mosquitoes, Ticks, Spiders, Earwigs, Silverfish, and other listed insects. Delete "Flies, Mosquitoes, and Ticks".

6. Kills Two (2) Ways: 1) Kills Bugs Fast (On Contact) and 2) It keeps on killing with residual action even after you spray, for up to 6 weeks 4 months (15 weeks) (an entire season). Delete "6 weeks 4 months (15 weeks) (an entire season)".

3/9

7. Now Kills (Ants) (Roaches) German Cockroaches (Spiders) for up to 15 Weeks indoors (4 months) (an entire Season). Delete "(Ants) (Roaches) (Spiders)".

8. Targeted bug control (kill). Delete "control".

If you have any questions in regard to this letter please contact Linda DeLuise at 703.305.5428.

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

Sincerely yours,

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

Enclosure

4/9

ORTHO Roach, Ant & Spider Killer
EPA Reg. No. 239-2679

[FRONT]

[icon]
**INDOOR AND OUTDOOR
USE**

FOR HOME USE ONLY

[icon]
WATER BASED

Active Ingredients:

Prallethrin [(RS)-2-Methyl-4-oxo-3-(2-propynyl) cyclopent-2-enyl (1-RS)-cis,trans-chrysanthemate].....	0.03%
Esfenvalerate.....	0.05%
* N-Octyl bicycloheptene dicarboximide.....	0.30%
** Other Ingredients.....	99.62%

* MGK 264, Insecticide Synergist

** Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN

CAUTION See back panel for additional precautionary statements.
NET WT 15 OZ / 425 g

SHAKE WELL BEFORE USING [neck of can]

DIRECTIONS FOR USE

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

READ ENTIRE LABEL

PRODUCT FACTS

KILLS INSECTS

ants, boxelder bug, brown dog ticks, carpet beetles, centipedes, cigarette beetles, cockroaches, confused flour beetles, crickets, earwigs, fleas, indian meal moths, rice weevils, sawtoothed grain beetles, scorpions, silverfish, sowbugs, and spiders (including black widow spiders).

WHERE TO USE

To kill ants, black widow spiders, carpet beetles, centipedes, cigarette beetles, cockroaches, confused flour beetles, crickets, Indian meal moths, rice weevils, sawtoothed grain beetles, scorpions, silverfish, sowbugs and spiders: spray areas where these insects are found or may hide, including:

- dark corners of rooms and closets
- cracks and crevices in walls
- along baseboards and door and window frames
- behind and beneath sinks, stoves, refrigerators and cabinets
- around garbage cans, plumbing and other utility installations.
- ant trails and around doors and windows.

Wherever these pests enter home

To kill black carpet beetles, spray

Along baseboards and edges of carpeting, under carpeting, rugs and furniture, and wherever these insects are seen or suspected of hiding.

To kill brown dog ticks and fleas:

Spot treat:

ACCEPTED
with COMMENTS
in EPA Letter Dated

APR - 6 2006

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

239-2679

5/9

Pet beds and resting quarters
Nearby cracks and crevices

Along and behind baseboards, window and door frames and localized areas of floor and floor coverings where these pests may be present.

Remove old pet bedding and replace with clean fresh bedding after treatment.

Do not spray pets with this product.

Treat pets with a registered flea and tick control product before returning pet to treated areas.

For crack and crevice treatment of ants, black widow spiders, brown dog ticks, carpet beetles, cockroaches, crickets, fleas, scorpions, silverfish, sowbugs and spiders:

Apply in small amounts directly into cracks and crevices. Equipment capable of delivering a pin stream should be used in points between different elements of construction, between equipment and floors, openings leading to voids and hollow spaces in walls, equipment legs and bases where these insects hide.

Flies and mosquitoes: use only outdoors to control these pests. Spray: outside surfaces of window and door frames and other areas where these pests may enter the home.

Spray dark corners and localized resting areas (such as under eaves) or porches, patios and garages where these insects may be found. Flies and mosquitoes coming to rest on treated surfaces will be killed. Repeat when needed.

Spray directly on insects when seen.

Do not spray on plants.

Do not treat pets with this product.

HOW TO USE

Point nozzle toward surface to be sprayed and press button. Spray areas until wet.

TO SPRAY FOOD STORAGE AREAS:

Remove all food and shelving paper before spraying.

Discard infested food packages.

Spray shelves and in cupboards where infested food containers were stored.

Replace food packages after spray has dried. Replace shelving paper.

Do not spray up into air.

STORAGE AND DISPOSAL

STORAGE: Store in a cool, dry place. Keep container tightly closed.

DISPOSAL: Do not Puncture or Incinerate! **If empty:** 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.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling.

All food processing surfaces and utensils should be covered during treatment, or thoroughly washed before use. Exposed food should be covered or removed. Remove pets, birds, and cover fish aquariums before spraying.

[Re-entry icon] Keep children and pets out of treated area until spray has dried.

FIRST AID:

If swallowed: Call a poison control center or doctor immediately for treatment advice. Do not give any liquid to the person. 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.

6/9

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Note to Physicians: Emergency information call 1-800-225-2883. This product contains a light petroleum solvent and may present an aspiration problem.

ENVIRONMENTAL HAZARDS:

Do not contaminate water when disposing of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS: Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not apply this product around electrical equipment due to the possibility of shock hazard.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions. Federal regulations prohibit CFC propellants in aerosols.

Questions/ Information

Consumer Helpline

call 1-800-225-2883 <http://www.ortho.com>

[logo]

CONTAINS NO CFCs WHICH

NO CFCs

DEPLETE THE OZONE LAYER

The ORTHO Group

P.O. Box 190

Marysville, OH 43040

EPA Reg. No. 239-2679

EPA Est. 58996-MO-1

Made in USA

<<Appendix I – Marketing Claims>>

(Barrier) Activates on contact

(Invisible) shield (boundary) (barrier) (wall) (force field) of protection (death)

(Now) Stay put formula (barrier) controls indoor insects (for up to 15 weeks) (for up to 4 months) (for an entire season)

(New) Barrier Technology stays put (lasts) for 15 weeks indoors (4 months) (an entire season)

(New) Stronger Barrier Technology

A (Ultimate) weapon in your defense (against bugs)

A (ultimate) weapon in the war against bugs

Also Controls [Kills] Ticks

Apply once a season

Apply along (and behind) baseboards

Apply around (and behind) appliances

Apply beneath (and behind) sinks

Apply in other areas where insects are often found: In cracks and crevices, around pipes and plumbing, around waste containers, in dark corners of rooms, cabinets and closets.

Barrier (technology) (formula) (shield) locks in place

Blocks Bugs

Brought to you by the bug experts

Bug-stopping power

Change the way you spray

Clear(s), Protect(s) and Secure(s) your home (from bugs)

Consistent spray for maximum accuracy

Consistent/ even coverage

Constant Control

Continuous presence/ protection

15oz covers 283 linear feet

Covers up to 6 rooms* *based on average size room of 12' x 12'

Does not stain (fabrics, floors, wood, surfaces)

Dries clean (fast)

Dual Action Formula

Easy to use

Entomologist tested and recommended

Fast Acting plus Long Residual

Get (Take) control of the war on bugs

Get (Take) control over bugs

Get professional results

Gets into cracks and crevices

Gets to the places bugs hide

Great (Your) Weapon for the war (fight) against bugs

Ideal (Great) for large or small jobs (areas) (rooms)

Guaranteed (results)

Guards against bugs so you don't have to

Guards against the bugs you can't (don't) see

Immediately forms (creates) (establishes) a (bug) (insect) barrier

Insect control that lasts indoors all season

Keeps working indoors all season without re-application

Keeps on killing after spray has dried

Kills and prevents (insects) (inside your home) (outside your home)

Kills bugs inside (in) (indoors). Keeps bugs outside (out) (outdoors).

Kills bugs inside. Keeps bugs out(side)

Kills home invaders (invading) bugs (insects) (pests)

Kills Insects, Spiders & Ticks

Kills Roaches, Ants, Fleas, Flies, Mosquitoes, Ticks, Spiders, Earwigs, Silverfish, and other listed insects.

Kills the bugs for you

Kills the bugs you have and prevents new bugs from coming inside

Kills Two (2) Ways: 1) Kills Bugs Fast (On Contact) and 2) It keeps on killing with residual action even after you spray, for up to 4 months (15 weeks) (an entire season)

Kills on Contact [Guaranteed]

Long-lasting insect control

Light(ly) scent(ed)

No more bug hunting

No more bug worries

No Sticky Mess

Now 4 Month indoor (15 week) (season long) (Insect) Control
 Now Kills (Ants) (Roaches) (Spiders) for up to 15 Weeks indoors (4 months) (an entire Season)
 Now up to 15 Weeks (4 months) (season long) (Ant) (Roach) (Spider) indoor Control
 Now/Season Long (Ant) (Spider) (Roach) indoor Control
 One application provides indoor season-long control
 Only one application per season for indoor control
 Prevent lurking bugs
 Proactive bug (insect) control (protection)
 Professional quality results
 Professional strength without the professional price tag
 Protect against (invading) bugs
 Protect your family (home) from bugs
 Protects against bugs all season-long
 Proven (formula) (technology)
 Proven results (technology)
 Provides control over bugs
 Provides Peace of Mind
 Provides professional results
 Provides protection against home invading insects
 Puts you in control (of bugs)
 Quick Knockdown and Season Long (15 weeks) (4 months) indoor Control
 Quick Knockdown plus Extended Indoor Residual Control
 Reaches where bugs hide
 Ready to Use
 Repels (bugs) (invaders)
 Rid your home of bugs
 Same active ingredients used in professional products
 Save(s) time and energy
 Seals and protects against bugs
 Season-long indoor insect control
 Shield of protection against bugs
 Spray around the entire inside of your home to create a bug barrier.
 Stands guard against bugs
 Stops Ants & Roaches in Their Tracks!
 Takes the guesswork out of bug control
 Targeted bug control (kill)
 Targets bugs in tight places
 The easier way (to spray), (to kill bugs), (to kill insects)
 The easy way to spray
 The proactive bug killer
 The ultimate weapon (against bugs) (for the war on bugs)
 Total barrier protection
 Treats points of entry and trails
 Tri-Force Protection – Kills, Repels and Prevents
 Up To 15 weeks indoor (4 months) (season long) Ant Control
 Use (Can be used) In garages [s] and/or basement [s] and/or attic [s].
 Use in garage [s] and/or basement [s] and/or attic [s] to keep bugs/insects from coming into (entering) the (your) home.
 Use with confidence in garage [s] and/or basement [s] and/or attic [s].
 Use (Can be used) in (bathrooms), (kitchens), (family rooms), (pantry) and (bedrooms).
 Use with confidence in the kitchen (and/or family room) (and/or bedroom) (and/or bathroom)

9/9

Used by professionals
Weapon in your defense (against bugs)
Works on all listed surfaces
You're always ready to spray
No greasy residue
Won't Stain (Carpets and floors)
Non-Staining
Kills on Contact, keeps on killing (for up to 15 weeks)
Keeps on killing for up to 15 weeks
Keeps on killing for weeks (for up to 15 weeks)
Effective control of listed pests
FAST Knockdown
Just one shot (squirt) (spray) and bugs stop in their tracks
Just one shot (squirt) (spray) and bugs stop (die) within seconds
Kills bugs in seconds
Kills bugs before they escape
Stops (Kills) bugs dead in their tracks instantly
Flushes hidden pests out of hiding places and kills them

<<Outdoor Residual Claims>>
Keeps Killing for Up to 6 Weeks!
Keeps Killing for 6 Weeks!
Kills Ants & Roaches for 6 Weeks!



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 28 2008

Paula Bodey
The Scotts Company
14111 Scottslawn Road
Marysville, Ohio 43041

Subject: Winterizer with Plus 2 Weed Control
EPA Registration Number 538-281
Applications dated June 16, 2008 and June 20, 2008
Label and CSF amendments

Dear Ms. Bodey:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable. A stamped copy of the label is enclosed for your records.

However, **prior to the next printing, or within 30 days, whichever comes first**, you must submit revised labeling for Agency review, incorporating the following changes:

- 1) Revise the PRECAUTIONARY STATEMENTS to the following: "CAUTION. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Harmful if absorbed through skin. Harmful if swallowed or inhaled. Avoid breathing dust." Move the remaining statements currently found in this section to a second paragraph immediately following. Also make these same revisions to page 16.
- 2) On page 2, revise the subheading IF ON SKIN to IF ON SKIN OR CLOTHING. Also make this revision on page 17.
- 3) Revise the Environmental Hazards section to the following: "2,4-D is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Mecoprop-p may adversely affect non-target plants. Do not contaminate water when disposing of equipment wash waters or rinsate. 2,4-D has properties and characteristics associated with chemicals detected in groundwater. The use of 2,4-D in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater." Also make this revision on page 17.
- 4) In the section STORAGE AND DISPOSAL, revise this section to comply with PR Notice 2001-6 by replacing the PESTICIDE DISPOSAL and CONTAINER DISPOSAL

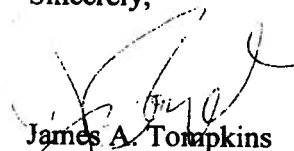
subsections with the following:

- a. **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 [toll free number which meets the criteria in paragraph II.E.] for disposal instructions. Never place unused product down any indoor or outdoor drain.
 - b. Also, revise the subsection STORAGE title to "PESTICIDE STORAGE"
 - c. Make these revisions also on page 16.
- 5) On page 9, in the section DIRECTIONS FOR USE, add the statements "Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets to enter the treated area until dusts have settled." Also add this on page 16 in the section What to Avoid.
- 6) On page 9, in the section DIRECTIONS FOR USE, add the following statements "Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. Apply this product directly to your lawn or garden, and sweep any product landing on the driveway, sidewalk, gutter, or street, back onto the treated area. To prevent product run-off, do not over water the treated area to the point of runoff or apply when raining or when rain is expected that day." Also add this on page 16 in the section What to Avoid.

The basic formulation amendment and alternate formulation 01, both dated June 17, 2008, of the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended are acceptable. The basic CSF and alternate CSF #01 will supercede all previously accepted basic CSFs and alternate CSF A, and will be added to the registration file. In addition, alternate CSFs #2, #3, #4, and #5, all dated June 17, 2008, of the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended are acceptable and will also be added to the registration file.

If you have any questions, please contact Hope Johnson at 703-305-5410.

Sincerely,



James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Paula Bodey
The Scotts Company
14111 Scottslawn Road
Marysville, Ohio 43041

AUG 28 2008

Subject: Super Winterizer with Plus 2 Weed Control
EPA Registration Number 538-283
Applications dated June 16, 2008 and June 20, 2008
Label and CSF amendments

Dear Ms. Bodey:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable. A stamped copy of the label is enclosed for your records.

However, **prior to the next printing, or within 30 days, whichever comes first, you must submit revised labeling for Agency review, incorporating the following changes:**

- 1) On page 1, revise the statement "DO NOT use on St. Augustinegrass, Carpetgrass, Dichondra, or Lippia" to "DO NOT use on St. Augustinegrass, Floratam, Bentgrass, Carpetgrass, Dichondra, or Lippia"
- 2) Remove the repetitive statements "CAUSES EYE IRRITATION. HARMFUL IF SWALLOWED" immediately following the statement "KEEP OUT OF RECAH OF CHILDREN", as these statements already appear in the Precautionary Statements.
- 3) Revise the PRECAUTIONARY STATEMENTS to the following: "CAUTION. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Harmful if absorbed through skin or inhaled. Avoid breathing dust. Harmful if swallowed." Move the remaining statements currently found in this section to a second paragraph immediately following.
- 4) On page 2, revise the subheading IF ON SKIN to IF ON SKIN OR CLOTHING.
- 5) Revise the Environmental Hazards section to the following: "2,4-D is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Mecoprop-p may adversely affect non-target plants. Do not contaminate water when disposing of equipment wash waters or rinsate. 2,4-D has properties and characteristics associated with chemicals detected in groundwater. The use of 2,4-D in areas where soils are

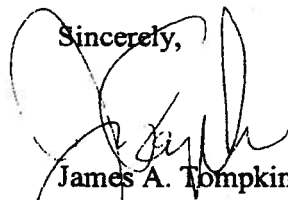
permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.”

- 6) In the section STORAGE AND DISPOSAL, revise this section to comply with PR Notice 2001-6 by removing the subsection Pesticide Disposal.
- 7) On page 3, in the section DIRECTIONS FOR USE, add the statements “Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets to enter the treated area until dusts have settled”
- 8) On page 3, in the section DIRECTIONS FOR USE, add the following statements “Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. Apply this product directly to your lawn or garden, and sweep any product landing on the driveway, sidewalk, gutter, or street, back onto the treated area. To prevent product run-off, do not over water the treated area to the point of runoff or apply when raining or when rain is expected that day.”
- 9) On page 9, the claims “Kills weeds completely” and “Kills weeds not for fewer weeds next spring” are overly broad, and must be modified or removed. An example of an acceptable modified claim is “Kills listed weeds”

The basic formulation amendment and alternate formulation 01, both dated June 13, 2008, of the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended are acceptable. The basic CSF and alternate CSF #01 will supercede all previously accepted basic CSFs and alternate CSF A, and will be added to the registration file. In addition, alternate CSFs #2, #3, #4, and #5, all dated June 13, 2008, of the product referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended are acceptable and will also be added to the registration file.

If you have any questions, please contact Hope Johnson at 703-305-5410.

Sincerely,



James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)