



2935-246

8-26-2003

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2935-246	2. EPA Product Manager M Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BEN SUL 60	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company PO Box 1286 Fresno CA 93715 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Wilbur-Ellis Company has updated their Warranty Statement and will be changing the warranty statements on all labels.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input checked="" type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 pounds		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Linda Pearce	Title Registration Specialist	Telephone No. (Include Area Code) 559 457-2235
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Linda Pearce</i>	3. Title Registration Specialist	
4. Typed Name Linda Pearce	5. Date August 8, 2003	



BEN-SUL 60 DUST

NOTIFICATIO

AUG 26 2003

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ACTIVE INGREDIENT	% By Wt.
Sulfur	60.00%
INERT INGREDIENT	40.00%
TOTAL	100.00%

EPA Reg. No. 2935-246

EPA Est. No. 2935-CA-1

KEEP OUT REACH OF CHILDREN

CAUTION:

FIRST AID

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

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

IF 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.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart. Applicators and other handlers must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves made of any waterproof material such as Polyethylene or polyvinyl chloride; C) Shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash waters. Do not apply when weather conditions favor drift from treated areas.

PHYSICAL AND CHEMICAL HAZARDS

Sulfur dust suspended in air ignites easily. Keep away from heat, sparks or flame. Do not smoke while applying this product.

USER SAFETY RECOMMENDATIONS

User should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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.

NOT FOR USE OR STORAGE IN OR AROUND THE HOME

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons either directly or through drift. Only protected handlers may be in area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: A) Coveralls; B) Chemical-resistant gloves made of any waterproof material; C) Shoes plus socks.

FOR ALL CROP USES LISTED ON THE PRODUCT LABEL (for both ground and air applications)

Dusting Sulfur can create situations where drift to nontarget or sensitive areas can occur. To minimize the occurrence of drift incidents, the following conditions must be met:

DIRECTIONS FOR USE (GENERAL)

In addition to specific instructions under directions for use on the main sulfur label, the following conditions must also be followed for use in California:

1. The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto nontarget areas such as hospitals, clinics, schools, residential areas and any other area designated by county agricultural commissioner.
2. The operator of the property and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
3. Sulfur shall not be applied when the wind velocity exceeds 10 miles per hour. Applicators should be aware that in some areas of California, "dead calm" conditions are often associated with an inversion situation. In these areas applying sulfur when there is a minimum air movement of 2 miles per hour will help insure that an inversion situation does not exist.
4. All applicators, prior to use of dust formulations, should read and understand the Best Application Practices Manual.
5. Before using this product, read and follow all applicable directions, restrictions, and precautions on the EPA-registered label.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

IN CASE OF A CHEMICAL EMERGENCY,
CALL CHEMTREC 24-HOUR NUMBER: (800) 424-9300

USE PRECAUTIONS

Some fruits and other plants are susceptible to injury from sulfur under certain conditions. The user is advised not to use sulfur on any crop unless local use has proved that sulfur does not damage crops in that locality. Sulfur may burn foliage when the temperature is high (90 degrees F or above). Do not make sulfur applications at such times. Do not use this product for any purposes other than recommended on this label.

Do not use within 2 weeks of an oil spray treatment. When growing crops for processing, consult the processor before applying sulfur. Consult your State Agricultural Experimental Station or your State Agricultural Extension Service for additional information consistent with label cautions and directions.

CROPS and APPLICATION RATES

This material is recommended for application by ground or air.

Where recommended for prevention of Powdery Mildew, apply when disease first appears and repeat at 7 to 10 day intervals throughout the growing season. Shorten the interval during humid, rainy weather. The "Brown Rot" referred to throughout this label is *Monilinia Brown Rot blossom blight*.

Where recommended for prevention of Brown Rot, apply at pink bud or popcorn stage during bloom and at petal fall, shuck split and shuck fall. Repeat at 10-14 day intervals in cover sprays as long as necessary. For mites, apply when pests appear and repeat as necessary. Use lower rates during periods of higher temperatures.

ALMONDS, CHERRIES, NECTARINES: For the control of Brown Rot, Cherry Leaf Spot, Rust (*Tranzacheia*) and Powdery Mildew use at the rate of 40 to 80 lbs. per acre. Apply as described above when disease threatens during rain periods and continue through rainy season.

ALFALFA: For the control of Atlantic Mite, Spider Mite and Clover Mite use 30 to 50 lbs. per acre.

ASPARAGUS: For control of Rust use 25 to 60 lbs. per acre. Dust after cutting stops. Irrigate, cultivate, then apply the sulfur. Repeat at 7 to 10 day intervals.

APPLES and PEARS: For control of Scab and Powdery Mildew use 65 to 80 lbs. per acre. Apply in pre-bloom, bloom and post-bloom periods. On pears do not apply after the fruit begins to turn down.

BEANS: For the control of Pacific Mite (Red Spider) use 25 lbs. per acre. For control of Powdery Mildew use 40 to 50 lbs. per acre. Certain varieties of beans may be injured by sulfur.

CARROTS and ONIONS: For the control of Petrobia Mite use 15 to 65 lbs. per acre.

CITRUS: For the control of Citrus Thrips, Citrus Flat Mite, Yuma Spider Mite, Six-Spotted Mite and Citrus Rust Mite use 65 to 210 lbs. per acre. Apply when pests first appear and repeat as necessary. Do not use within 21 days of an oil spray treatment.

CORN: For the control of Spider Mites use 30 to 50 lbs. per acre.

COTTON: For control of Atlantic Mite and Flea Hopper apply 10 to 65 lbs. per acre.

FIGS: For control of Fig Rust Mite in spring and early summer. Dust at 65 lbs. per acre when damage to foliage (russeting) appears. A second application may be necessary.

GRAPES: For the control of Powdery Mildew use 8 to 35 lbs. per acre. Make first application when shoots are 6 to 8 inches long. Make a second application when shoots are 12 to 15 inches long and the third about 14 days later. Repeat applications at 10 to 14 day intervals to protect new growth. Avoid applications during hot weather as injury may occur. Concord and other *Labrusca* type grapes may be injured by sulfur.

HOPS: For control of Red Spider Mites use 30 to 50 lbs. per acre.

MELONS: Use 35 to 40 lbs. per acre for control of Powdery Mildew. Powdery Mildew may be controlled by dusting but the sulfur often injures the vines, particularly if the temperature reaches 95 degrees F. Treat when disease first appears. Use 50 to 80 lbs. per acre to control Spider Mites. **DO NOT USE ON SULFUR SENSITIVE VARIETIES.**

OLIVES: For control of Olive Mite. Apply 80 to 115 lbs. per acre. Do not use sulfur in hot weather as damage may result to crop and foliage.

PEACHES: For the control of Peach Silver Mite, Powdery Mildew and prevention of Brown Rot of fruit apply 50 to 80 lbs. per acre. For prevention of Brown Rot of fruit apply when fruit begins to ripen.

PISTACHIOS: Citrus Flat Mite. use 50 to 85 lbs. per acre. Apply when mites first appear and repeat as necessary. This product may be applied to bearing or non-bearing trees up to the day of harvest.

PLUMS and PRUNES: For the prevention of Brown Rot of fruit apply 40 to 80 lbs. per acre. Apply when fruit starts to ripen.

POTATOES: For control of Powdery Mildew use 30 to 50 pounds per acre. Dusting may need to be repeated if the disease is severe and reappears. Burning of plants may occur if sulfur is applied when temperatures are above 90°F. Do not apply when weather conditions favor drift from treated areas.

STRAWBERRIES, RASPBERRIES and BOYSENBERRIES: For the control of Powdery Mildew use 15 to 35 lbs. per acre. Apply when disease first appears and repeat as necessary.

SUGAR BEETS: For control of Spider Mites and Powdery Mildew apply 60 to 80 lbs. per acre. Rate may be lowered to 30 lbs. per acre.

TOMATOES: For the control of Tomato Russet Mite use 50 to 65 lbs. per acre

WARRANTY STATEMENT

WILBUR-ELLIS COMPANY warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of WILBUR-ELLIS COMPANY. In no case shall WILBUR-ELLIS COMPANY be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling or application of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid for this product or at WILBUR-ELLIS COMPANY'S election, the replacement of this product. WILBUR-ELLIS COMPANY MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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F-803

NET CONTENTS: 50 POUNDS

IN CASE OF CHEMICAL EMERGENCY,
CALL CHEMTREC: (800) 424-9300

Distributed by:



IDEAS TO GROW WITH®

P.O. BOX 16458 - FRESNO, CA 93755



July 18, 2003

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington D.C. 20460

SUBJECT: Notification per PR Notice 98-10: Ben Sul 60, EPA Reg. No. 2935-246

Dear Sir or Madam:

The Warranty Statement was updated and the revision code is now F-803

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46 and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Please call me at (559) 457-2235 or e-mail to lpearce@wecon.com if you have any questions.

Sincerely,

WILBUR-ELLIS COMPANY

LINDA D. PEARCE
Registration Specialist,
Product Regulatory Department

Enclosure(s)