

239-739

05-23-2011

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



MAY 23 2011

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

James Wallace
The Scotts Company d/b/a The Ortho Group
P.O. Box 190
Marysville, OH 43040

Subject: Submission of amended labeling per May 2009 Malathion RED Label Table
EPA Reg. No. 239-739
Submissions dated March 5, 2010

Dear Mr. Wallace:

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable under FIFRA § 3(c)(5) provided that you submit two copies of your final printed label before you release the product for shipment. Products shipped after 12 months from the date of this amendment or the next printing of the label whichever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

The Basic Confidential Statement of Formula (CSF) dated 2/19/10 is acceptable. All other CSF's including Alternates have been superseded by this new CSF. This has been added to your record.

Your product has met and complied with the risk mitigation provisions of the Malathion RED and therefore your product is reregistered pursuant to FIFRA § 4(g)(2)(C). But note, EPA is currently reassessing the cumulative impacts of organophosphates and that review may impact your product once complete.

A stamped copy is enclosed for your records. If you have any questions, please contact Marianne Lewis at (703) 308-8043 or lewis.marianne@epa.gov.

Regards,

A handwritten signature in cursive script that reads "Venus Eagle".

Venus Eagle
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

NOTE:

Bold, italicized text is information for the reader and is not part of the label.
[Bracketed information is optional text]. Text separated by / denotes and/or options.

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ORTHO[®] MALATHION 50 Insect Spray

Alternate Brand Name(s):

[BASIC SOLUTIONS[™] by ORTHO Malathion Insect Killer Ready-To-Spray]

[ORTHO[®] Mosquito-B-Gon Tree & Shrub Spray Concentrate]

[ORTHO[®] MAX[™] Malathion Insect Spray Concentrate]

[Icon] OUTDOOR USE ONLY

Optional Marketing Claims:

Makes up to an extra 24 gallons of spray
Concentrate

Makes up To 96 gallons Diluted Spray [Quart Size]

Kills Listed Insects [Aphids, Whitefly, Mealybugs, Mosquitoes, Red Spider Mite and Scales]

On: Outdoor Ornamentals, Roses, Flowers, Shrubs, Trees, Fruits, Citrus, & Vegetables

Kills Listed Insects on Outdoor Ornamentals, Fruits, Citrus, Vegetables

Plus Kills Mosquitoes

Kills Mosquitoes

Made with Malathion

Kills Mosquitoes and other listed nuisance insects [pests]

For outdoor home use only

ACTIVE INGREDIENT:

Malathion.....50%

OTHER INGREDIENTS*.....50%

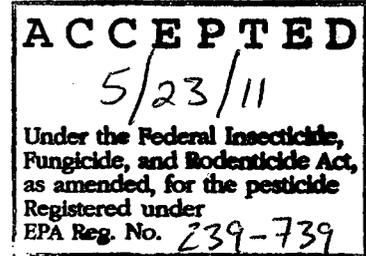
*Contains Petroleum Distillate

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back [panel] [booklet] for additional precautionary statements.

NET CONTENTS 1QT / 946 ml; 1 PT/473ml;



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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if swallowed. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wear protective eye wear (goggles, safety glasses, or face shield), long sleeved shirt, long pants, shoes, and socks.
Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

FIRST AID
If swallowed: Immediately call a poison control center or doctor. Do not induce vomiting unless told to by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
If on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
If inhaled: Move person to fresh air. If person is not breathing, call 911 or ambulance, and then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-225-2883 for emergency medical treatment information.
Note to Physicians: May pose an aspiration pneumonia hazard. Contains petroleum distillate. Emergency Information: Call 1-800-454-2333. Contains petroleum distillate. May pose an aspiration pneumonia hazard. Malathion is a cholinesterase inhibitor. If signs and symptoms of cholinesterase inhibition develop, atropine sulfate is antidotal; 2-PAM (PROTOPAM) may also be given in conjunction with atropine but should not be used alone.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to aquatic organisms, including fish and invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. Drift and runoff may be hazardous to aquatic organisms in areas near the application site. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area

PHYSICAL OR CHEMICAL HAZARDS: Combustible. Do not use or store near heat or open flame.

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[Open Resealable label for Directions and Precautions]
[Peel Here]
[Press to Reseal]

Kills insects [Pests Controlled]: Aphids, Bagworms, Boxelder Bugs, Black Scale, Purple Scale, Yellow Scale, Florida Red Scale, Cabbage Looper, Codling Moth, Cucumber Beetles, Fourlined leaf bugs, Grape leafhopper, Japanese beetle adults, Lacebugs, Mealybugs, Mosquitoes, Pear psyllid, Red banded leafroller, Strawberry leafroller, Spittlebug, Red Spider Mite, Rose leafhoppers, Spruce mites, Scales, Tent Caterpillar, Tarnished plant bug, Thrips, Whiteflies, Hemlock Woolly Adelgid, and other listed insects /pests. [See complete list inside.]

Easy to apply with an Ortho® Dial 'N Spray® or tank sprayer.

DIRECTIONS FOR USE

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

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.
- [Reentry icon] DO NOT ALLOW PEOPLE OR PETS TO ENTER TREATED AREA UNTIL SPRAYS HAVE DRIED.
- Do not use food utensils such as teaspoons and tablespoons for food purposes after use with pesticides.

tsp. = teaspoon

Tbs. = Tablespoon

3 teaspoons (tsp) = 1 Tablespoon (Tbs.) = ½ fl oz

When using Ortho® Dial 'N Spray®

1. Set dial to the setting indicated in the use directions for your specific application.
2. Pour product into sprayer to fill jar one-quarter to one-half full.
3. After spraying, unused product must be poured back into its original container.

When using a tank sprayer

1. Blend appropriate amount of Ortho® Malathion 50 Insect Spray with appropriate amount of water following the dilution instructions for each site-pest combination listed below.
2. Operate sprayer by following the manufacturer's instructions. Spray as directed below.

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OUTDOOR ORNAMENTALS		
TO KILL THESE INSECTS	Aphids, Bagworms, Boxelder Bugs, Fourlined Leaf Bugs, Hemlock Woolly Adelgids, Japanese Beetles, Lacebugs, Leafhoppers (rose), Mealybugs, Red Spider Mites, Spruce Mites, Tarnished Plant Bugs, Thrips, Woolly Aphids and Scales (Black, Oyster Shell & Soft Brown)	
ON THESE PLANTS	Roses, Flowers, Camellias, Azaleas, Chrysanthemums & Evergreens (Do not use on Boston, Maidenhair and Pteris ferns, Canaerti Juniper and/or some species of Crassula such as Jade Plant).	
USE THIS AMOUNT	INSECT	
	AMOUNT	
	Aphids	2 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 2 tsp.
	Bagworms, boxelder bugs, fourlined leaf bugs, hemlock woolly adelgids, Japanese beetles, Lacebugs, leafhoppers (rose), Mealybugs, red spider mites, spruce mites, tarnished plant bugs, thrips and woolly aphids	1 Tbs. (3 tsp) per gallon of water. Ortho® Dial 'N Spray® setting is 1 Tbs
	Scales (Black, Oyster Shell & Soft Brown)	2 Tbs. per gallon of water. Ortho® Dial 'N Spray® setting is 2 Tbs.
HOW TO APPLY	<ul style="list-style-type: none"> • Use an Ortho® Dial 'N Spray® or tank sprayer. • Spray thoroughly covering both upper and lower leaf surfaces and other infested plant parts. 	
WHEN TO APPLY	Apply as necessary; waiting at least 10 days between each application.	

OUTDOOR ORNAMENTALS - USE IN COMBINATION WITH VOLCK® OIL SPRAY	
TO KILL THESE INSECTS	Aphids, Scales (Black, Purple, Yellow, & Florida Red), Thrips & Whiteflies
ON THESE PLANTS	Gardenias & Ixora
USE THIS AMOUNT	2 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 2 tsp.
HOW TO APPLY	Use an Ortho® Dial 'N Spray® or tank sprayer. Spray thoroughly covering both upper and lower leaf surfaces and other infested plant parts.
WHEN TO APPLY	Apply as necessary; waiting at least 10 days between each application.

COMBINATION SPRAY WITH ROSES	
ORTHO® RosePride® Rose and Shrub Disease Control (or other EPA-registered product labeled for control of diseases on Roses) may be mixed with this product when listed insect(s) and disease(s) are found on roses. Follow directions and precautions on both labels."	

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FRUITS		
TO KILL THESE INSECTS	Aphids, Bud-Moths, Codling-Moths, Fourlined Leaf Bugs, Japanese Beetles, Leafhoppers (Grape), Leafrollers (Red-Banded, Fruit Tree, & Strawberry), Mealybugs, Pear Psyllids, Plum Curculios, Red Spider Mites, Spittlebugs, Tarnished Plant Bugs, Tent Caterpillars, Thrips, Whiteflies & Woolly Aphids, Scale Crawlers	
ON THESE PLANTS	Apricots, Cherries, Grapes, Peaches. Pears & Strawberries. Malathion may cause injury to Bosc Pears and Ribier Grapes.	
USE THIS AMOUNT	INSECT	AMOUNT
	Aphids	2 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 2 tsp.
	Bud Moths, Codling Moths, Fourlined Leaf Bugs, Japanese Beetles, Leafhoppers (Grape), Leafrollers (Red-Banded, Fruit Tree, & Strawberry), Mealybugs, Pear Psyllids, Plum Curculios, Red Spider Mites, Spittlebugs, Tarnished Plant Bugs, Tent Caterpillars, Thrips, Whiteflies & Woolly Aphids	1 Tbs per gallon of water. Ortho® Dial 'N Spray® setting is 1 Tbs.
	Scale Crawlers	2 Tbs. per gallon of water. Ortho® Dial 'N Spray® setting is 2 Tbs.
TO KILL THESE INSECTS	Aphids, Scales (Black, Purple, Yellow & Florida Red), Thrips & Whiteflies	
ON THESE PLANTS	Mangos and Citrus (Oranges, Tangerines, Grapefruits, Lemons & Limes) Do not apply during full bloom.	
USE THIS AMOUNT	INSECT	AMOUNT
	Aphids, Scales (Black, Purple, Yellow & Florida Red), Thrips & Whiteflies	2 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 2 tsp.
HOW TO APPLY	Use an Ortho® Dial 'N Spray® or tank sprayer. Spray thoroughly covering both upper and lower leaf surfaces and other infested plant parts.	
WHEN TO APPLY	Apply as necessary to control listed insects; waiting at least 30 days between each application.	
WHEN TO HARVEST		
Pears & Mangos	Do not apply within 1 day of harvest.	
Cherries, Grapes & Strawberries	Do not apply within 3 days of harvest.	
Apricots & Peaches	Do not apply within 7 days of harvest.	
Citrus	Do not apply within 7 days of harvest	

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FRUITS - USE IN COMBINATION WITH VOLCK® OIL SPRAY	
TO KILL THESE INSECTS	Aphids, Mealybugs, Red Spider Mites, Scales, Thrips & Whiteflies Also removes Sooty Mold Fungus through control of Whitefly Larvae and helps destroy insect eggs (such as Codling Moth, Oak Moth & Red Spider Mite eggs)
ON THESE PLANTS	Citrus, Avocados, Mangos. Do not apply during full bloom
USE THIS AMOUNT	1 Tbs. of each product per gallon of water. Ortho® Dial 'N Spray® setting is 1 Tbs.
HOW TO APPLY	Use an Ortho® Dial 'N Spray® or tank sprayer. Spray thoroughly covering both upper and lower leaf surfaces and other infested plant parts.
WHEN TO APPLY	Apply as necessary to control listed insects; waiting at least 30 days between each application.
WHEN TO HARVEST	
Mangos	Do not apply within 1 day of harvest.
Avocados & Citrus	Do not apply within 7 days of harvest.

VEGETABLES & MELONS		
TO KILL THESE INSECTS	Aphids, Beetles (Bean Leaf, Blister, Japanese & Mexican Bean), Cabbage Loopers, Harlequin Bugs, Imported Cabbageworms, Leafminers, Leafhoppers, Leafrollers (Strawberry), Lygus Bugs, Onion Maggots (Flies), Onion Thrips, Pickleworms, Red Spider Mites, Root Weevils (Strawberry), Thrips & Whiteflies, Cucumber Beetles & Squash Vine Borers.	
ON THESE PLANTS	Potatoes, Beans ^T , Cantaloupe*, Cucumbers*, Melons*, Okra, Squash*, Tomatoes, Broccoli, Eggplant, Garlic, Leeks, Onions, Peas, Peppers, Pumpkin*, Shallots, Sweet Potatoes, Beets**, Brussels Sprouts, Cabbage, Cauliflower, Celery, Collards, Endive, Kale, Mustard Greens, Radish, Rutabagas, Spinach, Turnips, Head Lettuce, Leaf Lettuce & Swiss Chard	
USE THIS AMOUNT	INSECT	AMOUNT
	Aphids	2 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 2 tsp.
	Beetles (Bean Leaf, Blister, Japanese & Mexican Bean), Cabbage Loopers, Harlequin Bugs, Imported Cabbageworms, Leafminers, Leafhoppers, Leafrollers (Strawberry), Lygus Bugs, Onion Maggots (Flies), Onion Thrips, Pickleworms, Red Spider Mites, Root Weevils (Strawberry), Thrips & Whiteflies	1 Tbs. (3 tsp) per gallon of water. Ortho® Dial 'N Spray® setting is 1 Tbs.
	Cucumber Beetles & Squash Vine Borers	4 tsp per gallon of water. Ortho® Dial 'N Spray® setting is 4 tsp.
HOW TO APPLY	Use an Ortho® Dial 'N Spray® or tank sprayer. Spray thoroughly covering both upper and lower leaf surfaces and other infested plant parts.	
WHEN TO APPLY	Apply as necessary to control listed insects; waiting at least 7 days between each application.	

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WHEN TO HARVEST	
Potatoes	May be applied up to day of harvest.
Beans [†] , Cantaloupe*, Cucumbers*, Melons*, Okra, Squash* & Tomatoes	Do not apply within 1 day of harvest.
Broccoli, Eggplant, Garlic, Leeks, Onions, Peas, Peppers, Pumpkin*, Shallots & Sweet Potatoes	Do not apply within 3 days of harvest.
Beets**, Brussels Sprouts, Cabbage, Cauliflower, Celery, Collards, Endive, Kale, Mustard Greens, Radish, Rutabagas, Spinach, & Turnips	Do not apply within 7 days of harvest
Head Lettuce, Leaf Lettuce & Swiss Chard	Do not apply within 14 days of harvest.

[†] DO NOT USE ON BEAN CROPS USED FOR FORAGE OR HAY.

*DO NOT APPLY UNLESS LEAVES ARE DRY.

**DO NOT USE ON SUGAR BEETS

NUISANCE INSECT/PESTS – Outdoors Only		
TO KILL THESE INSECTS	Clover Mites, Ants (<u>except Fire, Pharaoh, Carpenter and Harvester Ants</u>), Crickets, Earwigs, Roaches, Spiders, and Adult Mosquitoes.	
IN THESE AREAS	Exterior House Foundation Patios and Garbage Cans; under Porches and Shrubbery; Along Fences; Firewood Piles; and Ornamental Vegetation	
USE THIS AMOUNT	INSECT	AMOUNT
	Clover Mites	2 tsp per gallon of water. Ortho [®] Dial 'N Spray [®] setting is 2 tsp.
	Ants, Crickets, Earwigs, Roaches & Spiders	8 Tbs. (4 fl oz) per gallon of water. Ortho [®] Dial 'N Spray [®] setting is 4 oz.
	Adult Mosquito Control	9 Tbs. per gallon of water. (use tank sprayer only)
HOW TO APPLY	Use an Ortho [®] Dial 'N Spray [®] or tank sprayer. Apply as a coarse spray to the lower outside foundation of house, patios and garbage cans; under porches and shrubbery; along fences; to firewood piles; and ornamental vegetation where mosquitoes may rest. Specific directions for Clover Mite: Spray a 2-ft wide strip along side of house. DO NOT USE INSIDE THE HOME. DO NOT USE ON ANIMALS.	
WHEN TO APPLY	Apply as necessary to control listed insects; waiting at least 7 days between each application.	

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[Icon] **STORAGE AND DISPOSAL**

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

PESTICIDE STORAGE: Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store in a cool, dry place, preferably in a locked storage area. Do not store diluted spray. Do not contaminate with other pesticides or fertilizers. This product should never be heated above 55°C (131°F), and should not be stored for long periods of time at a temperature in excess of 25°C (77°F).

PESTICIDE DISPOSAL: To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER DISPOSAL: **If empty:** Non-refillable [container]. Do not reuse or refill this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

NOTICE: To the extent consistent with applicable law, 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, the consumer, are not satisfied with this product, mail us your original proof of purchase to obtain a full refund of your purchase price

Questions, Comments or Medical Information call 1-800-225-2883
www.ortho.com

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Manufactured for / Sold by

The ORTHO Group

P.O. Box 190

Marysville, OH 43040

EPA Reg. No. 239-739

EPA Est. No. 239-IA-3^l; 58996-MO-1^A; 84064-IA-1^P; 85652-OH-1^W; 239-MS-1^M

Superscript is first letter of lot number

Made in USA