



EP 19 22... 11 File

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

APR 15 1994

Molly Hickman
CHAS H. LILLY CO.
7737 N.E. Killingsworth
Portland, OR 97218

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 02/11/94 in Response to PR Notice 93-7
EPA Reg. No. 802-415
LILLY/MILLER SUPERIOR TYPE SPRAY OIL

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

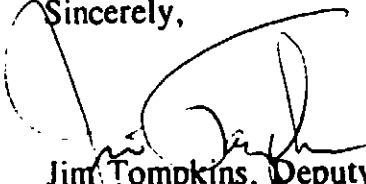
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W,

Attachment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Molly Hickman
CHAS H. LILLY CO.
7737 N.E. KILLINGSWORTH
PORTLAND OR 97218

Comment for: EPA Reg Nr.802-415
LILLY/MILLER SUPERIOR TYPE SPRAY OIL

The following specific comments pertain to your WPS
labeling submission concerning the product
cited above:

User Safety Recommendations must either be placed in a box
or printed on the label in a contrasting color from
surrounding text.

The Agricultural Use Requirements section must be located in
a clearly separate box on the product labeling -- with lines
or other graphic indicators (such as contrasting color) to
separate the section from the surrounding text.

MASTER LABEL

LILLY/MILLER
SUPERIOR TYPE SPRAY OIL

ACTIVE INGREDIENT:

Petroleum Oil 99%
INERT INGREDIENTS 1%

Minimum Unsulfonated Residue 92%
Petroleum Oils Classification - unclassified
A 70 second viscosity type oil

For Dormant & Summer use

Keep out of reach of children

CAUTION

See side panel for additional cautions

NOTICE: Follow directions carefully. Timing and method of application, weather or crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

THE CHAS. H. LILLY CO.
PORTLAND, OREGON 97218
EPA Est. 802-OR-1
EPA Reg. No. 802-415

FOR CONTAINERS LESS THAN OR EQUAL TO 1 GALLON

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing.

STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Do not induce vomiting. Call a physician or Poison Control Center immediately. If In Eyes: Flush with plenty of water. If irritation persists, get medical attention. If On Skin: Wash with plenty of soap and water.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

DIRECTIONS FOR USE

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

ACCEPTED
with COMMENTS
In EPA Letter Dated
APR 15 1994

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

802-415

Shake well before using. Please read entire label. Use only as directed, noting all cautions. Consult State Agricultural Experiment Station or State Extension Authorities for exact timing and spacing of sprays in your area.

WHERE TO USE	WHEN TO USE	Tablespoons per gal. of water
APPLES - Rust Mite (aids in control of)	Delayed Dormant* Summer Use	4 3
APPLES, PEARS - San Jose Scale, Italian Pear Scale, Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	5
Red Spider Mites	Summer Use	2
San Jose & Italian Pear Scales (Summer forms)	Summer Use	3
PEARS - Pear Psylla	Delayed Dormant* Summer Use	5 3
Blister Mite	Delayed Dormant* & Fall Spray	5
APRICOTS, CHERRIES, NECTARINES, PEACHES, PLUMS, PRUNES, WALNUTS and ALMONDS - Scales: Brown Apricot, Black, San Jose, Olive (Parlatoria), Oleander, Frosted, Italian Pear, European Fruit Lecanium, Putnam, Soft Brown; Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	5 5
Red Spider Mites	Summer Use	2
Brown Apricot & San Jose Scales (Summer stages)	Summer Use	2 1/2
ORNAMENTALS AND SHADE TREES Birch, Cherry (flowering), Dogwood, Evergreens (see note), Hawthorn, Holly, Magnolia, Maple, Oak, Peach (flowering), Privet, Pyracantha, Sycamores	Dormant or Delayed Dormant* Spray on Deciduous Varieties Dormant or Delayed Dormant* Spray on Evergreen Varieties	5 2 1/2
Red Spider Mites and Eggs, Scales: Soft Brown, Oyster Shell, Brown Apricot, Black, and San Jose.		
	NOTE: May cause discoloration of Blue Spruce. Do not use on Evergreens or Ferns not tolerant to oil	

sprays.

FIGS - Fig Scale	Dormant or Delayed Dormant*	7 1/2
OLIVES - Spider Mites, Scales: Parlatoria, Oleander and Black	Pre-bloom or post bloom up to buckshot**	2 1/2
ORANGES (Valencia) Red Spider Mites, Scale: Red, Black, Yellow & Purple	Do not use later than Sept. 1st	2 1/2

*Delayed Dormant - The period just before blossom buds break open.

**Buckshot - Young olives about the size of peas.

NOTE: This product may be combined with Lilly/Miller Polysul Summer & Dormant Spray for use as a dormant combination spray. Refer to the Lilly/Miller Polysul label for recommended rates.

USE PRECAUTIONS

For foliage application the spray tank must be free of any sulfur residue before using this material. Do not combine sulfur sprays with this material on foliage during spring and summer months and do not follow a previous application of sulfur or apply sulfur following an application of this material until sufficient time has elapsed for safety (at least 30 days). If in doubt, spray a portion of one tree previously treated with sulphur using 2 1/2 Tbsp. oil to 1 gallon of water (1 quart of oil to 25 gallons of water). If sufficient time has not elapsed, burn will show in several days.

Do not use oil spray when temperatures are above 90 degrees F. When temperatures drop below 32 degrees F during night, do not spray tree and vine crops until daytime temperatures have warmed to a point above 35 degrees F and crops are free from moisture due to melting frost or heavy dews.

Do not use on foliage closer than 60 days after or 90 days before using CAPTAN or PHALTAN* products. Do not use in combination with SEVIN*. Application to trees weakened by disease, drought, drying winds, or high nitrogen applications may result in oil injury.

*PHALTAN is the registered trademark for phthalimide fungicide.

*SEVIN is the reg. T.M. of Rhone-Poulenc for carbaryl insecticide.

STORAGE AND DISPOSAL

Store this product in its original container and keep in a locked storage area out of reach of children and domestic animals. Do not reuse container. Rinse thoroughly before discarding and securely wrap original container in several layers of newspaper and discard in trash.

FOR CONTAINERS GREATER THAN 1 GALLON

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing spray mist. 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 E on an EPA chemical resistance category selection chart. Applicators and other handlers must wear: long-sleeved shirt and long pants; chemical-resistant gloves, such as barrier laminate or nitrile rubber \geq 14 mils or neoprene rubber \geq 14 mils or viton \geq 14 mils; 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.

Engineering Controls Statements:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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User Safety Recommendations:

Users 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.

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STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Do not induce vomiting. Call a physician or Poison Control Center immediately.

If In Eyes: Flush with plenty of water. If irritation persists, get medical attention.

If On Skin: Wash with plenty of soap and water.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

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 the area during application. For any

requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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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 of this label about personal protective equipment (PPE), 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 12 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: coveralls; chemical-resistant gloves such as barrier laminate or nitrile rubber \geq 14 mils or neoprene rubber \geq 14 mils or viton \geq 14 mils; shoes plus socks.

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Shake well before using. Please read entire label. Use only as directed, noting all cautions. Consult State Agricultural Experiment Station or State Extension Authorities for exact timing and spacing of sprays in your area. Do not apply this product through any type of irrigation system.

WHERE TO USE	WHEN TO USE	Amount per 100 gal. of water
APPLES - Rust Mite (aids in control of)	Delayed Dormant* Summer Use	1 1/2 to 2 gallons 1 to 1 1/2 gallons
APPLES, PEARS - San Jose Scale, Italian Pear Scale, Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	2 gallons
Red Spider Mites	Summer Use	3 to 4 quarts
San Jose & Italian Pear Scales (Summer forms)	Summer Use	1 to 1 1/2 gallons
PEARS - Pear Psylla	Delayed Dormant* Summer Use	2 gallons 1 to 1 1/2 gallons
Blister Mite	Delayed Dormant* & Fall Spray	2 gallons

APRICOTS, CHERRIES,
NECTARINES, PEACHES,

PLUMS, PRUNES, WALNUTS and ALMONDS - Scales: Brown Apricot, Black, San Jose, Olive (Parlatoria), Oleander, Frosted, Italian Pear, European Fruit Lecanium, Putnam, Soft Brown; Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	2 gallons
Red Spider Mites	Summer Use	3 to 4 quarts
Brown Apricot & San Jose Scales (Summer stages)	Summer Use	1 gallon
ORNAMENTALS AND SHADE TREES Birch, Cherry (flowering), Dogwood, Evergreens (see note), Hawthorn, Holly, Magnolia, Maple, Oak, Peach (flowering), Privet, Pyracantha, Sycamores	Dormant or Delayed Dormant* Spray on Deciduous Varieties	2 gallons
Red Spider Mites and Eggs, Scales: Soft Brown, Oyster Shell, Brown Apricot, Black; and San Jose.	Dormant or Delayed Dormant* Spray on Evergreen Varieties	1 gallon
	NOTE: May cause discoloration of Blue Spruce. Do not use on Evergreens or Ferns not tolerant to oil sprays.	
FIGS - Fig Scale	Dormant or Delayed Dormant*	3 gallons
OLIVES - Spider Mites, Scales: Parlatoria, Oleander and Black	Pre-bloom or post bloom up to buckshot**	1 gallon
ORANGES (Valencia) Red Spider Mites, Scale: Red, Black, Yellow & Purple	Do not use later than Sept. 1st	1 gallon

*Delayed Dormant - The period just before blossom buds break open.
 **Buckshot - Young olives about the size of peas.

NOTE: This product may be combined with Lilly/Miller Polysul Summer & Dormant Spray for use as a dormant combination spray. Refer to the Lilly/Miller Polysul label for recommended rates.

PEARS - DORMANT APPLICATION ONLY

To Control Adult Pear Psylla and Suppress Egg Depositing: Spray 8 to 10 gallons Superior Type Spray Oil per acre. This dosage may be applied undiluted by aircraft, or mixed with water to apply 25 to 100 gallons of solution per acre with concentrated ground equipment. Make application just before adult psylla begin to deposit eggs. Temperature should be 40 degrees F or higher with no frost or wind expected. Caution: Do not use on trees weakened by disease, wind, drought or high nitrogen applications. Do not apply to frozen trees covered with ice, snow or when dripping wet.

USE PRECAUTIONS

For foliage application the spray tank must be free of any sulfur residue before using this material. Do not combine sulfur sprays with this material on foliage during spring and summer months and do not follow a previous application of sulfur or apply sulfur following an application of this material until sufficient time has elapsed for safety (at least 30 days). If in doubt, spray a portion of one tree previously treated with sulfur using 1 quart of oil to 25 gallons of water. If sufficient time has not elapsed, burn will show in several days.

Do not use oil spray when temperatures are above 90 degrees F. When temperatures drop below 32 degrees F during night, do not spray tree and vine crops until daytime temperatures have warmed to a point above 35 degrees F and crops are free from moisture due to melting frost or heavy dews.

Do not use on foliage closer than 60 days after or 90 days before using CAPTAN or PHALTAN* products. Do not use in combination with SEVIN*. Application to trees weakened by disease, drought, drying winds, or high nitrogen applications may result in oil injury.

*PHALTAN is the registered trademark for phthalimide fungicide.
*SEVIN is the reg. T.M. of Rhone-Poulenc for carbaryl insecticide.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage or disposal.
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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

LIMIT OF WARRANTY AND LIABILITY

The Chas. H. LILLY Co. (LILLY) warrants that this product conforms to the chemical or other description on the label (and/or instructions) when used strictly in accordance with the label (and/or instructions) under the conditions described there. NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY IS MADE. This warranty is also subject to the following conditions:

*Buyer and all users shall promptly notify LILLY of any claims whether based in contract, negligence, strict liability, other tort, or otherwise.

*THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE LIMIT OF LIABILITY OF LILLY FOR ANY LOSS, INJURY OR DAMAGE RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT (including claims based upon contract, negligence, strict

liability, other tort, or otherwise) SHALL BE:

1. The purchase price paid for the product, or at the election of LILLY
2. The replacement of such quantity of the product as is involved.

IN NO EVENT SHALL LILLY BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES.

*LILLY agents have no authority to give warranties or make representations on its behalf, concerning the use, quality or performance of this product, or in any other respect.

*The use, handling, storage, and other influencing factors are beyond the control of LILLY. Buyer assumes all risk of loss, injury, or damage due to use, handling, storage and other influencing factors, including but not limited to, incompatibility with other products, and weather conditions.