



PM 14 802-460 10/8
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 12 1996

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Molly Hickman
Registration Specialist
The Charles H. Lilly Co.
7737 NE Killingsworth
Portland, OR 97218

Dear Ms. Hickman:

Subject: Deletion of Unsupported Malathion Uses
Miller's Malathion 5E
EPA Reg. No. 802-460
Labeling Submitted June 24, 1993
Federal Register Notice of January 12, 1994

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable, provided that you:

Submit one copy of your final printed label incorporating the following corrections before you release the product for shipment.

1. This labeling does not bear the required Worker Protection Standard (WPS) statements as outlined in PR Notices 93-7 and 93-1. We note that you have submitted labels in accordance with the instructions in those Notices and that the WPS label statements were accepted by the Agency on March 30, 1994. The new protective language in the accepted WPS submissions must be incorporated into this label for any shipments released after the deadlines that have been established.

2. Under the directions for "Fly Control", specify outdoor use only.

3. Under the directions for use as a "Clean-Up spray" in "empty bins, box cars, _ _ _", specify for use in such areas for storage of those grains being supported for malathion; i.e. corn, barley, oats, rye and wheat.

4. Add the following footnote immediately below the ingredient statement.



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

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5. Under the "Environmental Hazards" statements, update the water hazard statement to read as stated below.

"Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark."

6. Add a livestock feeding and grazing restriction to the directions for use on beans and peas.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of this condition.

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

Sincerely yours,



Robert A. Forrest
Product Manager (14)
Insecticide-Rodenticide Branch
Registration Division (7504C)

3048

ACCEPTED
with COMMENTS
in EPA Letter Dated

MILLER'S
MALATHION 5E
5 lbs. Malathion per gallon

JUN 12 1996

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
802-460

ACTIVE INGREDIENTS:
Malathion: 0,0-dimethyl phosphorodithioate of diethyl
mercaptosuccinate) 57.5%
INERT INGREDIENTS 42.5%
TOTAL 100.0%

AGRICULTURAL INSECTICIDE

Keep out of reach of children
CAUTION
See left side panel for additional precautionary statements

NET CONTENTS: _____ GALLON(S)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Remove and wash contaminated clothing before reuse. Use only with adequate ventilation. After using this product indoors, ventilate thoroughly before occupying enclosed spaces. Do not allow contact with treated surface until sprays have dried.

STATEMENT OF PRACTICAL TREATMENT

If swallowed, do not induce vomiting. Get medical attention. If in eyes, flush with water for 15 minutes. Get medical attention. If on skin, wash with plenty of soap and water. NOTE TO PHYSICIAN: Malathion may cause cholinesterase inhibition. Atropine is antidotal. 2-PAM may be effective as an adjunct to atropine.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not apply directly to water or wetlands (i.e., swamps, bogs, marshes, and potholes). Drift and runoff may be hazardous to aquatic organisms in areas near the application site. Do not contaminate water when disposing of equipment washwaters. 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 if bees are visiting the treatment area.

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 through any type of irrigation system.

RE-ENTRY STATEMENT

Do not apply this product in such a manner as to directly, or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons. Do not enter treated areas without protective clothing until spray has dried. Because certain states may

require more restrictive re-entry intervals for various crops treated with this product, consult your State Department of Agriculture for further information. Applies to foliar applications to agricultural crops.

Written or oral warnings must be given to workers who are expected to be in a treated area or an area about to be treated.

Oral warnings must be given if written warnings cannot be understood by workers and must be in a language they understand. Give specific oral warnings which inform workers of areas or fields that may not be entered without specific protective clothing, the period of time field must be vacated, and appropriate actions to take in case of accidental exposure.

Written warnings must include the following information: CAUTION. Area treated with MALATHION 5E on (date and time of application). Do not enter without full protective clothing until sprays have dried. If accidental exposure occurs, get medical attention.

STORAGE AND DISPOSAL

STORAGE: Keep in a locked storage area. Do not contaminate water, food or feed by storage or disposal. PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Glass containers: Triple rinse (or equivalent). Then dispose of in a sanitary landfill or by other approved State and local procedures. Metal Drums: 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.

AS AN AGRICULTURAL INSECTICIDE

MIXING DIRECTIONS

Carefully add required amount of MALATHION 5E into partially filled spray tank, with agitator running, then add remaining amount of water to complete filling. Or, add MALATHION 5E to equal amount of water and stir until creamy emulsion is formed, then add to spray tank. Continued agitation during mixing and spraying operations is recommended.

USE RECOMMENDATIONS

Apply recommended amounts for individual crop on first appearance of insect, or when insect injury is first noticed. Repeat sprays as necessary.

The amounts given are in pints of MALATHION 5E per 100 gallons of water and/or pints per acre. When applying by aircraft use 10 to 20 gallons per acre; ground equipment, 20 to 100 gallons; being sure to use sufficient water for thorough coverage of crop.

Do not apply or allow to drift to areas occupied by unprotected humans or beneficial animals or onto adjoining food, fibre or pasture crops.

Consult State Agricultural Experiment Station or State Extension Service Authorities for additional information consistent with label directions and cautions including exact timing and spacing of sprays in your area.

SPECIFIC DIRECTIONS

*Days indicated below represent number of days between last application and harvest. +See Use Recommendations for amount of water to use with recommended pints per acre.

CROP AND PEST	Pints Per 100 gals.	+Pints Per Acre	*Days Before Harvest
APRICOTS-Codling Moth, Aphids.	1 1/2 to 2	6-2/5 to 8	7
CHERRIES-Black Aphids, Fruit Tree Leafroller	1 1/2	6-2/5 to 8	3
BLACKBERRIES, BOYSENBERRIES, LOGANBERRIES, RASPBERRIES-Mites, Thrips, Leafhoppers.	1 1/2	2-4/5	1
STRAWBERRIES-Aphids, Spider Mites.	1 1/2	1-3/5 to 3-1/5	3
BEANS-Spider Mites, Mexican Bean Beetle.	1 1/2	2	1
Aphids	2	2	1
BEETS-Aphids	1-3/5	1-3/5 to 2	7
BROCCOLI, TURNIP-Aphids, Imported Cabbage Worm, Cabbage Looper	1 to 2	2	3
CABBAGE, BRUSSELS SPROUTS, KALE, MUSTARD-Aphids, Imported Cabbage Worm, Cabbage Looper	1 to 2	2	7
ONIONS-Thrips	1 1/2	1 1/2	3*
*Make no applications within 3 days of harvest on Green Onions			
PEAS-Pea Aphid	1 1/2	1 1/2	3*
*7 days if forage is to be fed to livestock			
PEPPERS, EGGPLANT-Aphids	1	2-2/5	3

POTATOES-Aphids, Leafhoppers	1	1 to 2	0
SPINACH-Aphids	1	1-3/5 to 2	7
TOMATOES-Spider Mites.	1 1/2	2	1
Aphids	1	2	1
ALFALFA, CLOVER-Aphids, Potato Leafhopper, Spider Mites, Alfalfa Weevil-Larvae.	1 1/2 to 2	1 1/2 to 2	0
GRASS (Range and Pasture)- Grasshoppers, Leafhoppers, Aphids	-	1-3/5 to 2	0

For Grasshoppers, apply when hatching of dominant species is completed and before eggs are laid.

ORNAMENTALS-Aphids, Spider Mites, White Fly, Thrips, Mealybugs, Leafhoppers	1 1/2	-	-
Tent Caterpillars	2	-	-

Injury may occur to certain ferns including Boston, Maidenhair, and Pteris as well as some species of Crassula.

FLY CONTROL
For use around buildings, yards, homes.

Straight Malathion Spray	Bait Sprays - ADD
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Amount Spray :	Amount of Miller's MALATHION SE	Sugar	or Unsulfurized Molasses or Corn Syrup
2 1/2 gals.	1 cup	1 cup	1 cup
12 gals.	1 qt.	2 1/2 lbs.	1 qt.
100 gals.	2 gals.	20 lbs.	2 gals.

Apply the spray at the rate of 1 gal. per 1,000 sq. ft. on painted surfaces and 2 gals. per 1,000 sq. ft. on unpainted surfaces where flies alight or congregate. In most cases, adding sugar or molasses to the spray prolongs the insecticidal activity of Malathion and serves as a fly attractant.

CLEAN-UP SPRAY

Empty Bins, Box Cars, Trucks, Ships Holds, Grain Handling Equipment, Elevators.

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In Ships Holds, wear respirators to prevent breathing of fumes or mist into throat and lungs. Wear protective clothing to prevent as much of the skin as possible from exposure.

Prepare: Clean up all insect breeding places by thoroughly sweeping and brushing walls, floors, braces and rafters in bins, trucks and ships holds; lodging places for debris and spilled grain in elevators, conveyors, boots, pits, head houses and distributors. Remove and burn sweepings.

Use 1 gallon in 25 gallons of water.

Apply:

1. Spray all surfaces exposed to grain during storage and handling to the point of run-off. Make particularly sure that spray is forced into cracks, crevices, and other hard-to-reach places.
2. Use any hand or power sprayer that will develop enough force to drive spray into cracks and crevices.
3. This same spray should be applied to the outside of bins to help prevent reinfestation.

NOTE: Area around storage building should be kept free from weeds, debris, spilled grain, and uncleaned handling equipment to eliminate outside breeding places for stored grain insects.

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) and is reasonably fit for the purposes set forth 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:

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

o 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.

