

1381-153

9/11/2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

SEP 11 2008

Ms. Glenda Haage  
Product Registrations  
Winfield Solutions  
P.O. Box 64589  
St. Paul, MN 55164-0598

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request Warranty Statement Change  
EPA Reg. No.1381-153  
Application Dated July 16, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/16/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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**Application for Pesticide -Section I**

1. Company/Product Number 1381-153	2. EPA Product Manager Mautz	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Malathion 6% Grain Dust	PM#	
5. Name and Address of Applicant (Include ZIP Code)  Winfield Solutions LLC P.O. Box 64589 St. Paul, MN 55164-0589  <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 to _____ <b>NOTIFICATION</b> EPA Reg. No.: <b>SEP 11 2008</b> 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). Notification of revised warranty statement. 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 18 U.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.

**Section III**

**1. Material This Product Will Be Packaged In:**

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No  <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "Yes," Unit Package Wt.    No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "Yes," Package Wt.    No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) of Retail Container 2 1/2 gal. and bulk	5. Location of Label Directions <input type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other ( _____ ) <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

**Section IV**

**1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)**

Name Glenda Haage	Title Registration Manager	Telephone No. (Include Area Code) 712-548-5213
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<p style="text-align: center;"><b>Certification</b></p> 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  	3. Title Registration Manager
4. Typed Name Glenda Haage	5. Date July 16, 2008

July 16, 2008

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501  
Attn: Marilyn Mautz

Subject: Malathion 6% Grain Dust (1381-153)  
Notification of Revised Warranty Statement

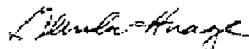
Dear Ms. Mautz:

Winfield Solutions LLC is submitting notification of a revised warranty statement, which falls under PR-Notice 98-10.

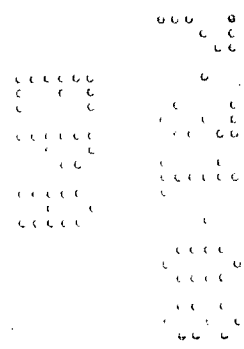
Also enclosed with the application please find two (2) copies of labeling with the new Warranty information.

Should you have any questions during your review, please contact me at [ghbconsulting@frontiernet.net](mailto:ghbconsulting@frontiernet.net) 712-548-5213.

Sincerely,



Glenda Haage  
Registration Manager





**6% MALATHION  
GRAIN DUST**

**ACTIVE INGREDIENT:**

Malathion: O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate ..... 6%

**OTHER INGREDIENTS:** ..... 94%

**TOTAL** ..... 100%

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

<b>FIRST AID ORGANOPHOSPHATE</b>	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably to mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For further emergency medical information call toll-free 1-877-424-7452.	
<b>NOTE TO PHYSICIAN:</b> Malathion is an acetyl cholinesterase inhibitor. Atropine is antidotal.	

See below for additional Precautionary Statements.

**EPA Reg. No. 1381-153**

**EPA Est. No. 1015-MO-1**

Distributed By  
Winfield Solutions, LLC  
P.O. Box 64589, St. Paul, MN 55164-0589

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**NET WEIGHT 50 LBS.**

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION**

May be harmful if swallowed. Avoid breathing dust. Avoid contact with skin. Wash thoroughly after handling. Avoid contamination of feed and foodstuffs. Use only with adequate ventilation. After using this product, do not enter treated grain storage areas until area has been ventilated and dust has settled. Avoid contact with treated surfaces.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not contaminate water when disposing of equipment washwaters.

**DIRECTIONS FOR USE**

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

**STORAGE AND DISPOSAL**

**STORAGE:** Store in a secure area, in original container only, away from fertilizers, food, or feed.  
**PESTICIDE DISPOSAL:** Waste resulting from the use of this product may be disposed of on site or at an approved waste facility. Do not contaminate water, food, or feed by storage or disposal.  
**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, stayed out of smoke.

**GENERAL INFORMATION**

**FOR USE ON STORED GRAINS:** Wheat, corn, oats, rye, barley. Protects against damage from Confused Flour Beetle, Rice Weevil, Saw-toothed Grain Beetle, Flat Grain Beetle, Red Flour Beetle, Rusty Grain Beetle, Lesser Grain Borer, and Indian Meal Moth.

**IMPORTANT:** USE OF THIS PRODUCT, AS DIRECTED, WILL BE WITHIN THE TOLERANCE OF 8 PARTS PER MILLION FOR MALATHION. TREATED GRAIN IS NOT SUBJECT TO DOWNGRADING AND CAN BE MILLED INTO FLOUR OR FEED USING NORMAL PRODUCTION METHODS.

**STORED GRAIN:** Apply this product to the grain at the rate of ten lbs. per 1,000 bushels as the grain is being loaded or turned into final storage. To protect stored grain from attack by Indian Meal Moth, apply this product on the surface of grain at the rate of 5 lbs. per 1,000 square feet of surface area. Apply the dust evenly over the surface immediately after the grain is loaded into storage. Repeat if necessary.

**METHODS OF APPLICATION:** One convenient way to apply this product to shelled corn, wheat, corn, oats, rye, and barley is to treat it when it is in the field wagon or truck prior to binning. Determine the amount in the wagon or truck by multiplying the length by width by depth (all in feet) and multiply this total by 0.8 to get the number of bushels. Measure out the correct amount of this product and spread evenly over the surface of the grain in the wagon or truck bed. Cut the dust into the grain with a shovel. The dust will become mixed with the grain as it is hauled from the field to the storage bin, and as it is dumped from the bed into the auger hopper. Further mixing will occur when the grain is augered or blown into the storage bin. Mixing is completed as the treated grain rolls down the cone shaped pile in the bin. Another method of applying this product to grain is to evenly meter the correct amount of dust onto the grain as it is being transferred into storage, using a suitable metering device. Mixing is completed as the grain is transferred into storage and rolls down the cone shaped pile in the bin.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

RECEIVED  
DATE  
TIME  
BY  
INITIALS  
SIGNATURE  
TITLE  
DEPARTMENT  
ADDRESS  
CITY  
STATE  
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