



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

S448188

NOV 27 1996

Ms. Nik Ramswick
Universal Cooperatives, Inc.
7801 Metro Parkway
P.O. Box 460
Minneapolis, MN 55440

Dear Ms. Ramswick:

Subject: Deletion of Unsupported Malathion Uses
Malathion 5 Emulsifiable Concentrate
EPA Reg. No. 1386-124
Labeling Submitted June 28, 1993
Federal Register Notice of March 29, 1995

The labeling 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:

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

a. 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 labeling was accepted on March 18, 1994. The new protective language in those submissions must be incorporated into this label for any product released for shipment.

b. Malathion product labeling bearing aquatic uses must bear the following label restrictions. These restrictions are being required in lieu of conducting residue chemistry studies under 171-4 (Magnitude of the Residue in Fish and Shellfish and Magnitude of the Residue in Drinking and Irrigation Water).

"Broadcast use only over intermittently flooded areas. Application may not be made around bodies of water where fish or shellfish are grown and/or harvested commercially."

c. Add a statement prohibiting the grazing or feeding of the treated crop foliage by livestock for the crops, beans and peas (vines/forage and straw/hay).

d. Under the directions for use as a clean-up spray for grain protection, replace the general claim for "grains" to read "barley, corn, oats, rye and wheat".



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Printed on paper that contains
at least 75% recycled fiber

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e. Under the general directions for use, delete the reference to use in back rubber devices for beef cattle. This use has been deleted from the product label and it is not being supported for the reregistration of malathion.

2. Within 60 days from the date of this letter, submit your updated basic Confidential Statement of Formula (CSF) showing your current supplier of malathion. The most recent accepted basic CSF in our files is dated July 16, 1986 and lists as your supplier a product which was canceled and transferred to another registrant on January 11, 1995.

If you wish to support continued registration of the subject product under the generic exemption, the transferred product may not be used to formulate the subject product. The transferred product is a end-use product not labeled for formulating use and, additionally, is not labeled for several of the uses listed on your subject labeling.

Our file contains two more recently submitted CSF's dated February 9, 1989, one of which lists a current registered source of malathion while the other lists the canceled, transferred source. However, they are both designated as alternate CSF's and our file contains no record of them being accepted for the product. A cursory review of these alternate CSF's indicates that the emulsifier is not listed in our chemical vocabulary file.

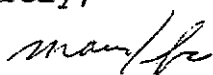
If you wish to utilize the CSF dated February 9, 1989 as your alternate formula under the generic exemption, the CSF listing the current registered source must be submitted as your proposed alternate formula for our evaluation along with the complete chemical identity for the composition of the emulsifier.

Your supplier of the emulsifier may contact us directly, referencing the subject EPA Reg. No. in their correspondence regarding the chemical composition of this ingredient.

If these conditions are 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 label constitutes acceptance of these conditions.

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

Sincerely,


William W. Jacobs, Ph. D.
Acting, Product Manager Team 14
Insecticide-Rodenticide Branch
Registration Division (7505C)

Malathion-5

Emulsifiable Concentrate

KEEP OUT OF REACH OF CHILDREN
CAUTION

See Side Panel For Additional Precautionary Statements

ACTIVE INGREDIENTS:

Malathion: O,O-dimethyl phosphoro-

dithioate of diethyl mercaptosuccinate 57.00%

INERT INGREDIENTS* 43.00%

Total: 100.00%

Contains 5 pounds of Malathion per gallon. *Contains xylene range aromatic solvent.

Net Volume: 2½ Gallons

EPA Reg. No. 1386-124
EPA Est. No. 1386-OH-1



UNIVERSAL COOPERATIVES, INC., MINNEAPOLIS, MN: 55440

ACCEPTED
with COMMENTS
in EPA Letter Dated

NOV 27 1996

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

1386-124

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

Harmful if swallowed. Avoid breathing spray mist. Avoid contact with skin, eyes and clothing. Wash thoroughly after using. Avoid contamination of food and foodstuffs.
- 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 on skin, wash affected areas with soap and water. If inhaled, remove victim to fresh air. Apply respiration if indicated. If in eyes, wash eyes for at least 15 minutes with water.

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.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Mix this concentrate with water as directed below for application as a spray, or mix with fuel oil for use in back rubber devices for bed cattle. Make thorough full-coverage applications of the spray and repeat applications as stated in all cases. DO NOT APPLY THIS PRODUCT THROUGH ANY TYPE OF IRRIGATION SYSTEM.

BERRIES, VEGETABLES, AND FIELD CROPS

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 sprays have dried. Because certain states may require more restrictive reentry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.

Written or oral warnings must be given to workers who are expected to be in a treated area or in an area about to be treated with this product. Oral warnings must inform workers of areas or fields that may not be entered without wearing specific protective clothing until sprays have dried and of appropriate actions to take in case of accidental exposure (refer to Statement of Practical Treatment). When oral warnings are given, warnings shall be given in a language customarily understood by workers. Oral warnings must be given if there is reason to believe that written warnings cannot be understood by workers. Written warnings must include the following information: "CAUTION. Area treated with Malathion on (insert date of application). Do not enter without appropriate protective clothing until sprays have dried. In case of accidental exposure, follow these procedures: (insert information found under Statement of Practical Treatment).

BERRIES

BRAMBLES (BLACKBERRIES, BOYSENBERRIES, LOGANBERRIES, and RASPBERRIES)—To control mites, thrips, leafhoppers, Japanese beetle adults, aphids, and rose scale, use 3 pints per acre (in sufficient water for good coverage). Apply sprays to foliage when insects first appear, usually when plants begin to grow in spring, and repeat at 7 to 10-day intervals as necessary. DO NOT APPLY TO BLACKBERRIES, BOYSENBERRIES, LOGANBERRIES, AND RASPBERRIES WITHIN 1 DAY OF HARVEST.

STRAWBERRIES—To control aphids, spider mites, spittlebug, strawberry leafhopper, leafhoppers, and whitefly, apply 1 1/2 to 3 pints per acre in the amount of water required for uniform thorough coverage of foliage. Apply when insects first appear, usually early in the spring and repeat as needed. DO NOT APPLY TO STRAWBERRIES WITHIN 3 DAYS OF HARVEST.

VEGETABLE CROPS

To control the insects on the crops listed below, begin applications when insects first appear and repeat at 7 to 10-day intervals as necessary, using 1 1/2 to 2 pints (0.93 to 1.25 lb. Malathion) per acre in the quantity of water required for uniform thorough coverage. **APHIDS** - On beans, beets, broccoli, Brussels sprouts, cabbage, cauliflower, celery, cucumber, eggplant, kale, lettuce (head, leaf), mustard greens, peas, peppers, potatoes (white, sweet), spinach, squash, tomato and turnip. **LEAFHOPPERS** - On beans, cucumber, celery, eggplant, squash, and tomatoes. **MEXICAN BEAN BEETLE** - On beans. **IMPORTED CABBAGE WORM AND CABBAGE LOOPER** - On broccoli, Brussels sprouts, cabbage, cauliflower, kale, lettuce (head, leaf), and mustard greens. **THRIPS** - On onions. **PEPPER MAGGOT** - On peppers. **CUCUMBER BEETLES** - On cucumbers, and squash. **MEALYBUG** - On potatoes (white, sweet). **PEA WEEVIL** - On peas. **Drosophila** - On tomatoes.

DO NOT APPLY TO BEANS, CUCUMBERS, SQUASH, OR TOMATOES WITHIN 1 DAY OF HARVEST. APPLY TO CUCUMBERS ONLY WHEN THE FOLIAGE IS DRY. DO NOT APPLY TO BROCCOLI, PEPPERS, GREEN ONIONS, PEAS, OR TURNIPS (INCLUDING TOPS) WITHIN 3 DAYS OF HARVEST. DO NOT APPLY TO BEETS, BRUSSELS SPROUTS, CABBAGE, CAULIFLOWER, CELERY, KALE, MUSTARD GREENS, SPINACH OR HEAD LETTUCE WITHIN 7 DAYS OF HARVEST. DO NOT APPLY TO LEAF LETTUCE WITHIN 14 DAYS OF HARVEST.

FIELD CROPS

ALFALFA—To control aphids including spotted alfalfa aphid, leafhoppers, spider mites, spittlebug, and alfalfa weevil larvae, use 1 1/2 to 2 pints (0.93 to 1.25 lb. Malathion) per acre, in the amount of water required for uniform thorough coverage. Begin applications when insects first appear and repeat at 7 to 10-day intervals as necessary. Apply to alfalfa in bloom only in the evening or early morning when bees are not working in the field or are not hanging on the outside of hives. May be grazed or harvested on day of application.

GRASS CROPS

—Grasshoppers and leafhoppers—Use at the rate of 1 1/2 to 2 pints (.93 to 1.25 lb. Malathion) per acre in quantity of water required for uniform thorough coverage. Armyworm—Use 2 pints (1.25 lbs. Malathion) per acre. Apply when larvae are small. A limitation of 7 days preharvest should be given.

GRAIN CROPS (Barley, Corn, Oats, Wheat)—Cereal Leaf beetle—Use at the rate of 1 to 1 1/2 pints (.625 to .93 lb. Malathion) per acre in quantity of water required for uniform thorough coverage. Green bugs and grasshoppers—Use 1 to 1 1/2 pints (.625 to .93 lb. Malathion) per acre. Make full coverage to hatching areas when nymphs are young. Armyworm—Use 2 pints (1.25 lb. Malathion) per acre in quantity of water required for uniform thorough coverage. Do not apply to Barley, Oats, and Wheat within 7 days of harvest. Do not apply to corn within 5 days of harvest.

ORNAMENTAL PLANTS

To control the following on ornamentals, mix the indicated dosage with 100 gallons of water. Apply spray when the insects are first observed and repeat as necessary.

OYSTER SHELL SCALE—1 pint. **APHIDS, SPIDER MITES, JAPANESE BEETLE ADULTS, LEAFHOPPERS, THRIPS, AND SCURFY SCALE**—1 1/2 pints. **BIRCH LEAFMINER, BOX-WOOD LEAFMINER, AZALEA SCALE, PINE LEAF SCALE, AND MAGNOLIA SCALE**—2 pints. Do not use on Boston, Maidenhair, or Pieris ferns. Do not use on petunias. May cause injury to Crassula.

MOSQUITO CONTROL

ADULT MOSQUITO CONTROL—To control adult mosquitoes outdoors, in backyards, in areas of ornamental shrubbery, and on lawns, use a 2% to 5% area or fog spray. For a 2% spray, dilute 1 part Malathion-5 Emulsifiable Concentrate with 28 parts of water, fuel oil, or diesel oil. For a 5% spray, dilute 1 to 11. Apply water based spray uniformly, into and around the ornamental vegetation. Apply oil based fog to uniformly penetrate into and around the ornamental vegetation. Repeat applications as needed. Do not apply to areas where food or feed crops are growing. Do not apply oil mixture for fogging directly to ornamental plants.

MOSQUITO LARVAE CONTROL—For control of mosquito larvae in standing water (intermittently flooded areas, stagnant water, temporary rain pools), apply 13 fluid ounces of Malathion-5 Emulsifiable Concentrate per acre, mixed in sufficient water or oil to obtain even coverage when applied by air or ground equipment. NOTE: Contamination of shallow, fish bearing waters may kill fish.

GRAIN

CLEAN-UP SPRAY (Before Storing Grain) —Since many of the insects which commonly infest grain in storage continue to live and breed in residues and debris, the bins, storage areas, elevators, and handling equipment such as trucks and conveyors should be thoroughly cleaned before storing the new crop. Remove and burn all sweepings and debris. The ground outside should be kept free of debris since this material also breeds insects.

Before the new grain go into storage, a spray made by mixing 1 gallon of this concentrate in 19 gallons of water (1 pint in 2 1/2 gallons) should be applied to walls, floors and ceilings of bins, warehouses, and other storage areas including farm storage. Spray also handling equipment and truck beds. Spray all surfaces to the point of runoff, making sure the spray is driven into joints, corners, cracks, and crevices where insects may be concealed.

PROTECTANT

STORAGE AND DISPOSAL

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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY AND LIMITATION OF DAMAGES

Seller warrants that this material conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use and Buyer assumes the risk of any use contrary to such directions. Seller makes no other express or implied warranty, including any other express or implied warranty of fitness or of merchantability, and no agent of Seller is authorized to do so except in writing with a specific reference to this warranty. In no event shall Seller's liability for any breach of warranty exceed the purchase price of the material as to which a claim is made.

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