



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

MAR 7 1994

JAMES A. ARM BRUSTER, PH D
CHEMICAL CONSULTANTS INTERNATIONAL
AGENT FOR: PBI/GORDON CORPORATION
7270 W 98TH TERRACE, SUITE 100
OVERLAND PARK, KS 66212

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 9/1/93 Response to PR Notice 93-7
EPA Reg. No. 2217-520
GORDON'S MALATHION CONTAINS 5 LBS. MALATHION PER GA

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

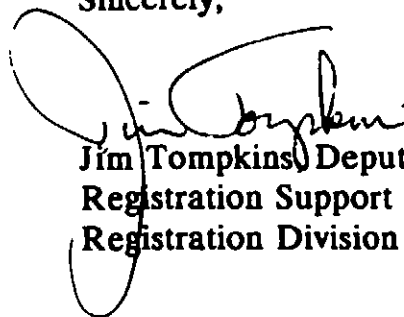
Submit the final printed labeling via the U.S. Postal Service to:

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

James A Armbruster, Ph D
CHEMICAL CONSULTANTS INTERNATIONAL
AGENT FOR: PBI/GORDON CORPORATION
7270 W 98TH TERRACE, SUITE 100
OVERLAND PARK KS 66212

Comment for: EPA Reg Nr.2217-520
GORDON'S MALATHION CONTAINS 5 LBS MALATHION PER GA

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.

Add the following User Safety Recommendation to the label in the location shown in Section A on Part 1 of the Product Worksheet in Supplement Three-A to PR Notice 93-7: "Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing."

Correct the chemical-resistance category statement to state: "Some materials that are chemical resistant to this product are listed below. If you want more options, follow the instructions for category F on an EPA chemical resistance category selection chart."

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.

You have incorrectly placed inside the Agricultural Use Requirements box on your proposed labeling the prohibition

CHEMICAL CONSULTANTS INTERNATIONAL
EPA Reg. Number: 2217-520
GORDON'S MALATHION CONTAINS 5 LBS MALATHION PER GALLON
Application date: 09/01/93
Original Submission

against applying the product so it contacts any person (and related statements). Remove the following statements from the Agricultural Use Requirements box and place them in the Directions For Use section on your labeling immediately following (or below) the sentence "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." The exact location is shown in Section F on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

Delete the crossed-out statements on your proposed label. They are redundant statements or phrases.

Correct the typographical errors circled on your proposed label.

GORDON'S MALATHION CONTAINS 5 LBS. MALATHION

ACTIVE INGREDIENT:

Malathion: O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate	55.2%
INERT INGREDIENTS	44.8%
	TOTAL 100.0%

CONTAINS XYLENE RANGE AROMATIC PETROLEUM SOLVENT.

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find some one to explain it to you in detail.)

STATEMENT OF PRACTICAL TREATMENT

An organophosphate insecticide/miticide.

IF SWALLOWED: Call a physician or Poison Control Center immediately. Induce vomiting by giving victim 1 or 2 glasses of water and touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious or convulsing person.

IF IN EYES: Flush eyes with plenty of water. Get medical attention.

IF ON SKIN: ~~Remove contaminated clothing and wash~~ affected area with soap and water. Get medical attention if irritation persists.

IF INHALED: Remove victim to fresh air and apply artificial respiration if indicated. Get medical attention.

NOTE TO PHYSICIAN: Malathion upon repeated, prolonged or careless exposure may cause cholinesterase inhibition. Atropine is antidotal. Aromatic solvent may present aspiration hazard. Gastric lavage is indicated if product was swallowed.

See Side Panels for Additional Precautionary Statements

NET CONTENTS _____ GALLONS

XXX/993WPS AP102389
 EPA REG. NO. 2217-520
 EPA EST. NO. 2217-KS-x
 Mfd by PBI/GORDON CORPORATION
 KANSAS CITY, MISSOURI 64101

ACCEPTED
 with COMMENTS
 In EPA Letter Dated

MAR 7 1994

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.
2217-520

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STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Harmful if swallowed. Avoid breathing spray mists or vapors. Avoid contact with skin. ~~Thoroughly wash after handling and before eating or smoking. Avoid contamination of feed and foodstuffs. Do not treat areas frequented by children and do not allow children in treated areas until the spray has dried. 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.~~

Personal Protective Equipment (PPE):

Applicators and other handlers must wear long-sleeved shirt and long pants, chemical resistant gloves such as barrier laminate, butyl rubber \geq 14 mils, nitrile rubber \geq 14 mils, or Viton \geq 14 mils, and shoes plus socks.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

User Safety Recommendations:

Users should:

◆ Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

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, pour, spill, 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.

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 on this label about personal protective equipment and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

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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, consult the agency in your State responsible for pesticide regulation.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours.

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, wear: coveralls, chemical resistant gloves such as barrier laminate, butyl rubber \geq 14 mils, nitrile rubber \geq 14 mils, or Viton \geq 14 mils, and shoes plus socks.

STORAGE & DISPOSAL

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

STORAGE: Store in original container in a locked storage area inaccessible to children or pets. Keep separate from other pesticides, from fertilizers, food, or feed during storage to prevent cross-contamination.

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

Do not apply this product through any type of irrigation system.

~~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.~~

MALATHION contains 5 lbs. Malathion per gallon and is formulated to enable the user to prepare dilutions of varying concentrations. The amount of water depends upon the type of spray equipment used, the amount of vegetation and the pest to be controlled. The amount of Malathion used should conform to the recommendations given, regardless of the amount of water necessary to obtain proper and even coverage of the area or plants to be sprayed.

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CROPS AND INSECTS	RATE PER ACRE	INTERVAL (Last Spray to Harvest)
COTTON – Boll Weevil, Desert Spider Mite, Cotton Aphid, Leafhoppers, White Flies, Brown Cotton Leafworm, Cotton Leaf Perforator, Thrips, Lygus Bug.	1-2 Qts.	—***
	1 1/2 - 2 Pts.	—***
ALFALFA & CLOVER – Aphids, Potato Leafhopper, Spider Mites, Alfalfa Weevil Larvae, Spittlebug, Grasshoppers, Spotted Alfalfa Aphid, Lygus Bug. Do not apply during full bloom. Use higher rates for taller alfalfa and clover.	1 1/2 - 2 Pts.	7 days***
BARLEY, OATS, RYE, WHEAT (Grain forms) – English Grain Aphid, Greenbugs, Cereal Leaf Beetle. Apply as needed and use in sufficient water for good coverage.	1 1/2 - 2 Pts.	7 days
Amyworms.	2 Pts.	7 days
PEPPERMINT, SPEARMINT – Aphids, Spider Mites, Leafhoppers. Use in sufficient water for good coverage.	1 1/2 Pts.	7 days
RICE (Grain form) – Rice Leaf Miner. Apply soon after first rice plants appear on surface of the water.	2 1/2 Pts.	7 days
Rice Stink Bug. Apply by airplane during early milk or dough stage and repeat as necessary. Mix with approximately 3 to 10 gallons per acre, consistent with crop growth and good coverage.	1 - 1 1/2 Pts.	7 days
SUGAR BEETS – Aphids, Spider Mites. Apply as needed and repeat if necessary. Do not use within 7 days of harvest if tops are to be used for feed.	1 1/2 - 2 Pts.	
TOBACCO – Aphids (Field). Plant Beds, 2 pts. per 100 gals. of water but not within 3 days of transplanting. Apply at the rate of 5 gals. of finished spray per 100 sq. ft.	1 - 1 1/2 Pts.	7 days***
ASPARAGUS – Thrips. Apply on foliage as needed.	1 1/2 - 2 Pts.	1 day
BEANS – Mexican Bean Beetles, Leafhoppers, Spider Mites, Japanese Beetle.	1 1/2 - 2 Pts.	1 day***
BEETS – Aphids.	1 1/2 - 2 Pts.	7 days***
BRUSSELS SPROUTS, CAULIFLOWER, CABBAGE, BROCCOLI, KALE, KOHLRABI, TURNIP, MUSTARD GREENS, CARROTS – Aphids, Imported Cabbage Worm, Cabbage Looper, Leafhoppers.	1 1/2 - 2 Pts.	7 days***
CELERY – Aphids, Spider Mites.	1 1/2 Pts.	7 days***

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(Continued)

CROPS AND INSECTS	RATE PER ACRE	INTERVAL (Last Spray to Harvest)
<u>COLLARDS, SWISS CHARD, PARSLEY</u> – Aphids.	1 1/2 - 2 Pts.	7 days***
<u>CUCUMBERS, SQUASH, MELONS, PUMPKINS*</u> – Aphids, Spider Aphids, Spider Mites. Pickleworm, Cucumber Beetles Squash Vine Borer. Do not apply to cucumbers unless plants are dry.	1 1/2 Pts. 3 Pts.	1 day*** *3days 1 day*** *3days
<u>EGGPLANT, PEPPERS</u> – Aphids, Spider Mites. Lace Bug, Pepper Maggots.	1 Pt. 3 Pts.	3 days*** 3 days
<u>LETTUCE, SPINACH</u> – Aphids, Mites, Cabbage Looper, Leaf-hoppers, Leaf Lettuce. Do not apply within 14 days of harvest.	2 Pts.	7 days***
<u>ONIONS, GARLIC</u> – Thrips. Onion Maggots.	1 1/2 Pts. 2 1/2 Pts.	3 days*** 3 days***
<u>PEAS</u> – Pea Aphid, Pea Weevil. Apply in early bloom period before eggs are laid and repeat as necessary.	1 1/2 - 2 Pts.	3 days***
<u>OKRA</u> – Aphids, Japanese Beetles. Do not apply after pods have started to form.	1 1/2 Pts.	
<u>POTATOES</u> – Aphids, Leafhopper, Mealybugs.	1 - 1 1/2 Pts.	0 days***
<u>RADISHES, PARSNIPS, SALSIFY, HORSERADISH, RUTABAGAS**</u> – Aphids.	1 1/2 - 2 Pts.	7 days*** **3 days
<u>TOMATOES</u> – Spider Mites, Aphids, Tomato Russet Mite, Drosophila.	2 1/2 Pts.	1 day***
<u>STRAWBERRIES</u> – Aphids, Spider Mites, Lygus Bugs, Spittlebugs, Field Crickets. Potato Leafhopper, Strawberry Leafroller, Whiteflies. Strawberry Root Weevil. Apply and work in the top 6 to 8 inches of soil before planting.	1 1/2 Pts. 1 1/2 - 3 Pts. 1 1/2 - 2 1/2 Pts.	3 days*** 3 days*** 3 days

CROPS AND INSECTS	RATE per 100 GALS WATER (Unless Otherwise Indicated)	INTERVAL (Last Spray to Harvest)
<u>APPLES, PEARS, CHERRIES, PLUMS & PRUNES</u> Cover trees completely. Malathion in summer sprays may cause injury to McIntosh and Cortland varieties of apples, Bosc Pears and certain varieties of sweet cherries.		
Woolly Apple Aphid, Mealy Plum Aphid, Cherry Fruit Fly, Forbes Cherry Fruit Fly, Forbes Scale, Bud Moth, San Jose Scale.	1 Pt.	3 days
Green Apple Aphid, Rosy Apple Aphid, Black Cherry Aphid, Cherry Fruit Tree Leaf Roller, Tent Caterpillar.	1 1/2 Pts.	3 days
Mealybug, European Red Mite, Clover Mite, Willamette Mite, Two-spotted Mite, Codling Moth, Plum Curculio, Red-banded Leaf Roller, Pear Psylla, Pear Fruit Tree Leaf Roller. Apply as needed and repeat at 10 day intervals until insects are controlled.	2 Pts.	3 days

APRICOTS, PEACHES – Codling Moth, Orange Tortrix, European Lecanium Scale, Soft Brown Scale, Aphids. Green Peach Aphid, Black Cherry Aphid, Black Peach Aphid, Rusty Plum Aphid.	1 1/2 - 2 Pts. 1 Pt.	7 days*** 7 days***
FILBERTS – Filbert Aphid, Apple Mealybug, Eye-spotted Bud Moth, Scale (Crawlers Stage), Thrips.	1 Pt.	0 days***
PECANS – Spider Mites, Aphids.	1 - 2 Pts.	0 days***
GRAPEFRUIT, LEMONS, LIMES, ORANGES, TANGERINES, TANGELOS, KUMQUATS – California Red Scale, Yellow Scale, Purple Scale, Black Scale (Single Brooded), Soft Scale, Citricola Scale. Florida Red & Purple Scales (light and medium infestations). Thrips.	1 - 2 Pts. 2 Pts. 2 1/2 Pts. per 200 Gals. per acre	7 days*** 7 days*** 7 days***
Do not apply when trees are in bloom.		
BLUEBERRIES – Japanese Beetle. Apply when first berries turn blue and repeat at 10 day intervals as long as necessary.	1 1/2 Pts. per acre	1 day
BLACKBERRIES, BOYSENBERRIES, DEWBERRIES, LOGAN- BERRIES, RASPBERRIES – Mites, Thrips, Leafhoppers, Japanese Beetle. Aphids, Rose Scale.	1 1/2 Pts. 3 Pts. per acre	1 day*** 1 day***
CRANBERRIES – Leafhoppers, Blackheaded Fireworm, Spittlebug Nymphs, Cranberry Fruitworm.	1 1/2 Pts.	3 days***
GRAPES – Leafhoppers, Spider Mites, Mealybugs. Injury may occur on Ribier, Italia, Cardinal & Almeria varieties if applied after the cluster stage.	1 1/2 Pts.	3 days***

***Apply as needed and repeat as necessary.

CROPS AND INSECTS	RATE per 100 GALS. OF WATER	INTERVAL (Last Spray to Harvest)
ORNAMENTALS – Oyster Shell Scale, Lace Bug, Euonymus Scale Aphids, Mealybugs, Spider Mites, Whitefly, Four-lined Leaf Bug, Thrips, Rose Leafhoppers, European Pine Shot Moths, Scurfy Scale, Birch Leaf Miner, Boxwood Leaf Miner, Bagworms, Tent Caterpillar, Azalea Scale, Oak Kermes, Pine Leaf Scale, Magnolia Scale, Fletcher Scale, Florida Red Scale, Juniper Scale, Black Scale Crawlers, Monterey Pine Scale, Soft Scale, Pine Needle Scale. Apply as needed and repeat as necessary. Injury may occur on certain ferns and on some species of Crassula and Canaerti Juniper.	2 1/2 Pts. or 2 teaspoonfuls per gallon of finished spray.	0 days

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<u>CROPS AND INSECTS</u>	RATE PER ACRE	INTERVAL (Last Spray to Harvest)
<u>PASTURE & RANGE GRASS</u> – Grasshoppers. Apply when needed and repeat as necessary. Do not use on grass hay to be sold commercially.	1 1/2 - 2 Pts.	7 days
<u>WASTELANDS, ROADSIDES, SOIL-BANK</u> – Grasshoppers. Apply as needed and repeat if necessary before movement to crop areas takes place.	1 1/2 - 3 Pts.	
<u>CORN (Grain or Forage)</u> – Aphids, Sap Beetles, Thrips, Grasshoppers (Young), Corn Rootworm Adults, Cereal Leaf Beetle. Repeat as Necessary	1 1/2 Pts.	5 days
<u>RED TOP, TIMOTHY, ORCHARDGRASS, FESCUE, CANARY-GRASS, BARNYARDGRASS, YELLOW FOXTAIL</u> – Cereal Leaf Beetle.	1 1/2 Pts.	

- FLY CONTROL -

Use 1 Quart in 12 gallons of water (2 gallons in 100 gallons of water for spraying larger areas) and apply the spray at the rate of 1 gallon per 1000 square feet (Area 25' x 40') on painted surfaces and 2 gallons per 1000 square feet on unpainted surfaces where flies alight or congregate. Addition of sugar at the rate of 2 1/2 lbs. per 12 gallons or 20 lbs. per 100 gallons of finished spray prolongs the insecticidal activity of Malathion and serves as an attractant. Do not use in milk rooms, where edible products are handled or where lactating animals or young calves are present. Avoid contamination of feed, food products, drinking fountains and feed troughs.

LIMITED WARRANTY: Manufacturer warrants that the chemical composition conforms to the ingredient statement given on the label and that this product is suited for the labeled use when applied according to label directions. Because of widely varying use conditions, it is impossible to eliminate all risks even when label directions are followed.

Exclusion of Other Warranties and Remedies. Except where such disclaimers and exclusions are specifically prohibited by applicable law. THE FOREGOING IS THE ONLY GUARANTEE OR WARRANTY APPLICABLE TO THIS PRODUCT AND IS GIVEN EXPRESSLY AND IN LIEU OF ALL OTHER WARRANTIES EXPRESSED OR IMPLIED, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND ALL SUCH WARRANTIES WHICH EXCEED OR DIFFER FROM SAID LIMITED WARRANTY ARE DISCLAIMED BY MANUFACTURER, and, upon Manufacturer's compliance with said limited warranty, BUYER SHALL HAVE NO REMEDY AGAINST MANUFACTURER FOR ANY TYPE OF DAMAGE OR LOSS, and, IN NO EVENT SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL DAMAGE OR LOSS.

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