

 <p style="text-align: center;">United States Environmental Protection Agency Washington, DC 20460</p>	<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 2935-48	2. EPA Product Manager Mary L Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DUSTING SULFUR	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company PO Box 1286 Fresno CA 93715 <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 and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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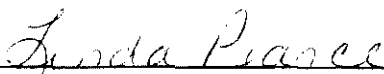
NOTIFICATION
 SEP 30 2003

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Updated the Warranty Statements

Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input checked="" type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt. No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 pounds		5. Location of Label Directions <input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Linda D Pearce	Title Registration Specialist	Telephone No. (Include Area Code) 559 457-2255
Certification 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 Specialist	
4. Typed Name Linda D Pearce	5. Date September 10, 2003	

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DUSTING SULFUR

ACTIVE INGREDIENT	% By Wt.
Sulfur	98.00%
INERT INGREDIENT	2.00%
TOTAL	100.00%

NOTIFICATION
SEP 30 2003

EPA Reg. No. 2935-48

EPA Est. No. 2935-CA-1^F, 2935-CA-12^E,
Superscript used is the first letter of the lot number.

KEEP OUT REACH OF CHILDREN

CAUTION

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

IF ON SKIN OR CLOTHING:

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Causes moderate eye irritation. Harmful if absorbed through skin. 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 A on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride; C) Shoes plus socks; D) Protective eyewear.

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.

ENVIRONMENTAL HAZARDS

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 contaminate water when disposing of equipment wash waters. Do not apply when weather conditions favor drift from treated areas.

PHYSICAL AND CHEMICAL HAZARDS

Sulfur dust suspended in air ignites easily. Keep away from heat, sparks or flame. Do not smoke while applying this product.

USER SAFETY RECOMMENDATIONS

User 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.

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 area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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 (PPE), notification to workers, 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 24 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: A) Coveralls; B) Chemical-resistant gloves made of any waterproof material; C) Shoes plus socks; D) Protective eyewear.

NOT FOR USE OR STORAGE IN OR AROUND THE HOME

DIRECTIONS FOR USE:

This material may be applied with ground equipment or aircraft depending upon local conditions

NOTE: Applications of sulfur should not be made just prior to or during periods of high summer temperatures. Do not make applications within 2 weeks of an oil spray. Do not use or allow this material to drift onto sulfur sensitive Melons, Squash, Cucumbers, Apricots or other plants which may be injured by sulfur.

When growing crops for processing, consult the processor before applying sulfur.

For control of Mites, use higher rates shown under conditions of high pest pressure. For control of Fungi, use higher rates shown when weather conditions indicate a potential for increased pest pressure.

ALFALFA: For the control of Powdery Mildew, Two Spotted Mite, Pacific Mite and Strawberry Mite (Atlantic Mite) use 30 to 50 lbs. per acre. Apply when disease first appears and repeat at 14 day intervals or as necessary.

ALMONDS, CHERRIES, NECTARINES, PEACHES, PLUMS and PRUNES: For the control of Brown Rot Blossom Blight, Peach Canker, Shothole, Silver Mite, Stem Blight, Cherry Leaf Spot, Prune Rust and Powdery Mildew use at the rate of 35 to 60 lbs. per acre in pre-bloom, bloom and post-bloom periods. Apply when disease threatens during rain periods and repeat at 7 to 10 day intervals.

APPLES and PEARS: For control of Scab and Powdery Mildew - Use 40 to 50 lbs. per acre. Apply in pre-bloom, bloom and post-bloom periods. On pears do not apply after the fruit begins to turn down.

ARTICHOKES (Globe, Jerusalem, Chinese): Leaf Spot - use 25 to 35 lbs. per acre. Begin when disease first appears and repeat at 7 to 10 day intervals through season.

ASPARAGUS: For control of Rust and Asparagus Mite - use 40 to 50 lbs. per acre. Dust after cutting stops, irrigate, cultivate, then apply the sulfur. Repeat at 7 to 10 day intervals through season.

AVOCADOS: Mite Suppression - use 40 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary.

BARLEY, OATS: Rust - use 25 to 40 lbs. per acre. Apply at first sign of disease. Repeat at 7 to 10 day intervals.

BEANS and PEAS: For the control of Powdery Mildew, Leaf Spot Rust, Spider Mites and Thrips - use 15 to 35 lbs. per acre. Apply when disease first appears and repeat as necessary.

BEETS: Rust - use 20 lbs. per acre. Apply at first signs of disease. Repeat at 7 to 10 day intervals.

BLACKBERRIES, BLUEBERRIES, CURRANTS, DEWBERRIES, GOOSEBERRIES, HUCKLEBERRIES, LOGANBERRIES, RASPBERRIES: Powdery Mildew - use 20 to 30 lbs. per acre. Begin when new shoots are 6 inches long and before blossoms open. Repeat at 10 day intervals or as necessary.

BROCCOLI, BRUSSELS SPROUTS, CABBAGE, CAULIFLOWER, COLLARDS, KALE, RUTABAGAS, TURNIPS: Powdery Mildew - Use 20 to 25 lbs. per acre. Begin at first sign of disease. Repeat at 7 to 10 day intervals or as necessary.

CARROTS: For the control of Petrobia Mite, Powdery Mildew and Rust - use 20 to 50 lbs. per acre. Begin at first sign of disease. Repeat as necessary.

CELERY: Early and Late blight - use 6 to 12 lbs. per acre. Begin as soon as plants emerge. Repeat at 7 to 10 day intervals or as necessary.

CITRUS: For the control of Citrus Thrips, Citrus Flat Mite, Yuma Spider Mite, Six-Spotted Mite and Citrus Rust Mite use 100 to 125 lbs. per acre. Apply when pests first appear and repeat as necessary. Do not use within 21 days of an oil spray treatment.

CLOVER: Powdery Mildew, Rust, Spider Mites - use 15 to 25 lbs. per acre. Begin when crop is in bud stage or at first sign of disease or mites. Repeat at 7 to 10 day intervals or as necessary.

COTTON: For control of Strawberry (Atlantic) Mite - use 30 to 40 lbs. per acre when mites first appear and repeat as necessary.

COWPEAS: Rust - Use 5 to 25 lbs. per acre. Begin soon after seedlings emerge. Repeat at 7 to 10 day intervals through season.

CUCUMBERS, PUMPKINS, SQUASH: To control Powdery Mildew and Scab - apply 10 to 35 lbs. per acre. Begin when first true leaves appear and repeat at weekly intervals. Note to user: sulfur may injure certain varieties of cucurbits.

DATES: To control Banks Grass Mites - use 50 to 125 lbs. per acre, applying by ground or air. Use the higher rates by air. Thorough coverage is essential for good control. Begin at first sign of disease. Repeat as necessary.

EGGPLANTS: Powdery Mildew - use 20 to 35 lbs. per acre. Begin when first true leaves appear. Repeat at weekly intervals.

FIGS: For control of Fig Rust Mite in spring and early summer. Dust at 40 to 50 lbs. per acre when damage to foliage (russetting) appears. A second application may be necessary.

FLAX: Powdery Mildew - Use 20 to 30 lbs. per acre. Begin at first sign of disease. Repeat at 7 to 10 day intervals or as necessary.

GARLIC: Downey and Powdery Mildew - Use 20 to 35 lbs. per acre. Petrobia Mite - use 25 to 30 lbs. Begin at first sign of disease. Repeat as necessary.

GRAPES: For the control of Powdery Mildew and Rust - use 10 to 40 lbs. per acre. Make first application when shoots are 6 to 8 inches long. Make a second application when shoots are 12 to 15 inches long and third about 14 days later. Repeat applications as necessary to protect new growth. Avoid over applications in hot weather. Concord or Labrusca type grapes may be injured by sulfur.

GRASS SEED CROPS: Timothy Mites - use 30 lbs. per acre. Apply when mites first appear and repeat as necessary.

HOPS: Spider Mite suppression - use 30 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary.

LETTUCE: Powdery Mildew - use 10 to 15 lbs. per acre. Begin at first sign of disease. Repeat as necessary.

MELONS: Use 15 to 50 lbs. per acre for control of Powdery Mildew and Scab. Powdery Mildew may be controlled by dusting but the sulfur often injures the vines, particularly if the temperature reaches 95 degrees F. Treat when disease first appears. Use 30 to 50 lbs. per acre to control Spider Mites. DO NOT USE ON SULFUR SENSITIVE VARIETIES.

OLIVES: For control of Olive Mite. Apply 50 to 70 lbs. per acre. Do not use sulfur in hot weather as damage may result to crop and foliage. Begin at first sign of disease. Repeat as necessary.

ONIONS: For control of Petrobia Mites, Botrytis Blight and Powdery Mildew - use 20 to 50 lbs. per acre. This product may be applied by air or ground equipment. Apply when disease first appears and repeat at 14 day intervals or as necessary.

PEANUTS: Leaf Spot, Powdery Mildew - use 20 to 25 lbs. per acre. Begin when plants are 40 days old or when first spots appear on lower leaves. Repeat at 10 to 14 day intervals and after rains. Rust - use 20 to 30 lbs. per acre. Apply when disease threatens. Repeat at 7 to 10 day intervals.

PEPPERS: Powdery Mildew - use 20 to 35 lbs. per acre. Begin before disease appears. Repeat at weekly intervals.

PISTACHIOS: To aid in the control of Mites - use 50 lbs. per acre, making ground or air applications. This product may be applied to bearing or non-bearing trees up to the day of harvest. Begin at first sign of disease. Repeat as necessary.

POMEGRANATES: To control Mites - use 50 lbs. per acre, applying by ground or air. Apply when mites first appear and repeat as necessary to maintain control. There is no time limitation between applications and harvest.

POTATOES: Powdery Mildew - use 5 to 15 lbs. per acre. Apply before disease appears. Repeat at 7 to 10 day intervals or as necessary.

QUINCE: Brown Rot, Powdery Mildew, Scab - use 35 to 60 lbs. per acre. Begin before diseases are expected to appear. Repeat at 7 to 10 day intervals or as necessary.

RUTABAGAS: Powdery Mildew - use 15 to 20 lbs. per acre. Repeat at 7 to 14 day intervals.

SOYBEANS: Leaf Spot, Powdery Mildew - use 8 to 15 lbs. per acre. Apply at first sign of disease. Repeat at 7 to 10 day intervals.

SPINACH: Powdery Mildew, Rust - use 8 to 30 lbs. per acre. Apply when disease first appears. Repeat at 7 to 10 day intervals.

STRAWBERRIES, RASPBERRIES and BOYSENBERRIES: For the control of Powdery Mildew - use 3 to 50 lbs. per acre. Apply when disease first appears and repeat as necessary.

SUGAR BEETS: For control of Powdery Mildew, Two-Spotted Mite, Pacific Mite and Strawberry Mite (Atlantic Mite) - use 35 to 50 lbs. per acre. Apply when disease first appears and repeat at 14 day intervals or as necessary.

TOMATOES: For the control of Tomato Russet Mite and Powdery Mildew - use 20 to 50 lbs. per acre. Begin at first sign of disease. Repeat as necessary.

VETCH: Rust - use 25 to 40 lbs. per acre. Begin at first signs of disease. Repeat at 7 to 10 day intervals.

WALNUTS: Spider Mites - use 40 to 50 lbs. per acre. Repeat if necessary. Check tolerance prior to using. Consult local Agricultural Authorities as to the effectiveness of sulfur on Spider Mites.

WHEAT: For the control of Powdery Mildew - use 35 to 50 lbs. per acre. Apply when disease first appears and repeat at 14 day intervals or as necessary.

ORNAMENTALS: Powdery Mildew, Rust, Leaf Spots - use 20 to 40 lbs. per acre. Dust for complete coverage on both sides of leaves, applying when disease first appears and repeat at 5 to 10 day intervals and after rain, or as necessary. Keep new growth protected. AVOID APPLICATION TO SULFUR SENSITIVE PLANTS.

ASTERS, CARNATIONS: For control of Powdery Mildew and Rust.

CALENDULAS, CEDARS, CHERRY LAURELS, CHRYSANTHEMUMS, HOLLYHOCK, JUNIPER, SMILAX, SPRUCE: For control of Leaf Spot and Powdery Mildew.

CLEMATIS, COLUMBINE, ENGLISH IVY, LAUREL, PETUNIA, SAGE: For control of Leaf Spot.

COSMOS, CREPE MYRTLE, DAHLIA, DELPHINIUM, DOGWOOD, EUONYMUS, GLADIOLUS, GOLDEN FLEECE, HIBISCUS, HOLLY, LADY'S MANTLE, LIGUSTRUM, LILAC, POPLARS, SILVER VINE, SPIREA, SUNFLOWER, SWEET PEA, VERBENA, VIOLETS, WILLOW, ZINNIAS: For the control of Powdery Mildew.

ROSES: For the control of Black Spot, Powdery Mildew, Rust.

FOR ALL CROP USES LISTED ON THE PRODUCT LABEL (for both ground and air applications)

Dusting Sulfur can create situations where drift to nontarget or sensitive areas can occur. To minimize the occurrence of drift incidents, the following conditions must be met:

DIRECTIONS FOR USE (GENERAL)

In addition to specific instructions under directions for use on the main sulfur label, the following conditions must also be followed for use in California:

1. The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto nontarget areas such as hospitals, clinics, schools, residential areas and any other area designated by county agricultural commissioner.
2. The operator of the property and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
3. Sulfur shall not be applied when the wind velocity exceeds 10 miles per hour. Applicators should be aware that in some areas of California, "dead calm" conditions are often associated with an inversion situation. In these areas applying sulfur when there is a minimum air movement of 2 miles per hour will help insure that an inversion situation does not exist.
4. All applicators, prior to use of dust formulations, should read and understand the Best Application Practices Manual.
5. Before using this product, read and follow all applicable directions, restrictions, and precautions on the EPA-registered label.

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STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring.

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: 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, stay out of smoke.

**IN CASE OF A CHEMICAL EMERGENCY,
CALL CHEMTREC 24-HOUR NUMBER: (800) 424-9300**

WARRANTY STATEMENT

WILBUR-ELLIS COMPANY warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of WILBUR-ELLIS COMPANY. In no case shall WILBUR-ELLIS COMPANY be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling or application of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid for this product or at WILBUR-ELLIS COMPANY'S election, the replacement of this product. WILBUR-ELLIS COMPANY MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED

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F-903

NET CONTENTS: 50 POUNDS

**IN CASE OF CHEMICAL EMERGENCY,
CALL CHEMTREC: (800) 424-9300**

Distributed by:



IDEAS TO GROW WITH®

P.O. BOX 16458 – FRESNO, CA 93755

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September 10, 2003

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington D.C. 20460

Attention: Mary L Waller, PM 21

SUBJECT: Notification of Updated Warranty Statements, per PR Notice 98-10: Dusting Sulfur,
EPA Reg. No. 2935-48,

Dear Sir or Madam:

The Warranty Statement has been updated and the revision code is now F-903. The warranty statements are consistent with 40 CFR Part 156.

I have attached three copies of the label along with form 8570-1.

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 18U.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.

Please call me at (559) 457-2235 or e-mail to lpearce@wecon.com if you have any questions.

Sincerely,

WILBUR-ELLIS COMPANY

LINDA D. PEARCE
Registration Specialist,
Product Regulatory Department

Enclosure(s)