



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

JAN 14 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Joanne Pratt
WILBUR ELLIS CO.
191 W. Shaw Avenue
Fresno, CA 93704

Subject: Label Amendment Submission of 09/10/93 in Response to PR Notice 93-7
EPA Reg. No. 2935-83
WILBUR-ELLIS MALATHION 8 SPRAY

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

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 listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.



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

Each notification must include the following information:

- 1. Registrant's name and address.
- 2. EPA Registration number of the product for which the labeling was submitted.
- 3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

- 1. Quantity of the product that has been sold or distributed.
- 2. EPA Producing Establishment number.
- 3. Location of the product, if known.
- 4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
 Compliance Division, (7203)
 Worker Protection Notification
 Office of Compliance Monitoring
 U.S. Environmental Protection Agency
 401 M Street SW
 Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the 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 neither been reviewed nor 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:

Submit the required notification. Then 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 as amended

AND

- **WITHIN** one year from date of this acceptance.

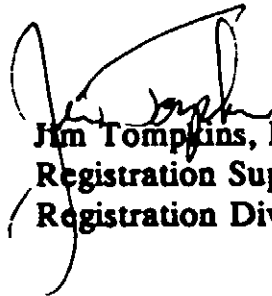
Submit the final printed labeling via the U.S. Postal Service to:

**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 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

cc: Office of Compliance Monitoring

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ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 14 1994

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
2935-83



Malathion 8 Spray

ORGANO PHOSPHATE

BEST AVAILABLE COPY

ACTIVE INGREDIENTS:		
Malathion.....		81.2%
INERT INGREDIENTS:		18.8%
Xylene Range Aromatic Solvent... 8.8%		
O, O-dimethyl phosphorodithioic diethyl mercaptosuccinate		
	TOTAL	100.0%

EPA Reg. No. 2935-83-ZA

Em No. 2935-CA-1

KEEP OUT OF REACH OF CHILDREN!

CAUTION:

"A"

NOT FOR USE OR STORAGE IN OR AROUND THE HOME

SEE SIDE PANEL FOR ANTIDOTE AND PRECAUTIONARY STATEMENTS

NET CONTENTS: 2 1/2 GALLONS

WILBUR-ELLIS COMPANY
P.O. BOX 16458 • FRESNO, CA 93755

6 of 11
11/29/9

DIRECTIONS FOR USE (cont.)

STORAGE AND DISPOSAL

1. **PROHIBITIONS:** Do not contaminate water, food or feed by storage or disposal.
2. **PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
3. **CONTAINER DISPOSAL:** 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.
4. **STORAGE:** Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring.

See Attached Use Label For Specific Crop Recommendations

F-793

NOTICE: The statements made on this label are believed to be true and accurate, but because of conditions of use which are beyond our control, WILBUR-ELLIS COMPANY does not make, nor does it authorize any agent or representative to make, any warranty, guarantee or representation, expressed or implied, concerning the material or the use thereof, except in conformity with the statements on the label. Neither WILBUR-ELLIS COMPANY nor the dealer shall be held responsible in any manner for any personal injury or property damage or loss resulting to the buyer or to any other person from handling, storage or use of this material, not in accordance with directions. The buyer assumes all risk and liability resulting from improper handling, storage or use and accepts and uses this material on these conditions.

Logo TM of WILBUR-ELLIS Company
IDEAS TO GROW WITH is a registered trademark of WILBUR-ELLIS Company

In Case of Emergency,
Call CHEMTREC: (800) 424-9300

BEST AVAILABLE COPY

11
7/8/11

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Add:
Copy F
Copy B

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if Swallowed. Avoid contact with skin. Wash thoroughly after using. Avoid breathing of spray mist. Avoid contamination of feed and foodstuff. Keep out of reach of children. 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.

Move to "A" STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Induce vomiting by sticking finger down throat. Never give anything by mouth to an unconscious person. Get medical attention.

If In Eyes: Wash eyes with plenty of clear water for at least 15 minutes. Get medical attention.

Harmful if Swallowed: Avoid breathing dust. May cause irritation of nose, throat or skin. Avoid contact with eyes, skin and clothing.

Note to Physician: This product may cause cholinesterase inhibition. Atropine is antidote. 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. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. 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.

CHEMICAL AND PHYSICAL HAZARDS

Keep container closed and away from heat and open flame. Do not combine emulsifiable liquids with wettable powders in the same spray tank unless previous use of the materials being combined has proven them to be physically compatible.

Replace with Copy D DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with labeling.

RE-ENTRY STATEMENT

Do not enter treated areas without protective clothing until sprays have 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.

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 should specify protective clothing, areas or fields that cannot be entered without this clothing, period of time area is to be vacated, and statement of practical treatment (see above) in case of exposure. 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. Warnings must include the following information: "Caution. Area treated with Malathion on (date of application). Do not enter without appropriate protective clothing until sprays have dried (insert here action to take in case of accidental exposure -- see above)."

Wilbur-Ellis

Ideas to grow with

Malathion 8 Spray

ACTIVE INGREDIENTS:		
Malathion	81.2%	
INERT INGREDIENTS:	18.8%	
Xylene Range Aromatic Solvent	8.8%	
*O, O-dimethyl dithiophosphate of diethyl mercaptosuccinate	TOTAL	100%
E.P.A. Reg. No. 2935-83-ZA	EPA Est. No. 2935-CA-1	

KEEP OUT OF REACH OF CHILDREN

CAUTION:

Observe Precautions on Container Label.
NOT FOR USE OR STORAGE IN OR AROUND HOME.

DIRECTIONS FOR USE

Apply specified rate per acre in sufficient water to thoroughly cover plant surfaces with ground driven equipment or aircraft. When applied by air use a minimum of 5 gallons of water per acre — by ground a minimum of 10 gallons per acre.

RECOMMENDATIONS FOR USE

ALFALFA & CLOVER: Use 1 1/4 pts. per acre to control APHIDS, LEAFHOPPERS, GRASSHOPPERS, SPIDER MITES, LYGIUS BUGS, SPITTLEBUG, ALFALFA WEEVIL LARVAE and ARMYWORMS. For SPOTTED ALFALFA APHID use 1/2 to 1 pint per acre by ground equipment and 1 to 1 1/4 pints per 5 to 10 gals. of water per acre by airplane. Do not apply on alfalfa and clover in bloom. No time limitation.

ALMONDS: For control of APHIDS and PEACH TWIG BORER, use 2 to 4 pints per acre in 500 gallons of water. No time interval between last application and harvest.

APPLES, APRICOTS, AVOCADOS, CHERRIES, FIGS, NECTARINES, PEACHES, PEARS, PECANS, PLUMS, PRUNES AND QUINCES: Use 1 to 1 1/2 pts. per 100 gals. of water to control APHIDS, THRIPS, SPIDER MITES, MEALYBUGS, CODLING MOTH, EYE-SPOTTED MOTH, PLUM CURCULIO, CHERRY FRUIT FLY, PEAR PSYLLA, SCALE CRAWLERS, LEAFROLLERS and ORANGE TOFTMIX. For control of DWED FRUIT BEETLES and VINEGAR FLIES on figs apply 2 1/2 pts. plus 1 to 2 gals. of unsulfured molasses per acre. For WILLAMETTE MITE and TWO-SPOTTED MITES on apples make at least 2 applications 10 to 12 days apart in summer months. For SCALE on peaches apply to completion of hatching, about last of June. For CHERRY FRUIT FLY repeat applications every 10 days. Injury may occur to McIntosh and Court and varieties of apples in summer sprays; and to certain varieties of sweet cherries particularly in the Northwest, and fruit spoiling may occur on nectarines. Do not apply within 1 day of harvest on pears; within 3 days on apples, cherries, figs, plums, prunes and quinces; within 7 days on apricots, avocados, nectarines & peaches. No limitation on Pecans.

ASPARAGUS, BEETS, CARROTS, DANDELIONS, EGGPLANT, ENDIVE, GARLIC, LEEKS, PARSLEY, PARSNIPS, PEAS, PEPPERS, SALISFY, SHALLOTS, SPINACH, SWISS CHARD & WATER-CRESS: Use 1/2 to 1 pt. per acre to control APHIDS, SPIDER MITES, THRIPS, LEAFHOPPERS, ASPARAGUS BEETLE, PEA WEEVIL and MEXICAN BEAN BEETLE. Do not apply within 1 day of harvest on Asparagus; within 3 days on Garlic, Eggplant, Leeks, Peas, Peppers and Shallots; within 7 days on Beets, Carrots, Dandelions, Endive, Parsnips, Salisfy, Swiss Chard, Spinach, Watercress and within 21 days on Parsley.

BEANS: For the control of APHIDS, SPIDER MITES, THRIPS, LEAFHOPPERS, ASPARAGUS BEETLE, PEA WEEVIL and MEXICAN BEAN BEETLE use 1 to 1 1/2 pints per acre by ground or air application. Do not apply within 1 day of harvest.

BERRIES, CANE BERRIES (Blackberries, Boysenberries, Dewberries, Loganberries and Raspberries), CRANBERRIES & STRAWBERRIES: Use 1 1/2 to 2 pts. per acre to control APHIDS, THRIPS, SPIDER MITES, WHITEFLIES, LEAFHOPPERS, ROSE SCALE, LYGIUS BUGS, SPITTLEBUGS, LEAFROLLERS, BACHHEADED FIREWORMS and STRAWBERRY ROOT WEEVIL. For STRAWBERRY ROOT WEEVIL apply to soil surface before planting and work into top 6 to 8 inches. Do not apply within 3 days of harvest on Cranberries and Strawberries and within 1 day on Caneberries.

CABBAGE, BROCCOLI, BRUSSELS SPROUTS, KALE, MUSTARD GREENS, TURNIPS: Use 1 to 2 pts. per acre to control APHIDS, IMPORTED CABBAGEWORM & CABBAGE LOOPER. Do not apply within 7 days of harvest on Brussels Sprouts, Cabbage, Kale, Mustard Greens and within 3 days on Broccoli and Turnips.

CANTALOUPE, SQUASH, MELONS: For control of APHIDS, LEAFHOPPERS, PICKLEWORM, SPIDER MITES, CUCUMBER BEETLES, use 1 1/2 to 1 3/4 pints per acre by ground or air application. Do not apply within 3 days of harvest on cantaloupes and melons, 1 day on squash.

CELERY & CUCUMBERS: Use 1 1/2 pts. per acre to control APHIDS, SPIDER MITES, and CUCUMBER BEETLE. Do not apply within 7 days of harvest on Celery or within 1 day of harvest on Cucumbers.

CITRUS (GRAPEFRUIT, LEMONS, LIMES, ORANGES, TANGERINES, TANGELOS & KUMQUATS): Use 1 to 2 pts. per 100 gals. of water to control APHIDS & SCALE CRAWLERS. Use 2 1/2 pts. per 200 gals. of water to control THRIPS. Do not apply when trees are in bloom. Do not apply within 7 days of harvest.

COTTON: Use 1-4 pts. per acre to control BOLLWEEVILS, COTTON APHID, LEAFHOPPERS, WHITE FLIES, COTTON LEAF PERFORATOR, COTTON LEAFWORM, THRIPS, and LYGIUS BUGS. In California do not use more than 1 pt. per acre. No time limitation.

DATES: (Not for use in California) Use 1 pt. per acre by air or ground application to control MTDULID BEETLES. Do not apply within 7 days of harvest.

GRAPES: Use 1 1/2 to 2 1/2 pts. per acre to control GRAPE LEAFHOPPERS, MEALYBUGS and SPIDER MITES. Injury may occur to Ribier, Italia, Cardinal and Almeria grape varieties when Malathion is applied after the clusters appear. Do not apply within 3 days of harvest.

RECOMMENDATIONS FOR USE (cont.)

LENTILS: (Not for use in California) Use 1 pint per acre to control APHIDS. Do not apply within 3 days of harvest.

LETTUCE: Use 1 to 2 pts. per acre to control APHIDS and LEAFHOPPERS. Do not apply within 7 days on Head Lettuce and within 14 days on Leaf Lettuce.

MOSQUITO LARVAE: Apply 8 fluid ozs. per acre to standing water (intermittently flooded areas, stagnant water, temporary rain pools).

ADULT MOSQUITO & FLY CONTROL: Apply 7.2 to 8.6 fluid ozs. per acre for control of ADULT FLIES and MOSQUITOES. Repeat as necessary. Can be applied to alfalfa, clover, pasture and range grass, grass hay, grain crop, beans, rice, tomatoes and non-agricultural lands. Do not apply within 7 days of harvest on grain crops and rice; 5 days of harvest on corn; 1 day of harvest on beans and tomatoes. No time limitation on alfalfa, clover, pasture and range grass, grass and grass hay. Do not apply to alfalfa and clover in bloom. Do not use on seed alfalfa. Treat shrubbery and vegetation where mosquitoes may result. Shrubby and vegetation around stagnant pools, marshy areas, ponds and shorelines may be treated.

WILBUR-ELLIS MALATHION 8 SPRAY can be applied as a dilute or low volume spray. For low volume spray, apply 0.5 to 5 gallons of water per acre. For dilute recommendations, consult the label.

Repeat applications should be made as necessary unless otherwise specified.

Undiluted spray droplets of Malathion will permanently damage automobile paint. Cars should not be sprayed. If accidental exposure does occur, the car should be washed immediately.

To be applied only by trained personnel of Public Health Organizations, Mosquito Abatement Districts, Public Mosquito Control Programs and Professional Pest Control Operators.

MUSHROOMS: Use 1 1/2 pts. per 100 gals. of water per acre of 1 1/2 lbs. in 3 gals. water per 1000 sq. ft. of bed to control SPIDER MITES, PHORID FLIES and SCIARID FLIES. Make thorough applications as soon after picking as possible. Repeat applications as necessary, usually twice a week. Do not apply within 1 day of picking.

ONIONS: Use 1 1/2 pts. per acre to control THRIPS. Do not apply within 3 days of harvest.

ORNAMENTALS: (Not for use in California) Use 1 pt. per acre to control APHIDS, SPIDER MITES, WHITEFLY, MEALYBUGS, THRIPS, and LEAFHOPPERS. Use 1 1/2 pt. per acre to control TENT CATERPILLAR, JUNIPER SCALE, FLETCHER SCALE, FLORIDA RED SCALE, PINE LEAF SCALE, and OAK KERMES. Use 1 1/2 pt. per acre to control MONTEREY PINE SCALE and SOFT SCALE. Repeat as necessary. To control listed scales — apply thorough full coverage spray at time scale crawlers have settled on foliage. Do not use on Boston, Maidenhair and Floris Ferns, and some species of Cereus.

PEPPERMINT & SPEARMINT: Use 1 pt. per acre to control APHIDS, SPIDER MITES, FLEA BEETLE ADULTS and LEAFHOPPERS. Do not apply within 7 days of cutting.

POTATOES & TOMATOES: Use 1 to 1 1/2 pts. per acre to control APHIDS, LEAFHOPPERS, FALSE CHINCH BUG and SPIDER MITES. Do not apply within 1 day of harvest on Tomatoes and no limitation on Potatoes. Call only: For the control of TOMATO FRUITWORM use 3 1/2 pts. per acre on Tomatoes. When the 3 1/2 pt. rate is used, do not apply within 5 days of harvest.

RICE (Grain Form): Use 1 1/2 pts. per acre to control RICE LEAF MINER. Make first application shortly after the first rice plants appear on the surface of the water. Do not apply within 7 days of harvest.

SAFFLOWER: Use 1 1/2 pts. per acre to control APHIDS, LYGIUS BUGS and GRASSHOPPERS. Do not apply within 3 days of harvest.

SMALL GRAINS (Barley, Oats, Rye & Wheat): Use 1 1/2 pts. per acre to control APHIDS and ARMYWORMS. Do not apply within 7 days of harvest.

STORED GRAINS (Barley, Corn, Grain Sorghum, Oats, Rice, Rye, Sunflower and Wheat): (Not for use in California) For control of RED FLOUR BEETLE, INDIAN MEAL MOTH, CONFUSED FLOUR BEETLE, RICE WEEVIL, FLAT GRAM BEETLE, RUSTY GRAM BEETLE, LESSER GRAM BORER, GRANARY WEEVIL, and SAW-TOOTHED GRAM BEETLE, use Wilbur-Ellis Malathion 8 Spray at the rate of 1/2 pint in 2 to 5 gallons of water to each 1000 bushels of the grain. Apply as grain is being loaded or turned into final storage. Field and garden seeds can be protected against the above grain pests with a dosage of 1/2 pint of Wilbur-Ellis Malathion 8 Spray in 1 to 2 1/2 gallons of water per 500 bushels of seed.

To protect stored grains from attack by INDIAN MEAL MOTHS, apply to the surface of clean or uninfested grain 1/2 pint of Wilbur-Ellis Malathion 8 Spray in 1 to 2 gallons of water per 1000 square feet of grain surface area. Apply the spray evenly over the surface of the grain. Apply immediately after grain is loaded into storage and repeat if necessary.

For residual wall, floor, and machinery spray in grain elevators, in treating truck beds, box cars, and ships' holds before loading grain, apply 1/2 gallon of Wilbur-Ellis Malathion 8 Spray per 25 gallons of water making thorough application. Before applying spray, clean elevators and box cars thoroughly. Remove and burn all sweepings and debris. When applying in ships' holds, wear protective clothing to minimize skin exposure. Wear a respirator approved by NIOSH for liquid malathion.

SUGAR BEETS: Use 1 to 2 pts. per acre to control BEET ARMYWORM and YELLOW STRIPED ARMYWORM. Do not apply within 3 days of harvest.

F-291

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Wilbur-Ellis

Ideas to grow with

P.O. BOX 16458 • FRESNO, CA 93755

COPY B

Personal Protective Equipment

Applicators and other handlers must wear:

- A) Long sleeved shirt
- B) Long pants
- C) Waterproof gloves
- D) Shoes plus socks

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.

COPY D

DIRECTION 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 the 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 Protective 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, decontaminations, notification, and emergency assistance. It also contains specific instructions, and exceptions pertaining to protective equipment (PPE). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

missing language

Do not enter or allow workers entry into treated areas during the restricted entry interval (REI) of 12 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) Waterproof gloves
- C) Shoes plus socks

COPY F

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 F on an EPA Chemical resistance category selection chart.

Barrier Laminate
Butyl Rubber ≥ 14 mils
Nitrile Rubber ≥ 14 mils

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