

PM14

2935-84

File 1 of 7



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

JAN 10 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 08/30/93 in Response to PR Notice 93-7
EPA Reg. No. 2935-84
RED-TOP MALATHION 25 SPRY POWDER

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.

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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:

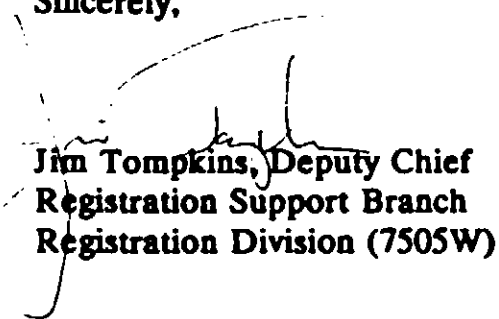
**Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001**

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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

ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN 10 1984



MALATHION 25 SPRAY POWDER

ORGANO PHOSPHATE

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 2935-84-AA.

Copy A
Copy B - Add 3/6/25
Copy C

Copy D - Add

SYNONYMS FOR USE -

ACTIVE INGREDIENTS

ACTIVE INGREDIENT	By wt.	25%
INERT INGREDIENTS		75%
TOTAL		100%

EPA Reg No 2935-84-AA

PRECAUTIONARY STATEMENTS

Keep out of reach of children.

Caution - Hazardous to humans and domestic animals.

Do not apply under conditions creating possible drift to food, forage or other plantings that might be damaged or to crops, animals or humans.

KEEP OUT OF REACH OF CHILDREN!
CAUTION

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Hazardous if inhaled. Avoid breathing dust or spray mist. Avoid contact with eyes, nose, mouth, or skin. Do not use or transport near food or feed.

Do not apply under conditions creating possible drift to food, forage or other plantings that might be damaged or to crops, animals or humans.

STORAGE AND DISPOSAL

1. Precautions: Do not contaminate water, food or feed with spray or drift.
2. Pesticide Disposal: Wastes resulting from this product may be disposed of on site or at an approved waste disposal facility.
3. 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 other means. Do not reuse or refill this container.
4. Storage: Store in original container only and keep sealed. Store in closed storage areas. Use caution when working, opening, closing or packing.

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.

If on Skin: Wash with plenty of clear water. Avoid contact with eyes, nose, mouth and clothing.

Note to Physicians: This product may cause cholinesterase inhibition. Atropine is indicated. 2-PAM may be effective as an adjunct to atropine.

RECOMMENDATIONS FOR USE

Apply, Aphids, Aweodes, Cherry, Filbert, Malnutrition, Pear, Plum, Prune, Peach and Quince: Use 2 to 4 lbs. per 100 gal. of water to control APHIDS, THIRPS, SPIDER MITES, MEALYBUGS, COOLING MOTH, BUD MOTH, EYE SPOTTED MOTH, PLUM CURCULLIO, CHERRY FRUIT FLY, PEAR PEARL, SCALE CRAWLERS, LEAFROLLERS and ORANGE YOUTHD. For Filbert use 2 lbs. per 100 gal. of water. For WILLAMETTE MITE and TWO-SPOTTED MITES on Apple apply at least 2 applications 10 to 15 days apart in summer months. For SCALE on Pear use spray at completion of leafing, and last of June. For CHERRY FRUIT FLY repeat applications every 14 days. Injury may occur if Malnutrition and Curculionid varieties of Apple in summer spray and to certain varieties of sweet Cherry particularly in the Northwest, and sun scalding may occur on quince. Do not apply within 1 day of harvest on Pear; within 3 days on Apple, Cherry, Plum, Prune and Quince; within 7 days on Apricot, Amelanchier, Hawthorn and Pear. No restriction on Filbert and Peach.

Azadirachtin, Beans, Bush, Carrot, Cauliflower, Eggplant, Endive, Garlic, Lettuce, Parsley, Parsnips, Peas, Peppers, Spinach, Squash, Swiss Chard and Watermelon: Use 4 to 5 lbs. per acre to control APHIDS, SPIDER MITES, THIRPS, LEAFHOPPERS, AMERICAN BEETLE, PEA WEEVIL and MEXICAN BEAN BEETLE. Do not apply within 1 day of harvest on Azadirachtin or Beans within 3 days on Squash, Garlic, Lettuce, Peas, Peppers and Spinach; within 7 days on Parsnips, Carrot, Cauliflower, Endive, Parsley, Swiss Chard, Squash and Watermelon; within 21 days on Parsley.

Banana: Comstock (Blackberry), Bayonetberry, Bayberry, Loganberry and Raspberry), Cranberry and Strawberry: Use 5 to 6 lbs. per acre to control APHIDS, THIRPS, SPIDER MITES, WHITEFLIES, LEAFHOPPERS, ROSE SCALE, LYBUS BUSS, SPITTLEBUGS, LEAFROLLERS, BLACK HEADED PEARWORMS and STRAWBERRY ROOT WEEVIL. For STRAWBERRY ROOT WEEVIL apply to soil surface before planting and each time 6 to 8 inches. Do not apply within 3 days of harvest on Cranberry or Strawberry and within 1 day on Strawberry.

Cabbage, Broccoli, Brussels Sprouts, Kale, Mustard Greens and Turnips: Use 10 lbs. per acre to control APHIDS, IMPORTED CABBAGEWORMS and CABBAGE LOOPER. Do not apply within 7 days of harvest on Brussels Sprouts, Cabbage, Kale, Mustard Greens and within 3 days on Broccoli or Turnips.

Corn: Use 5 lbs. per acre to control APHIDS and SPIDER MITES. Do not apply within 7 days of harvest.

Citrus: Grapefruit, Lemons, Limes, Oranges, Tangerines, Tangelos and Kumquats: Use 8 lbs. per 100 gal. of water to control APHIDS, THIRPS and SCALE CRAWLERS. Do not apply when trees are in bloom. Do not apply within 7 days of harvest.

Grapes: Use 6 lbs. per acre to control APHIDS, LEAFHOPPERS, MEALYBUGS and SPIDER MITES. Injury may occur to Raisin, Raisin, Cardinal and Niagara grape varieties when Malathion is applied after the clusters appear. Do not apply within 3 days of harvest.

Lettuce: Use 5 lbs. per acre to control APHIDS, CABBAGE LOOPER, LEAFHOPPERS and SPIDER MITES. Do not apply within 7 days of harvest on Head Lettuce and 14 days on Leaf Lettuce.

Melons: Use 4 lbs. per acre to control APHIDS. Use 6 lbs. per 100 gal. of water per acre or 2.2 lbs. in 5 gal. of water per 100 gal. of water to control SPIDER MITES, PHONO and BEARD FLIES. Make thorough applications as soon as possible after planting. Repeat applications as necessary, usually twice a week. Do not apply within 1 day of picking.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic stages of amphibians. For terrestrial uses, do not apply if spray is near, or to areas where surface water is present or to terrestrial areas below the maximum 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 especially 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.

RECOMMENDATIONS FOR USE (cont.)

Onion: Use 4 lbs. per acre to control APHIDS, SPIDER MITES, WHITEFLY, MEALYBUGS, THIRPS, JAPANESE BEETLE, FLOURY LEAFHOPPER, TANNED PLANT BUG, LEAFHOPPERS and OYSTER SHELL SCALE. Use 8 lbs. per acre to control SOFT BROWN SCALE, MONTGOMERY PINE SCALE, BLACK SCALE, JUMPER SCALE and FLORIDA RED SCALE. Use 4 lbs. per acre to control PINE NEEDLE SCALE. Use 3 lbs. per acre to control OAK KEEPS and FLETCHER SCALE. Use 2 lbs. per acre to control TENT CATERPILLAR. Use 4 lbs. per acre to control LAC BUG and BROWN WORM. Repeat as necessary. Test initial label rates. Apply through full-coverage spray of fine nozzles or misters on foliage. Do not use on Boston, Malabar and Pavia Ferns, and some species of Cereus.

Peppermint and Sweetwood: Use 4 lbs. per acre to control APHIDS, SPIDER MITES, FLEA BEETLE ADULTS and LEAFHOPPERS. Do not apply within 7 days of harvest.

Peppers and Tomatoes: Use 6 lbs. per acre to control APHIDS, LEAFHOPPERS, FALSE CHICH BUG and SPIDER MITES. Do not apply within 1 day of harvest on Tomatoes and no live irritation on Peppers.

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 warrant any express or implied, concerning the material or the use thereof, except in conformity with the statements on the label. Neither WILBUR-ELLIS COMPANY nor the seller shall be held responsible in any manner for any personal injury or property damage or loss resulting to the buyer or to the other person from handling, storage or use of this material, except as stated on the label. 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

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

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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/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