

PM21

2935-92

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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. 2935-92
RED-TOP SPRAY SULFUR

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 SoyCandis 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**

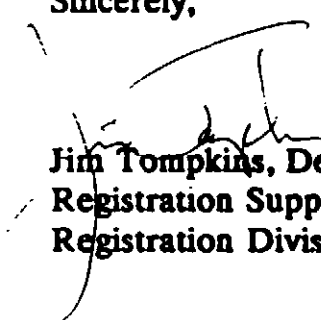
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Hand or courier deliveries of final labeling may be made to:

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

SPECIMEN LABEL

WILBUR-ELLIS

SPRAY SULFUR

588
ACCEPTED
with COMMENTS
in EPA Letter Dated

JAN 10 1994

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

2935-92

ACTIVE INGREDIENT:

Sulfur

By Wt.

97.0%

INERT INGREDIENTS:

3.0%

TOTAL 100.0%

EPA Reg. No. 2935-92-AA

EPA Est. No. 2935-CA-1

KEEP OUT OF REACH OF CHILDREN!

CAUTION:

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing dust, vapor or spray. Wash thoroughly with soap and water after handling. Repeat as often as needed during and after use.

STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Call a physician or poison control center. Promptly drink one or two glasses of water and induce vomiting by touching back of throat with fingers. Do not induce vomiting or give anything by mouth to an unconscious person.

If Inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth to mouth. Get medical attention.

If In Eyes: Flush with a gentle steady stream of water for 15 minutes. Get medical attention.

If On Skin: Wash with plenty of soap and water. Get medical attention if rash or burns develop.

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ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to terrestrial areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Do not apply when weather conditions favor drift from treated areas.

PHYSICAL HAZARD

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

RECOMMENDATIONS FOR USE (cont.)

GRAPES: POWDERY MILDEW — Concentrate Spray — 2.5 lbs. per acre in sufficient water for coverage. Dilute Spray — 4 lbs. per 100 gallons depending on the amount of foliage present and severity of infestation. Apply when shoots are 1 1/2"-3" long. Repeat before blossoms open and continue as necessary on a 7-10 day cycle.

NOTE: Concord and other Labrusca type grapes may be injured by sulfur. Sulfur can cause injury to foliage and fruit on all varieties when applied just before or on days when temperatures exceed 100 degrees.

The amount per acre may be reduced during periods of high temperatures to reduce burning. In some counties there is a 3 day re-entry period when using sulfur. Consult your local county agricultural commissioner.

MELONS: POWDERY MILDEW — Use 10-24 lbs. per acre. Treat when disease first appears. Repeat as necessary. Powdery Mildew may be controlled by sulfur, but sulfur often injures the vines, particularly if the temperature reaches 95°F. DO NOT USE ON SULFUR SENSITIVE VARIETIES.

ONIONS: PETIOLE MITE, POWDERY MILDEW — Use 4-19 lbs. per acre. Begin when disease or mites first appear and repeat as necessary.

PEACHES and NECTARINES: BROWN ROT, CORYNEUM BLIGHT, RUST, PEACH SILVER MITE, POWDERY MILDEW — Apply 10-18 lbs. per acre from popcorn stage up to harvest. For BROWN ROT control in summer sprays apply up to 30 lbs. per acre starting about 4-5 weeks before harvest and continuing at weekly intervals.

PEANUTS: RUST — Use 3-11 lbs. per acre. Begin application approximately 6 weeks after planting. Repeat at 7-10 day intervals as long as rust control is required.

PEARS: SCAB, POWDERY MILDEW — Apply 8 lbs. plus 1 gallon lime sulfur per acre in the green tip or pre-blossom spray. On Bartlett pear, apply 8-10 lbs. at petal fall through second cover sprays. Sensitive varieties (e.g., Anjou, Comice) under certain climatic conditions may be injured by sulfur.

PEAS: POWDERY MILDEW, RUST, SPIDER MITES — Use 4-9 lbs. per acre. Begin when disease or mites first appear. Repeat at 7-10 day intervals.

PSTACHIOS: CITRUS FLAT MITE — Use 50 lbs. per acre. Apply when mites first appear and repeat as necessary.

PLUMS, PRUNES: BROWN ROT, PRUNE RUST — Apply 10-18 lbs. per acre in summer sprays. Make first application about 5 weeks before harvest and thereafter at weekly intervals if wet weather occurs.

POTATOES: POWDERY MILDEW, TWO-SPOTTED SPIDER MITE — Use 4-9 lbs. per acre. Apply when disease or mites first appear. Repeat at 3-4 week intervals or as necessary.

STRAWBERRIES: POWDERY MILDEW — Apply 4-15 lbs. per acre. Begin at first sign of disease and repeat as necessary. Discontinue applications during hot weather. Sulfur may injure strawberries under certain climatic conditions.

SUGAR BEETS: POWDERY MILDEW — Apply 8 to 10 lbs. per acre in 40 to 50 gallons of water. Apply when disease first appears. Repeat applications at 3- to 4-week intervals or as necessary.

TOMATOES: TOMATO RUSSET MITE — Apply 6 to 10 lbs. per acre in sufficient water for thorough coverage. May be applied with ground equipment or aircraft, depending on local conditions.

ORNAMENTALS

FOR ORNAMENTAL CROPS: BLACK SPOT, POWDERY MILDEW, RUST — Apply 5-6 lbs. per 100 gallons (or 3 tablespoons per gallon). Spray for full coverage wetting both sides of leaves. Begin when disease appears and repeat at 5-10 day intervals and after rain.

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

CALENDULAS, CEDARS, CHERRY LAURELS, CRYPTANTHEMUMS, HOLLYHOCK, JUNCUS, LILAC, SPINACEA: For control of Leaf Spot and Powdery Mildew.

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

COSMOS, CREPE MYRTLE, DAPHNE, DELPHINIUM, DOGWOOD, EUONYMUS, GLADIOLUS, GULFEN FLEECE, HIBISCUS, HOLLY, LADY'S MANTLE, LIGULSTRUM, LILAC, POPLARS, SILVER VINE, SPIREA, SUNFLOWER, SWEET PEA, VERBENA, VIOLETS, WILLOWS, ZEBRAS: For control of Powdery Mildew.

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

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 this 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, 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.

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- Registered Trademark of Wilbur Ellis Company

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

(continued on next page)

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SPRAY SULPHUR (continued)

INSTRUCTIONS FOR USE

Read and follow all Federal law to use this product in a manner consistent with its labeling.

RE-ENTRY STATEMENT

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 until at least 24 hours after completion of application to the area unless wearing the protective clothing listed below. During entry, wear protective clothing (less than 24 hours after the completion of application) to perform hard labor tasks, wearing pants (or coveralls), long sleeved shirt, shoes, socks, chemical-resistant gloves, goggles or face shield.

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, shoes or fields that cannot be entered without the clothing, a need of time area to be vacated, and statement of potential exposure 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 Sulfur on (date of application). Do not enter without appropriate protective clothing for 24 hours. (Insert here action to take in case of accidental exposure)."

Pesticide Handlers: During mixing, loading, and application of this product, wear long pants (or coveralls), long sleeved shirt, shoes, socks, chemical-resistant gloves, goggles or face shield.

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

Some burning of plant foliage may occur when used during warm weather.

Sulfur will cause severe frost and leaf injury to sulfur sensitive crops. Use only as directed on label.

Do not apply when shade temperatures exceed or are likely to exceed 90°F. Sulfur may burn foliage and fruit during periods of high temperature and under certain climatic conditions. Do not use sulfur within 30 days of an oil spray (60 days on citrus). If the crop to be treated will be used for canning or freezing purposes, consult food processor before applying sulfur.

Pour recommended amount of this material through screen on surface of water in nearly filled spray tank, or pre-mix in a bucket half filled with water and pour mixture into nearly filled spray tank. Add balance of water to fill tank. Keep agitator running during filling and spraying operations. Do not allow mixture to stand. Do not use in low-volume gear-type spray equipment. Do not combine with emulsifiable liquids in the same tank.

This product is formulated for application by ground or air equipment.

Consult with State Agricultural Experiment Station or State Agricultural Extension Service personnel for additional information consistent with label cautions and directions.

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.

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

DILUTE GROUND APPLICATION:

- A Orchard Application — Apply specified rate in 100 to 800 gallons of water per acre
- B All Other Applications — Apply specified rate in 20 to 60 gallons of water per acre

CONCENTRATED GROUND APPLICATION:

- A Orchard Application — Apply specified rate in 20 to 100 gallons of water per acre
- B All Other Applications — Apply specified rate in not less than 5 gallons of water per acre

AERIAL APPLICATION:

- A Orchard Rates — Should not be applied in less than 10 gallons of water per acre
- B All Other Applications — Apply specified rate in 5 to 20 gallons of water per acre

RECOMMENDATIONS FOR USE

ALFALFA: LYGUS, PACIFIC AND STRAWBERRY (ATLANTIC) MITES — Use 10-20 lbs. per acre. Repeat at 1-2 week intervals.

ALMONDS: BROWN ROT, SCAB, SHOTHOLE — Use 8-30 lbs. per acre in pre-bloom, bloom and post-bloom periods. Apply when disease threatens or during rain periods and repeat at 7-10 day intervals. BROWN ALMOND, EUROPEAN RED, TWO-SPOTTED, PACIFIC AND STRAWBERRY (ATLANTIC) MITES — Use 12-25 lbs. per acre. Apply when infestation first occurs and repeat as necessary.

APPLES: SCAB, POWDERY MILDEW — Apply 8-15 lbs. per acre from green tip or pre-blossom spray through second cover spray. Add 1 gallon lime sulfur in green tip and calyx sprays. Use on sulfur tolerant varieties only. Macintosh, Golden Delicious, Jonathan and certain other varieties may be injured by sulfur under certain climatic conditions.

BEANS: For the control of SPIDER MITE and POWDERY MILDEW, use 8-15 lbs. per acre. Sulfur may injure certain varieties of beans. Begin application when disease first appears. Repeat as necessary.

BLACKBERRIES, BOYSENBERRIES, DEWBERRIES, LOGANBERRIES, RASPBERRIES: POWDERY MILDEW — Use 25-30 lbs. per acre. Begin when new shoots are 6 inches long and before blossoms open. Repeat at 10 day intervals or as necessary.

BLUEBERRIES, HUCKLEBERRIES, CURRANTS, GOOSEBERRIES: POWDERY MILDEW — Use 15-30 lbs. per acre. Begin when disease is expected to appear. Repeat at 7-10 day intervals or as necessary.

CARROTS: PETIOLE MITE, POWDERY MILDEW — Use 9-14 lbs. per acre. Apply when mites or disease first appear, and repeat as necessary.

CHERRIES: BLOSSOM BLIGHT, BROWN ROT, LEAF SPOT, POWDERY MILDEW — Apply 8-12 lbs. per acre. Begin in petiole stage. Repeat at bloom, post fall and in cover stages at 7-14 day intervals or when infestations of powdery mildew first appear and as a post harvest foliar treatment for LEAF SPOT.

CORN, SMALL GRAINS (BARLEY, OATS, RYE, WHEAT), SORGHUM, SOYBEANS: TWO-SPOTTED, GRASS BANKS, AND PACIFIC MITES, ATLANTIC MITE (SMALL GRAINS ONLY), POWDERY MILDEW — Use 8-14 lbs. per acre. Apply when disease first appears or when mites appear on bottom leaves, and repeat as necessary.

COTTON: For control of STRAWBERRY (Atlantic) MITES, use 3 to 10 pounds per acre. For air applications, use 5 to 10 gallons of water per acre. For ground applications use 20 to 40 gallons per acre.

CITRUS: SIX-SPOTTED and CITRUS MITES — Apply 8 lbs. per acre, CITRUS FLAT and YUMA SPIDER MITES — Apply 60 lbs. per acre.

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P.O. BOX 16458 • FRESNO, CA 93755

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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.

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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.

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language

Do not enter or allow workers 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) Waterproof gloves
- C) Shoes plus socks