

2935-92

09/29/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

SEP 29 2009

Ms. Sandi Escamilla  
Wilbur-Ellis Company  
P.O. Box 1286  
Fresno, CA 93715

Subject: Spray Sulfur  
EPA Registration No. 2935-92  
Your submission dated: May 8, 2009  
Decision No. 414587

Dear Ms. Escamilla:

The label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following conditions are met:

1. On page 2 of your product label under "Aerial Application", revise "Orchard Rates" to read "Do not apply in less than 10 gallons of water per acre".
2. Make the following revisions to your "Conditions of Sale and Limitation of Warranty and Liability" section:
  - a. Revise the last sentence of the first paragraph to read "To the extent consistent with applicable law, all such risks shall be assumed by the Buyer and User, and, to the extent consistent with applicable law, Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors.
  - b. Revise the second and third sentences of the second paragraph as follows: "Except for this warranty, the product is furnished "as-is" and, to the extent consistent with applicable law, neither the Seller nor Manufacturer makes any other warranties, express or implied, with respect to the selection, purchase or use of this product; to the extent consistent with applicable law, seller and manufacturer specifically disclaim any warranty of merchantability or fitness for

particular purpose beyond what is stated on the label. To the extent consistent with applicable law, Buyer and User accept all risks arising from any use of this product..."

- c. Add "To the extent consistent with applicable law" to the beginning of the first and second sentences of the third paragraph.

One copy of the label stamped "Accepted, with comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Tracy Keigwin of my team at (703) 305-6605 and/or via email at [keigwin.tracy@epa.gov](mailto:keigwin.tracy@epa.gov)

Sincerely,



Mary L. Waller  
Product Manager 21  
Fungicide Branch  
Registration Division (7505P)

Enclosure: Label accepted with comments

SEP 29 2009

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



WILBUR-ELLIS

# SPRAY SULFUR

2935-92

ACTIVE INGREDIENT	% By Wt.
Sulfur.....	97.00%
OTHER INGREDIENT.....	3.00%
TOTAL.....	100.00%

EPA Reg. No. 2935-92

EPA Est. No. 2935-CA-12

**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 on Skin or Clothing:	<ul style="list-style-type: none"> <li>•Take off contaminated clothing.</li> <li>•Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>•Call a poison control center or doctor for treatment advice.</li> </ul>
If in Eyes:	<ul style="list-style-type: none"> <li>•Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>•Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>•Call a poison control center or doctor for treatment advice.</li> </ul>
If Inhaled:	<ul style="list-style-type: none"> <li>•Move person to fresh air.</li> <li>•If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>•Call a poison control center or doctor for further treatment advice.</li> </ul>
EMERGENCY TELEPHONE NUMBERS: (800) 424-9300 CHEMTREC (transportation and spills); (800) 900-4044 Poison Control Center (human health); (800) 345-4735 ASPCA (animal health)	

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

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) Goggles or faceshield.

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 washwaters or rinsate. 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.

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## 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) Goggles or faceshield.

### STORAGE AND DISPOSAL

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

**Nonrefillable Container:** Do not reuse or refill this container.

**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**

### USE PRECAUTIONS

**IMPORTANT:** Do not apply this product if temperatures during or within 3 days after application are expected to exceed 90°F in the area to be treated. Do not make applications within 2 weeks of an oil spray. Sulfur may burn foliage and fruit during periods of high temperature and under certain climatic conditions.

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

### GENERAL INFORMATION

If the crop to be treated will be used for canning or freezing purposes, consult food processor before applying sulfur.

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

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

#### DILUTE GROUND APPLICATIONS:

- 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.

## APPLICATION RATES

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:** 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 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. Begin application when disease first appears. Repeat as necessary. Certain varieties may be injured by applications of sulfur. For these crops, it is recommended that a test be conducted on a small number of plants to check for sulfur sensitivity prior to application to the entire field.

**BLACKBERRIES, BOYSENBERRIES, DEWBERRIES, LOGANBERRIES, RASPBERRIES:** POWDERY MILDEW – Use 23-38 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 15-38 lbs. per acre. Begin when disease is expected to appear. Repeat at 7-10 day intervals or as necessary.

**CARROTS:** PETROBIA 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 popcorn stage. Repeat at bloom, petal 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.

**CITRUS:** SIX-SPOTTED and CITRUS MITES – Use 8 lbs. per acre; CITRUS FLAT and YUMA SPIDER MITES – Apply 75-100 lbs. per acre. Do not apply within 21 days of an oil spray.

**CORN, SMALL GRAINS (BARLEY, OATS, RYE, WHEAT), SORGHUM, SOYBEANS:** TWO-SPOTTED, GRASS BANKS and PACIFIC MITES, ATLANTIC MITE (SMALL GRAINS ONLY), POWDERY MILDEW – Use 6-14 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 3-10 lbs. per acre. For air applications, use 5 to 10 gallons of water per acre. For ground applications use 20-40 gallons per acre.

**GRAPES:** POWDERY MILDEW – Concentrate Spray – 2-5 lbs. per acre in sufficient water for coverage. Dilute Spray – 2-5 lbs. per 100 gallons depending on the amount of foliage present and severity of infestation. Apply when shoots are 1 - 3 inches 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 reentry period when using sulfur. Consult your local county agricultural commissioner.

**MACADAMIA NUTS:** For control of BROAD MITES – Use 6 lbs of Spray Sulfur per 10-20 gallons of water for aerial applications or 100 gallons of water for thorough spray applications by ground equipment. Apply when mites first appear and repeat as necessary to maintain control. Do not apply in combination with emulsifiable pesticide formulations since foliar injury may occur. May be applied up to 24 hours before harvest.

**MELONS:** POWDERY MILDEW – Use 19-24 lbs. per acre. Treat when disease first appears. Repeat as necessary. Certain varieties may be injured by applications of sulfur. For these crops, it is recommended that a test be conducted on a small number of plants to check for sulfur sensitivity prior to application to the entire field.

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

**PAPAYAS:** For control of MITES – Use 6 lbs. of Spray Sulfur in 100 gallons of water by ground equipment. Apply when mites first appear and repeat as necessary to maintain control. Do not apply in combination with emulsifiable pesticide formulations since foliar injury may occur. May be applied up to 24 hours before harvest. Do not apply to low vigor, moisture stressed plants. Do not apply prior to or during periods of excessively high temperatures, unseasonably low rainfall or within two weeks of an oil spray.

**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

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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 stage. On Bartlett pears, apply 8-18 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.

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

**TOMATOES:** TOMATO RUSSET MITE – Apply 6-10 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, 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, WILLOWS, ZINNIAS – For control of Powdery Mildew.

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

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

**ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.**

The Directions for Use of the product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors.

**Seller warrants that this product conforms to the chemical description on the label. EXCEPT FOR THIS WARRANTY, THE PRODUCT IS FURNISHED "AS-IS", AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEYOND WHAT IS STATED ON THE LABEL. Buyer and User accept all risks arising from any use of this product, including without limitation, uses contrary to label instructions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.**

Neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE BUYER OR USER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT, OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted, unless otherwise required by the law of the state of purchase, in accordance with the laws of the State of California, excluding its conflicts of laws rules, and may not be amended by any oral or written agreement.

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NET CONTENTS: 50 POUNDS

Manufactured by:



P.O. BOX 16458 – FRESNO, CA 93755

Batch Code\_\_\_\_