

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

FEB 25 2004

Ms. Linda D. Pearce
Registration Specialist
Wilbur-Ellis Company
P.O. Box 1286
Fresno, CA 93715

Dear Ms. Pearce:

Subject: Updated First Aid Labeling
Premium Grade Malathion Grain Protectant
EPA Reg. No. 2935-139
Your Application of October 9, 2003

The labeling amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable, provided that you submit two copies of your revised final printed label incorporating the correction cited below before you release the product for shipment.

The terms active ingredients and inert ingredients must be equally prominent on the finished label.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended label constitutes acceptance of this condition.

A stamped copy of the label is enclosed for your records.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn A. Mautz".

Marilyn A. Mautz
Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)



PREMIUM GRADE MALATHION Grain Protectant

ORGANOPHOSPHATE

2/3
ACCEPTED
with COMMENTS
in EPA Letter Dated:

FEB 25 2004

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

2935-139

ACTIVE INGREDIENTS:

Malathion*	57%
INERT INGREDIENTS**	43%
TOTAL	100%

*O, O-dimethyl dithiophosphate of diethyl mercaptosuccinate

**Contains Xylene Range Aromatic Solvent . . . 38%

(Manufactured from technical premium grade malathion)

EPA Reg. No. 2935-139 EPA Est. No. 2935-CA-01

KEEP OUT OF 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 swallowed: -Call a poison control center or doctor immediately for treatment advice.
-Do not give any liquid to the person.
-Do not induce vomiting unless told to do so by a poison control center or doctor.
-Do not give anything by mouth to an unconscious person.

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.

Note to Physician: This product contains an organophosphate that inhibits cholinesterase. Atropine is antidotal. 2-PAM may be effective as an adjunct to atropine. Contains petroleum distillate-vomiting may cause aspiration pneumonia.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS
AND DOMESTIC ANIMALS**

Harmful if Swallowed. Avoid breathing of spray mist. Avoid contact with skin, wash thoroughly after using. Avoid contamination of feed and foodstuffs. Wash 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 F on an EPA Chemical-resistance category selection chart.

Applicators and other handlers must wear: A) Coveralls; B) Chemical-resistant gloves such as Barrier laminate, Butyl rubber, Nitrile rubber or Viton; C) 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.

ENVIRONMENTAL HAZARDS

Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark.

DO NOT USE THIS PRODUCT FOR ANY PURPOSE OTHER THAN THAT RECOMMENDED ON THIS LABEL. DO NOT ALLOW THIS PRODUCT TO DRIFT FROM AREA BEING TREATED.

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

NET WEIGHT:

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

RECOMMENDATIONS FOR USE

For a residual wall, floor and machinery spray in grain elevators, in treating truck beds, box cars and ships' holds before loading grain (corn, barley, oats, rye and wheat), apply 1 gallon of Red-Top Premium Grade Malathion Grin Protectant per 25 gallons of water making thorough application. Before applying spray, clean elevators and box cars thoroughly. Remove and burn all sweepings and debris. Wear a respirator.

STORAGE AND DISPOSAL

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

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: 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.

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

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 ABOVE
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