



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. 2935-311  
RED-TOP SUPERIOR SPRAY OIL

**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/Carna 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:

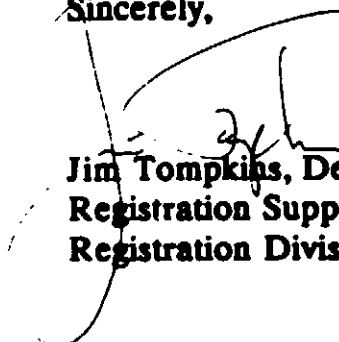
Document Processing Desk (FIN-LABEL)  
 Office of Pesticide Programs (7505C)  
 U.S. Environmental Protection Agency  
 401 M Street, SW  
 Washington, D.C. 20460-0001

Page 4

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



# SUPERIOR SPRAY OIL

## DIRECTIONS FOR USE

### 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 at a registered or approved waste disposal facility.
3. Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reuse, or dispose of in a sanitary landfill, or by other procedures approved by state or local authorities.
4. General: Store in original container only and keep sealed. Store in closed container when moving, opening, closing or pouring.

**ACTIVE INGREDIENT:**

|                               |               |
|-------------------------------|---------------|
| Mineral Oil .....             | 99.0%         |
| <b>INERT INGREDIENT .....</b> | <b>1.0%</b>   |
|                               | <b>100.0%</b> |

Unsulfonated Residue (ASTM D-483) ..... 93.0%

Petroleum Oil Classification: Unclassified

EPA Reg. No. 2935-311-AA

EPA Est. No. 2835-CA-1

**KEEP OUT OF REACH OF CHILDREN!**

## CAUTION:

Harmful if swallowed. Do not induce vomiting. Call a physician immediately.

### PRE CAUTIONARY STATEMENTS

*Copy B - Add*  
READ ENTIRE LABEL. Use strictly in accordance with label cautions, warnings and directions; and in conformity with Federal and State regulations.

Avoid breathing spray mist.

### ENVIRONMENTAL HAZARDS

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.

*Copy D - Add*

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent 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 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 Spray Oil 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.)"

ACCEPTED  
with COMMENTS  
in EPA Letter #1991

NET CONTENTS:

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

JAN 10 1991  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
2935-311

**BEST AVAILABLE COPY**

DO NOT APPLY spray oil without consulting your State Agricultural Extension Service.

DO NOT COMBINE WITH SULFUR SPRAYS and DO NOT APPLY spray oil within 30 days of application of sulfur.

DO NOT MIX with insecticides or fungicides incompatible with oil. Consult your State Agricultural Extension Service for specific compatibilities.

DO NOT APPLY to trees weakened by disease, drought, drying winds or high nitrogen.

DO NOT USE Red-Top Superior Spray Oil when temperatures are above 90° Fahrenheit.

DO NOT APPLY this product through any type of irrigation system.

Dilution Rate: Apply rates given in 50-2000 gallons water per acre.

Fill spray tank with 1/2 the required amount of water. Start agitator. Add total amount of water and start agitator while adding balance of water and while spraying.

Spray oil may be used as a carrier for appropriate insecticides and fungicides which are registered for use on deciduous fruits and nuts and which can be applied to give a uniform spray. Consult your State Agricultural Extension Service.

GENERAL DIRECTIONS: Red-Top Superior Spray Oil is designed specifically for use on deciduous fruits and nuts.

Apply so as to give total coverage to all parts of tree. Thorough drenching of trunks, limbs and branches is essential for maximum insect control.

Use only in spray machines with powerful positive agitation. Keep agitator running at all times. Red-Top Superior Spray Oil is formulated as a "fast break" spray oil and will not break down or fade constantly!

### RECOMMENDATIONS FOR USE

ALMONDS, APRICOTS, APPLES, CHERRIES, NECTARINES, PEACHES, PEANUTS, PEARL ONIONS, PEARS, PLUMS, PRUNES, QUINCE, RAISINS, STRAWBERRIES, WALNUTS (Dormant, delayed dormant or summer applications): Apply 10 to 12 gallons oil per acre. For control of RED-LEAF MITE, BROWN ALMOND MITE, TWO-SPOTTED MITE, PACIFIC MITE, STRAWBERRY MITE, PLUM NURSERY MITE, WILLAMETTE MITE, PEACH SILVER MITE, SAN JOSE SCALE and LECANIUM SCALE.

FIGS (Dormant application): For the control of FIG SCALE apply 1 1/2 to 2 gallons of SUPERIOR SPRAY OIL per 100 gallons of water. Do not apply oil to trees in dry or windy weather or if the orchard has been irrigated. Apply when temperature is above 40°F.



WALNUTS (Late spring application): Apply 5-7 gallons oil per acre for control of SAN JOSE SCALE and NUT APHID.

NOTICE: The statements made on this label are believed to be true and accurate, but because they are beyond our control, WILBUR-ELLIS COMPANY does not make, nor does it authorize any person to make, any warranty, guaranty or representation, expressed or implied, concerning the material herein. In conformity with the statements on the label, neither WILBUR-ELLIS COMPANY nor the seller is in any manner liable for any personal injury or property damage or loss resulting to the buyer or user from the use, storage or use of this material, not in accordance with directions. The buyer assumes all responsibility for proper handling, storage or use and accepts and uses this material on these conditions.

WILBUR-ELLIS COMPANY is a registered trademark of WILBUR-ELLIS COMPANY.

**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 worker(s) 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