

2935-399

3-25-2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Biopesticides and Pollution Prevention Division (7511P)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number:

2935-399

Date of Issuance:

3/25/08

Term of Issuance:

Unconditional

Name of Pesticide Product:

Bt 320 Sulfur 25 Dust

NOTICE OF PESTICIDE:

Registration
 Reregistration (under FIFRA, as amended)

Name and Address of Registrant (Include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Document, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain registration of your product.

A copy of the approved label for the product is enclosed for your records.

Signature of Approving Official:

Janet L. Andersen, Ph.D., Director, Biopesticides and Pollution Prevention Division (7511P)

Date:

3/25/08

EPA Form 8570-6

CONCURRENCES

| | | | | | | | |
|---------|----------|--|--|--|--|--|--|
| SYMBOL | 7511P | | | | | | |
| SURNAME | Reynolds | | | | | | |
| DATE | 3/25/08 | | | | | | |

EPA Form 1320-1A (1/90)

Printed on Recycled Paper

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BT 320 SULFUR 25 DUST

(BACILLUS THURINGIENSIS)

2/3

ACTIVE INGREDIENTS:

| | |
|--|----------------|
| Bacillus thuringiensis subsp. <i>kurstaki</i> strain ABTS-351, fermentation solids and solubles..... | 0.582% |
| Sulfur..... | 25.000% |
| INERT INGREDIENTS..... | 74.418% |
| TOTAL..... | 100.00% |

Potency: 145 Million Cabbage Looper Units per pound of this product. The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No. 2935-399

**KEEP OUT OF THE REACH OF CHILDREN
CAUTION**

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

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.

Mixer/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

This product must not be applied aerially within 1/4 mile of any habitats of endangered or threatened lepidoptera. No manual application can be made within 300 feet of any threatened or endangered lepidoptera.

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"> • 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. |
|-------------------------|---|

| | |
|-------------|---|
| If in Eyes: | <ul style="list-style-type: none"> • 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. |
|-------------|---|

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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.

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) 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) Waterproof gloves; C) Shoes plus socks.

DIRECTIONS FOR USE continued:

Apply appropriate amounts when air is calm, using ground equipment, aircraft or hand duster. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control. Good underleaf coverage is essential since the insect must ingest BT 320 Sulfur 25 Dust. After eating BT 320 Sulfur 25 Dust, some insects stop feeding but may otherwise appear to be unaffected for several days. Use the higher rates against very heavy infestations, or where it is difficult to obtain good coverage due to rank foliage. BT 320 Sulfur 25 Dust is exempt from tolerance requirements and may be applied at the use rates up to the day of harvest.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

CAUTION: Applications of sulfur should not be made just prior to or during periods of high summer temperatures. Do not make applications within 2 weeks of an oil spray. Do not use or allow this material to drift onto sulfur sensitive Melons, Squash, Cucumbers, Apricots, Spinach or other plants which may be injured by sulfur. Concord and other Labrusca type grapes may be injured by sulfur.

ACCEPTED

MAR 25 2008

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 2935-399

NET CONTENTS = 50 POUNDS

USE RATE

Do not mix or dilute with other products.
Thorough coverage is essential when using BT 320 Sulfur 25 Dust.

| CROP | PEST | LBS. PER ACRE |
|--------------------------------|------------------------|---------------|
| Broccoli, Cabbage | Cabbage looper | 20 - 40 |
| Collards, Kale, Mustard Greens | Imported cabbageworm | 20 - 35 |
| Cauliflower | Cabbage looper | 20 - 50 |
| | Imported cabbageworm | 20 - 40 |
| Cotton | Cabbage looper | 25 - 50 |
| Celery, Lettuce | Cabbage looper | 20 - 50 |
| Potatoes, Spinach | Cabbage looper | 20 - 40 |
| Sugar Beets | Powdery Mildew | 35 - 50 |
| | Two-Spotted Mite | |
| | Pacific Mite | |
| | Strawberry Mite | |
| Tomatoes | Imported cabbageworm | 20 - 40 |
| | Tomato Hornworm | |
| Turnip Greens | Imported cabbageworm | 20 - 35 |
| Grapes | Grape Leaf Folder | 20 - 50 |
| | Powdery Mildew | |
| Grapes (California) | Grape Leaf Folder | 20 - 50 |
| | Omnivorous Leaf Roller | |
| | Powdery Mildew | |

Start treating as soon as possible after hatching and before larvae are protected by leaf folds. Apply by ground equipment to obtain thorough coverage of leaf surfaces. For the control of OMNIVOROUS LEAF ROLLER and GRAPE LEAF FOLDER with a scheduled program of 4 to 6 applications, apply 12.5 to 25 lbs. per acre for each application.

For POWDERY MILDEW control, this product may be substituted for a regularly scheduled (7 to 10 day) application of Dusting Sulfur. But this product is not intended for use to control Powdery Mildew other than in a scheduled program.

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.
- Nonrefillable Container:** Do not reuse or refill this container. Completely empty bag into application equipment. Then, dispose of empty bag in a sanitary landfill or by incineration. Do not burn, unless allowed by state and local ordinances.
- Storage:** Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring. Store in cool place.

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

Manufactured by:

**Wilbur-Ellis Company
PO Box 1286 Fresno CA 93715**

Batch code: _____