



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

PM 14 2935-443

8453613 P1184

FEB 05 1996

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Joanne Striebich
Registration and Labeling Specialist
Wilbur-Ellis Company
191 West Shaw Ave., Suite 107
Fresno, CA 93704

Dear Ms. Striebich:

Subject: Deletion of Unsupported Malathion Uses
50% Malathion Spray
EPA Registration No. 2935-443
Your Application Dated November 3, 1993

The amendment referred to above, submitted in connection with registration under FIFRA, is acceptable, provided that you:

Submit one copy of your final printed labeling incorporating the following correction(s) before you release the product for shipment.

1. Delete the claim, "pets" wherever it appears throughout the label. Though you have deleted the directions for use on pets, the claim still appears on the submitted label.

2. Delete the ingredient, "petroleum hydrocarbon" from the active ingredients in the label ingredient statement to reflect the change in status of this ingredient from active ingredient to inert ingredient as was accomplished in your application of April 18, 1990.

3. Reinstate the statement, "contains xylene range aromatic solvent" immediately underneath the ingredient statement as it appeared on your application of April 18, 1990.

4. Delete the claim for use on "nuts" appearing on the upper left panel of the label. Your label contains no directions for use on nuts.

5. Update the second statement under the heading, "Environmental Hazards" to read as follows."

"Do not apply directly to water, or to areas where surface

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Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

water is present or to intertidal areas below the mean high water mark." 284

If the product is labeled and intended for use by the homeowner only, the statement, "Do not apply directly to water" would be sufficient.

As presently worded, this labeling falls under the scope of the Worker Protection Standard (WPS) and must bear the required WPS statements as outlined in PR Notices 93-7 and 93-1. The new protective language must be incorporated into this label for any shipments released after the deadlines that have been established. You may opt to do so immediately if you are electing the self-verification option.

If it is your intention that the product be marketed only for use by the homeowner, appropriate language must be added to the label to remove it from the scope of the WPS; i.e. "For use in home gardens"; "For homeowner use only". Refer to section IV.E. of PR Notice 93-7 and Supplement F of PR Notice 93-11 for guidance on the removal of homeowner products from the scope of WPS. A copy of each of these referenced sections is enclosed for your reference.

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 labeling constitutes acceptance of this condition.

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

Sincerely yours,



Robert A. Forrest
Product Manager (14)
Insecticide-Rodenticide Branch
Registration Division (7504C)

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SPECIMEN LABEL

Formerly produced by
GERMAIN'S

Wilbur-Ellis
Ideas to grow with

WILBUR-ELLIS 50% MALATHION SPRAY

Malathion Spray is a multipurpose insecticide that can be used on ornamentals, fruits, nuts, vegetables and pets. It controls aphids, spider mites, scale, mealybugs, whitefly, leafhoppers, thrips, tent caterpillars, cucumber beetles, grasshoppers, fleas, roaches, ants, spiders and silverfish.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Keep out of reach of children. Harmful if swallowed. Avoid prolonged breathing of spray mist. Avoid prolonged or repeated contact with skin. Wash thoroughly after handling. Do not contaminate food or feed products. Food utensils such as teaspoons and tablespoons should not be used for food purposes after use with pesticides.

STATEMENT OF PRACTICAL TREATMENT

If swallowed: Contains petroleum solvent, do not induce vomiting. Call a physician immediately. If inhaled: Remove person to fresh air at once. If in eyes: Flush with plenty of water for 15 minutes. Call physician. If on skin: Wash thoroughly with soap and hot water. Note to Physician: This product may cause cholinesterase inhibition. Atropine is antidotal. 2-PAM may be effective as an adjunct to atropine.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame. Use only with adequate ventilation. After using this product indoors, ventilate thoroughly before occupying enclosed spaces. Do not allow contact with treated surface until sprays have dried.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not apply directly to water or wetlands (i.e., swamps, bogs, marshes and potholes). Drift and runoff may be hazardous to aqua-

tic organisms in areas near the application site. Do not contaminate water when disposing of equipment washwaters. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

DIRECTIONS FOR USE

It is in violation of Federal Law to use this product in a manner inconsistent with its labeling.

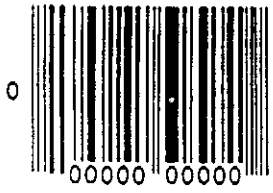
For listing of additional use sites, pests, and directions for dilution and use, see attached brochure.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry location away from heat, flame, direct or indirect sunlight.

Disposal: Do not reuse empty container. Wrap container and put in trash collection.

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EPA Reg. No.
2935-443
EPA Est. No.
70-KY-1
Wilbur-Ellis Co
P.O. Box 16458,
Fresno, CA 93756
1988

50% MALATHION SPRAY

A MULTI-PURPOSE INSECTICIDE

ACTIVE INGREDIENTS:	
Malathion: O, O-dimethyl phosphorodithioate	
of diethyl mercaptosuccinate	50.00%
Petroleum Hydrocarbon	45.00%
INERT INGREDIENTS:	5.00%
TOTAL	100.00%

KEEP OUT OF REACH OF CHILDREN CAUTION

← See side panel for Statement of Practical Treatment and additional Precautionary Statements

NET CONTENTS 32 FL. OZ. (1 QT.)

Germain's® - Reg. TM of Germain's Inc

ACCEPTED
FOR COMMERCIAL
IN EPA Letter 1
FEB 0 1989
2935-443

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Wilbur-Ellis Co., P.O. Box 16458, Fresno, CA 93755

Wilbur-Ellis

*Ideas to grow with**

50% MALATHION SPRAY

KEEP OUT OF REACH OF CHILDREN CAUTION

SEE CONTAINER LABEL FOR
INGREDIENT STATEMENT,
COMPLETE PRECAUTIONARY
STATEMENTS INCLUDING STATE
MENT OF PRACTICAL TREATMENT.

EPA Reg. No. 2935-443
EPA Est. No. 70-KY-1

DIRECTIONS FOR USE
It is a violation of Federal law to use
this product in a manner inconsistent
with its labeling.

DIRECTIONS

Read entire label before spraying. Use strictly in accordance with label cautions, warnings & directions.

Wilbur-Ellis 50% Malathion Spray mixes readily with water and is best applied through a hose-end applicator. Add 1/2 number of teaspoons or tablespoons of spray, as indicated under rates, to each gallon of water to be used.

NOTE: 3 teaspoons = 1 Tablespoon = 1/2 fluid oz.

Number in parenthesis () indicates days required between last application and harvest. Spray thoroughly covering upper and lower leaf surfaces or other infested parts.

APPLICATION CHART

PROBLEM AREA	PESTS:	RATES:	NOTES:
FLOWERS & ORNAMENTALS	Aphids, Spiders, Mealybugs, Whitefly, Thrips, Rose Leafhoppers, Lace Bugs, Oyster Shell Scale, Japanese Beetle Adult, Euonymus Scale.	2 teaspoons	*Apply sufficient amount for good coverage.
(7) COLE CROPS & LEAFY VEGETABLES: (Broccoli, Brussels Sprouts, Cabbage, Kale, Mustard Greens, Turnips.)	Aphids, Cabbage Looper, Imported Cabbage Worm	2 teaspoons	
(7) CITRUS: (Grapefruit, Limes, Lemons, Oranges, Tangerines.)	California Red Scale, Yellow Scale, Purple Scale, Black Scale, Soft Scale, Citricola Scale, Thrips.	2 teaspoons	Make no applications when trees are in bloom
DOMESTIC PETS:	Fleas.	2 tablespoons	Wet the animal thoroughly using a hand sprayer. Repeat treatments may be used within 2 to 3 weeks. DO NOT APPLY DIRECTLY TO DOGS & CATS UNDER ONE MONTH OF AGE.
HOUSEHOLD INSECTS	Roaches, Ants, Spiders, Silverfish, Crickets, Clover Mites, Earwigs in and about the home	12 tablespoons	Apply a coarse spray or paint with brush to window sills, baseboards, under sinks, drain areas, stove & other areas frequented by these pests.

Injury may occur on Ferns, Hickory, Viburnum, Lantana, Crassula, Canaert Juniper, Boston, Pieris and Maidenhair Ferns, Petunias, Small-Leaf Spirea, Whitepine, Maples and Elms.