

2935-506

- 07/10/2007

- 119 5812822



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Linda D. Pearce
Registration Specialist
Wilbur-Ellis Company
2737 S. Golden State Blvd.
Fresno, CA 93725

JUL 10 2007

Subject: BEN-SUL 85
EPA Reg. No. 2935-506
Amendment dated November 15, 2006
EPA Decision Number 367295

Dear Ms Pearce:

The amended label referred to above, submitted June 29, 2007 in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. On page 2 under "CALIFORNIA DRIFT RESTRICTIONS" delete sentence 5 "Before using this product...."
2. In the section "Conditions of Sale...." delete the sentence "These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted...."
3. In the attached pamphlet "Sulfur - Best Application Practices":
 - a. In the first sentence on page 2 change "...should be aware...." to "...must be aware...."
 - b. In the second sentence on page 2 change "While sulfur is a natural element used safety for thousands...." to "While sulfur is an element that has been used for thousands...."
 - c. In the first sentence on page 3 change "Sulfur should not be applied...." to "Sulfur must not be applied...."

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mary L. Waller".

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

Enclosure



2/9

BEN-SUL 85

ACTIVE INGREDIENT	% By Wt.
Sulfur	85.00%
OTHER INGREDIENT	15.00%
TOTAL	100.00%

EPA Reg. No. 2935-506

EPA Est. No. 2935-CA-1

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 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.

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: Harmful if absorbed through the skin. Causes eye irritation. Avoid contact with skin, eyes or clothing.

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 rinsage. 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.

NET CONTENTS: 50 POUNDS

USER SAFETY RECOMMENDATIONS

User should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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 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 or 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.

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.

NOT FOR USE OR STORAGE IN OR AROUND THE HOME

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.

CALIFORNIA DRIFT RESTRICTIONS

The following conditions must be followed when using this product in the State of California for both ground and air applications.

1. The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto non-target areas such as hospitals, clinics, schools, residential areas and any other area designated by the county agricultural commissioner.
2. The operator and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
3. Sulfur shall not be applied when the windy velocity exceeds 10 miles per hour. Applicators should be aware that in some areas, "dead calm" conditions are often associated with an inversion situation. In these areas, applying sulfur when there is a minimum air movement of 2 miles per hour will ensure that an inversion situation does not exist.
4. All applicators, prior to use of dust formulations should read and understand the *Best Application Practices* manual..
5. Before using this product, read and follow all applicable directions, restrictions and precautions on the EPA registered label.

GENERAL INFORMATION

When growing crops for processing, consult the processor before applying sulfur. Consult your State Agricultural Experimental Station or your State Agricultural Extension Service for additional information consistent with label cautions and directions.

This material is recommended for application by ground or air.

Where recommended for prevention of Powdery Mildew, apply when disease first appears and repeat at 7 to 10 day intervals throughout the growing season. Shorten the interval during humid, rainy weather. The "Brown Rot" referred to throughout this label is Monilinia Brown Rot blossom blight.

Where recommended for prevention of Brown Rot, apply at pink bud or popcorn stage during bloom and at petal fall, shuck split and shuck fall. Repeat at 10-14 day intervals in cover sprays as long as necessary. For mites, apply when pests appear and repeat as necessary.

CROPS AND APPLICATION RATES

ALFALFA: For the control of Atlantic Mite, Spider Mite and Clover Mite use 20 to 35 lbs. per acre.

ALMONDS, CHERRIES, PEACHES, PLUMS, PRUNES, NECTARINES: For the control of Brown Rot, Cherry Leaf Spot, Peach Silvermite, Rust (*Tranzachelia*) and Powdery Mildew use at the rate of 30 to 60 lbs. per acre. Apply as described above when disease threatens during rain periods and repeat at 7 to 10 day intervals.

APPLES and PEARS: For control of Scab and Powdery Mildew use 45 to 60 lbs. per acre. On pears do not apply after the fruit begins to turn down. Check tolerance prior to using on apples as sulfur may injure certain varieties.

ASPARAGUS: For control of Rust use 20 to 45 lbs. per acre. Dust after cutting stops, irrigate, cultivate, then apply the sulfur. Repeat at 7 to 10 day intervals.

BEANS: For the control of Pacific Mite (Red Spider), Bean Rust, Thrips, Spider Mites use 15 to 30 lbs. per acre. For Rust control, Powdery Mildew, use 30 to 35 lbs. per acre. For Rust control start applications as soon as first true leaves form and continue at weekly intervals until blossom time. 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, GOOSEBERRIES, LOGANBERRIES, STRAWBERRIES, RASPBERRIES and BOYSENBERRIES: For control of Powdery Mildew use 10 to 25 lbs. per acre. Apply when disease first appears and repeat as necessary to maintain control.

CARROTS and ONIONS: For the control of Petrobia Mite use 10 to 45 lbs. per acre.

CITRUS: For the control of Citrus Thrips, Citrus Flat Mite, Yuma Spider Mite, Six-Spotted Mite and Citrus Rust Mite use 45 to 150 lbs. per acre. Apply when pests first appear and repeat as necessary. Do not use within 21 days of an oil spray treatment.

CORN: For the control of Spider Mites use 20 to 35 lbs. per acre.

COTTON: For control of Atlantic Mite and Flea Hopper apply 35 to 40 lbs. per acre.

FIGS: For control of Fig Rust Mite in spring and early summer. Dust at 45 lbs. per acre when damage to foliage (russetting) appears. A second application may be necessary.

GRAPES: For the control of Powdery Mildew use 5 to 25 lbs. per acre. Make first application when shoots are 6 to 8 inches long. Make a second application when shoots are 12 to 15 inches long and the third about 14 days later. Repeat applications at 10 to 14 day intervals to protect new growth. Avoid applications during hot weather as injury may occur. Concord and other *Labrusca* type grapes may be injured by sulfur.

HOPS: For control of Red Spider Mites use 20 to 35 lbs. per acre.

MELONS: Use 25 to 40 lbs. per acre for control of Powdery Mildew. Powdery Mildew may be controlled by dusting but the sulfur often injures the vines, particularly if the temperature reaches 95 degrees F. Treat when disease first appears. Use 50 to 80 lbs. per acre to control Spider Mites. 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.

OLIVES: For control of Olive Mite. Apply 55 to 80 lbs. per acre. Do not use sulfur in hot weather as damage may result to crop and foliage.

ORNAMENTALS (Asters, Carnations, Chrysanthemums, Hollyhocks, Roses): For the control of Rust, Powdery Mildew dust for complete coverage. Use 35 to 50 lbs. per acre. Apply when disease first appears and repeat at 14 day intervals or as necessary.

PEAS, RUTABAGAS, TURNIPS: For the control of Powdery Mildew use 15 to 25 lbs. per acre.

PISTACHIOS: Citrus Flat Mite, use 50 to 60 lbs. per acre. Apply when mites first appear and repeat as necessary. May be applied to bearing or non-bearing trees up to the day of harvest.

5/9

SUGAR BEETS: For control of Spider Mites and Powdery Mildew apply 40 to 55 lbs. per acre.

TOMATOES: For the control of Tomato Russet Mite use 30 to 40 lbs. per acre.

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.

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. To the extent consistent with applicable law, 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. To the extent consistent with applicable law, 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.

To the extent consistent with applicable law, neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 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.

Wilbur-Ellis logo® and IDEAS TO GROW WITH® are registered trademarks of Wilbur-Ellis Company.

F-607

Manufactured by:



IDEAS TO GROW WITH®

ACCEPTED
with COMMENTS
In EPA Letter Dated

JUL 10 2007

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

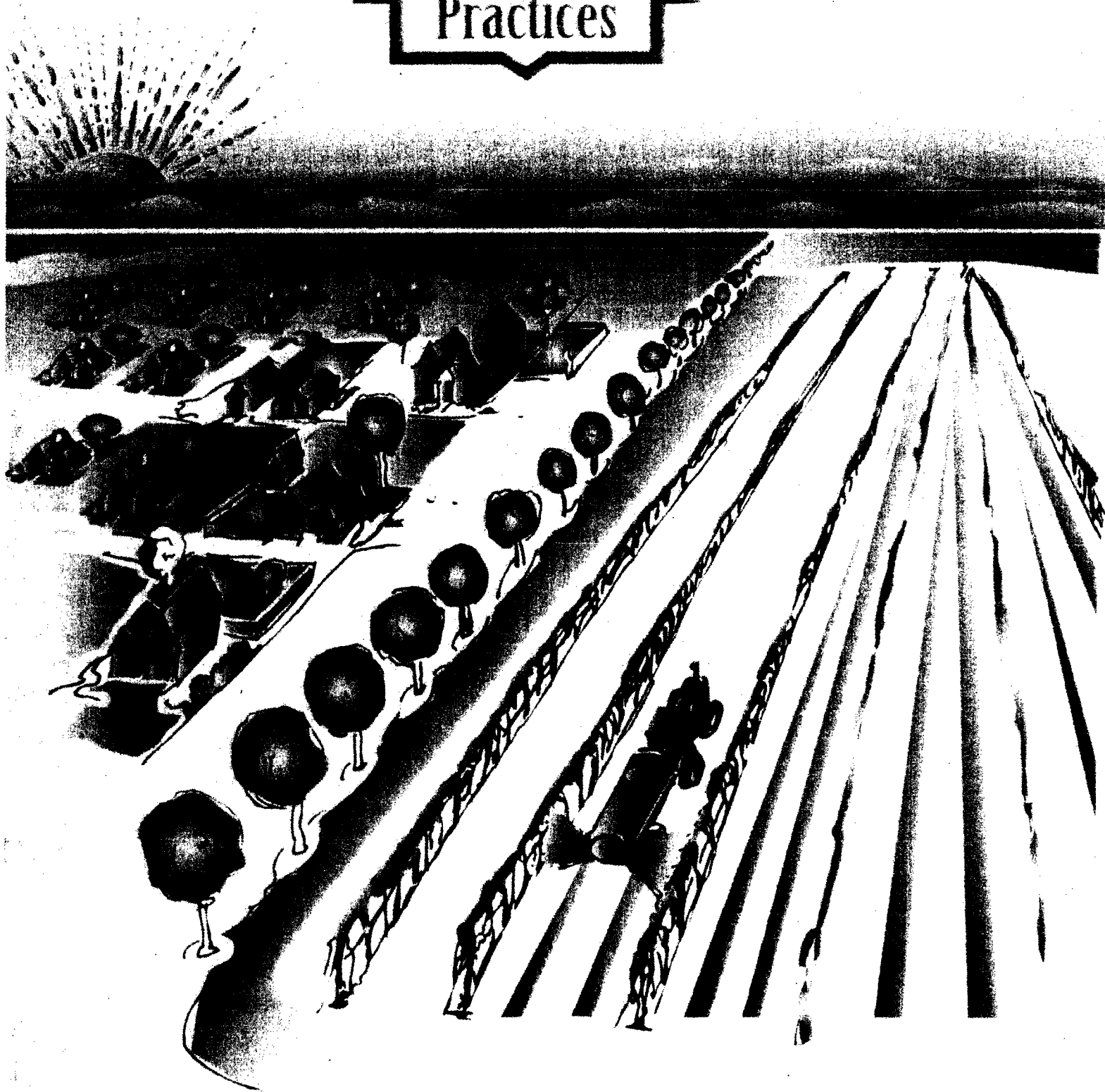
P.O. BOX 16458 – FRESNO, CA 93755

2935-506

Sulfur

Best Application Practices

6/9



Managing Sulfur Applications Near Sensitive Areas

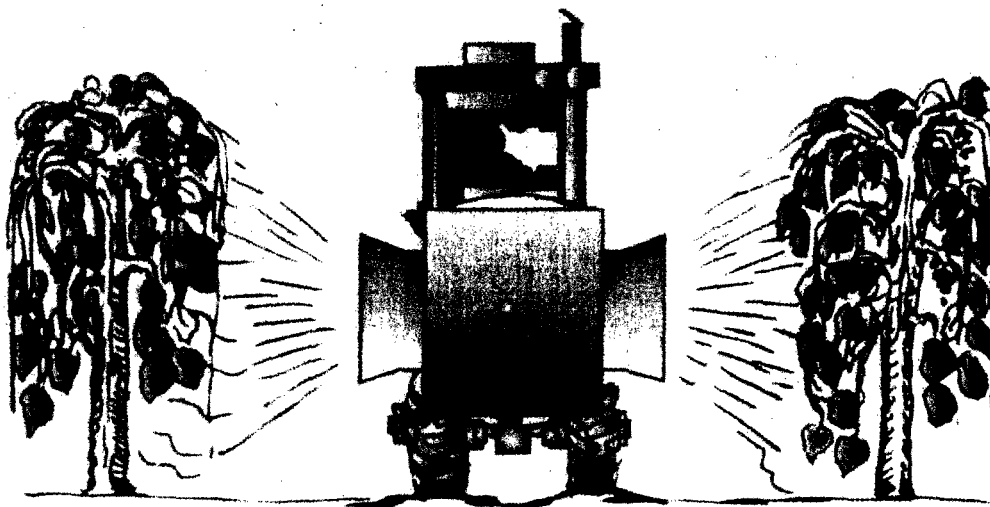
MANAGING SULFUR DRIFT

It's Your Responsibility

Anytime sulfur is sprayed or dusted on crops near sensitive areas, the equipment operator should be aware of the potential for offsite movement. While sulfur is a natural element used safely for thousands of years to control insects and diseases, exposure to sulfur can cause eye irritation and breathing difficulty.

To prevent sulfur exposure to the public, equipment operators must take extra care when working near sensitive areas such as schools, bus stops, busy roadways, residences or any area where movement of people is likely. Ultimately, the equipment operator is responsible for managing sulfur drift. If a mistake is made, it can have wide reaching implications.

Better to avoid problems by making the effort to do a proper application. Be a good neighbor when applying sulfur. Not only is it your responsibility, it's the law!



Equipment Operation

Stop dusting or spraying activities if sulfur drift will potentially move to sensitive areas.

Avoid applications when people are active in housing or urban areas bordering a treated field.

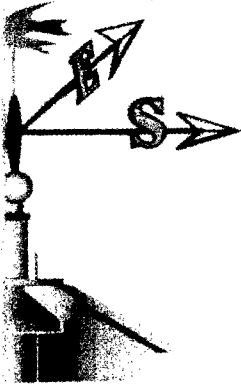
With sulfur dusters, slow engine RPM at row end to minimize drift potential.

If dusting equipment allows, disengage blower when making row turns.

When possible, apply sulfur at night or on weekends if near urban areas, roadways or where activity is common.

Keep equipment well maintained.

Start dusting or spraying only when applicator is adjacent to first plant, vine or tree.



Application Conditions

Sulfur should not be applied when the wind velocity exceeds 10 miles per hour.

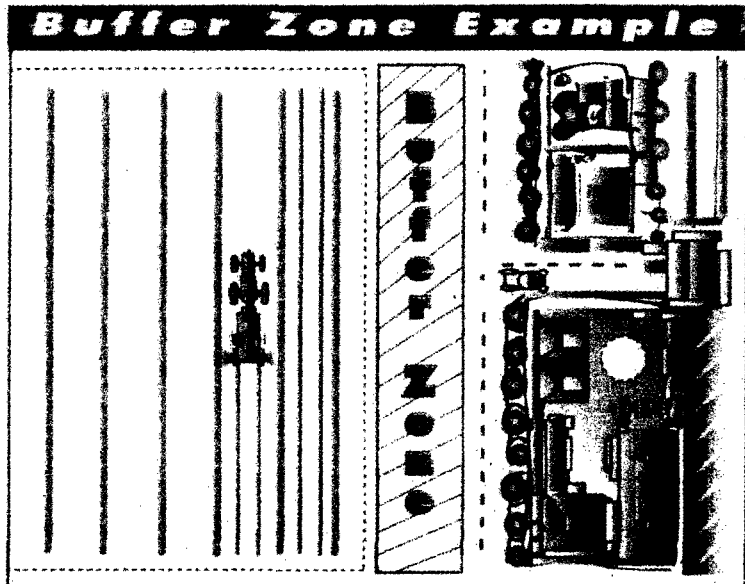
Applicators should be aware that in some areas of California, "dead calm" conditions are often associated with an inversion situation. In these areas, applying sulfur when there is minimum air movement of 2 miles per hour will help ensure that an inversion situation does not exist.

If you have questions about application conditions, contact your local County Agricultural Commissioner.

Leave an adequate buffer zone to protect sensitive areas.

An adequate buffer zone is measured as enough distance for dust or spray to settle within the treatment area.

Make sure applicator clearly understands the field being sprayed or dusted and the environment surrounding the field.



Looking Beyond The Application

Following good application practices includes being aware of the concerns of neighbors, local communities and enforcement agencies. Here are several actions suggested by growers and applicators who apply sulfur and other crop protection products near urban developments and other sensitive areas.

Apply sulfur at times when minimum activity is occurring around your treatment area.

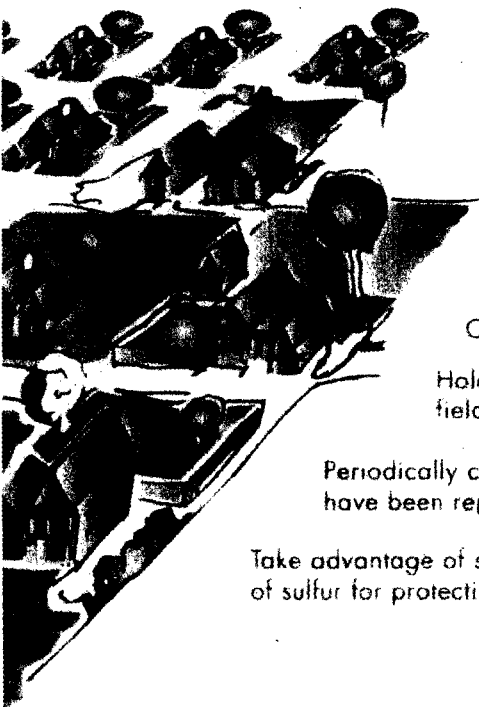
Consider applying wettable sulfur formulations in fields located near sensitive areas.

Closely track changing weather conditions.

Hold trainings for all applicator employees, pointing out sensitive areas surrounding fields being treated and proper precautions to follow.

Periodically call your local county agricultural commissioner to check if sulfur drift incidents have been reported in your area.

Take advantage of speaking opportunities with community organizations to explain the importance of sulfur for protecting crops against insects and disease.



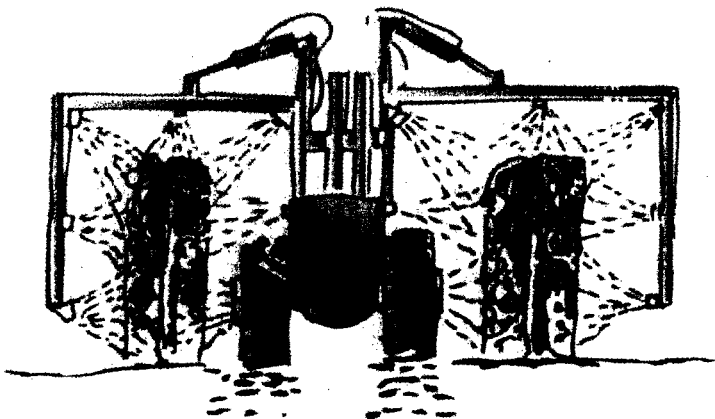
Application Technology

Drift studies show that using wrap-around hydraulic sprayers in vineyards produce the least potential for off-site movement.
(source: Spray Drift Task Force)

Some sulfur dusters can be retro-fitted with manifold shut-off valves, allowing operators to make row turns and not discharge sulfur.

Several sulfur dust applicator models are available with hydraulic shut-off systems.

Consult your local Cooperative Extension Service for further information.



Sulfur Application

Check-list

- Check wind speed and direction.
- Create a buffer zone between applications and sensitive areas.
- Look for people moving around buildings near application site.
- Shutoff equipment when making row turns.
- Never apply in winds above 10 mph.

Stewardship: It's Your Responsibility!

Whenever crop protection products are applied to fields, the equipment operator must be aware of potential impacts beyond the treatment area.

By taking a few common sense precautions, each application can be made safely.

Remember, being a good neighbor means practicing stewardship before, during and after activities are performed in your field.

