



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

August 23, 2023

Michael Rekhelman  
VP Technical Services  
ABC Compounding Co., Inc  
PO Box 16247  
Atlanta GA 30321

Subject: Registration Review Label Amendments Incorporating Mitigation from the Fish and Wildlife Services (FWS) and the National Marine Fisheries Services (NMFS) Biological Opinions on the Effects of Malathion on Endangered and Threatened Species and Designated Critical Habitat  
*Product Name:* Malathion Fogging Spray  
*EPA Registration Number:* 3862-28  
*Application Dates:* 5/12/2022 and 8/30/2022  
*Decision Numbers:* 584591 and 589923

Dear Michael Rekhelman:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the FWS and NMFS' Biological Opinions on the effects of malathion on federally listed endangered and threatened species and designated critical habitat in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.). The Agency has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40

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CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions, please contact Carolyn Smith by phone at (202) 566-2273 or via email at [smith.carolyn@epa.gov](mailto:smith.carolyn@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Sherman", with a long, sweeping horizontal stroke at the end.

Kelly Sherman  
Chief, Risk Management Implementation Branch 3  
Pesticide Re-evaluation Division  
Office of Pesticide Programs

Enclosure

ACCEPTED

08/23/2023

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

3862-28

Malathion GROUP 1B INSECTICIDE

# Malathion Fogging Concentrate



Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

**ACTIVE INGREDIENT:**

- \* MALATHION ..... 2.5%
- \*\* INERT INGREDIENTS ..... 97.5%
- TOTAL ..... 100.00%

\* O,O-dimethyl Phosphorodithioate of Diethyl Mercaptosuccinate. Contains 0.17 lbs Malathion per Gallon.  
\*\* Contains Petroleum Distillates

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

See back panel for additional precautionary statements.

**NET CONTENTS:**

**FIRST AID**

**If Swallowed:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

**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.

**If Inhaled:** Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

**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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Poison Control Center at 1-800-222-1222 for emergency medical treatment information.

**NOTE TO PHYSICIAN-** May pose an aspiration pneumonia hazard. Contains petroleum distillate. This product is an organophosphate and a cholinesterase inhibitor.

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

Harmful if swallowed. Harmful if absorbed through the skin. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist or vapor. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Personal Protective Equipment (PPE)  
Some materials that are chemical-resistant to this product are barrier laminate, nitrile rubber, neoprene rubber or viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart.

**All mixers, loaders, applicators, flaggers, and other handlers must wear:**

- Long-sleeve shirt and long pants, • Shoes plus socks, • Chemical-resistant gloves, and • Chemical-resistant apron (mixers and loaders)

**USER SAFETY RECOMMENDATIONS**

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE 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.

**USER SAFETY REQUIREMENTS:**

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washable exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

**PHYSICAL OR CHEMICAL HAZARDS**

COMBUSTIBLE: DO NOT USE OR STORE NEAR HEAT OR OPEN FLAME.

**DIRECTIONS FOR USE**

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

**BEE WARNING:** To minimize hazard to bees, do not apply this product more than two hours after sunrise or more than two hours before sunset. This timing restriction prohibits applications when bees are most active (mid-day). This restriction does not apply when applications are made as a spot treatment or to prevent or control a threat to public and/or animal health determined by a state, tribal or local public health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Calibrate and inspect nozzles at least once a year to ensure they are in good working condition.

**ENDANGERED SPECIES:**

It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species and certain threatened species under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813, or email ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product.

**Reporting Ecological Incidents:** To report ecological incidents, including mortality, injury, or harm to plants and animals, call 800-795-9222.

**PRECAUTIONS AND RESTRICTIONS:**

- Do not apply aerially.
- For use by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.
- Do not apply more than 0.23 lb ai/A/day. Only treat when mosquitoes are swarming or biting. Do not retreat a site more than 3 times in any one week. However, more frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne diseases in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.
- Do not apply by ground within 25 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, permanent streams, wetlands or natural ponds, estuaries, and commercial fish farm ponds).
- Do not apply directly to or allow the product to enter sewers or storm drains, or to any area like a drain or gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur.
- Do not apply the concentrate directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or crack-and-crevice treatment.
- Do not apply the concentrate to vertical surfaces directly above pervious or impervious surfaces that drain into ditches, storm drains, gutters, or surface waters.
- Do not apply or irrigate to the point of runoff.
- Apply when wind speed is greater than or equal to 1 mph.
- Ground-based application:

Spray equipment must be adjusted so that the volume median diameter is less than 30 microns ( $D_v 0.3 < 30 \text{ um}$ ), and that 90% of the spray is contained in droplets smaller than 50 microns ( $D_v 0.9 < 50 \text{ um}$ ). Directions from the equipment manufacturer or vendor, pesticide registrant or test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Following best management practices can help reduce risk to terrestrial pollinators. Examples of best management practices include applying pesticides in the evening and at night when pollinators are not foraging and avoiding applications to flowering plants. For additional resources on pollinator best management practices, visit [HYPERLINK https://www.epa.gov/pollinator-protection/find-best-management-practices-protect-pollinators](https://www.epa.gov/pollinator-protection/find-best-management-practices-protect-pollinators).

For resistance management, this product contains a Group 1B insecticide. Any insect population may contain individuals naturally resistant to this product and other Group 1B insecticides. The resistant individuals may dominate the insect population if this group of insecticides is used repeatedly in the same fields. Appropriate resistance-management strategies should be followed. Rotate the use of this product or other Group 1B insecticides within a season with different groups that control the same pest. Adopt an integrated pest management program for insecticide use that includes scouting, uses historical information related to pesticide use, record keeping, and which considers cultural, biological and other chemical control practices. Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or certified pest control advisor. Contact your local extension specialist or certified crop advisors for any additional pesticide resistance-management and/or IPM recommendations for the specific site and pest problems in your area. For further information or to report suspected resistance contact company representatives.

**For Outdoor use only for temporary relief from the annoyance of mosquitoes, flies and certain other small flying insects. Spray or fog at the rate of 48 gallons per hour at a vehicle speed of 5 M.P.H. to treat a swath width of 300 feet. Apply early in the morning when conditions are favorable and when temperatures are expected to go above 65°F. Apply 0.5 to 1.3 gallons(0.23 lbs ai) of this product per acre.**

## STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

**PESTICIDE STORAGE:** This product should be stored in the original unopened container in a secure, dry place. Do not contaminate with other pesticides or fertilizers. The product should never be heated above 55 °C (131 °F), and should not be stored for long periods of time at a temperature in excess of 25 °C (77 °F).

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

## ENVIRONMENTAL HAZARDS

**Reporting Ecological Incidents:** To report ecological incidents, including mortality, injury, or harm to plants and animals, call 800-795-9222. When applying as a wide area mosquito adulticide, before making the first application in a season, it is advisable to consult with the state or tribal agency charged with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. When applying as a wide area mosquito adulticide, do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body.

**Manufactured by: ABC Compounding Co., Inc.  
P.O. Box 16247, Atlanta, GA 30321-0247  
Toll Free 800-795-9222**

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EPA EST. NO. 3862-GA-2** 613105PA-ABC.030623

