

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

JAN 7 2004

Ms. Emily Smathers Ratliff
Product Registration Supervisor
Helena Chemical Company
225 Schilling Boulevard, Suite 300
Collierville, TN 38017

Dear Ms. Ratliff:

Subject: Product Name Change and Various Label Revisions
Including Worker Protection Standard Labeling
Fyfanon 5 LB. Emulsion
EPA Reg. No. 5905-7
Your Application of August 13, 2003

The labeling amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable, provided that you submit two copies of your final printed label incorporating the following corrections before you release the product for shipment.

1. Clarify the dilution and application rates by relocating the water dilution instructions from their present location among the use restrictions to the application directions in the third paragraph under the heading "Directions for Use on Cotton" and by correcting the first sentence in the paragraph to specify the undiluted product. The first three sentences in the third paragraph would then read as cited below. We regret that this was not brought to your attention in our previous letter and that a reference to the diluted product was inadvertently made in that letter rather than to the undiluted product.

Apply 1 gallon of the product to 5 acres as a minimum, 1 gallon of product to 3 acres as a maximum, depending on local conditions. Mix the product with 1-3 gallons of water per acre for aerial application. Mix the product with 10 -25 gallons of water per acre for ground

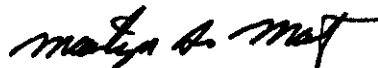
application.

- 2. Correct the second of the two phrases, "EPA Reg. No." to "EPA Est. No."

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 label constitutes acceptance of this condition.

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

Sincerely,



Marilyn A. Mautz
Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

FYFANON® 5 LB. EMULSION

310

ACTIVE INGREDIENTS:

Malathion: 0,0-dimethyl phosphorodithioate of diethyl mercaptosuccinate.....56.87%

INERT INGREDIENTS:.....43.13%

TOTAL.....100.00%

One gallon of Fyfanon® 5 lb. Emulsion contains five (5) lbs. of malathion.

ACCEPTED
with COMMENTS
in EPA Letter Dated:

JAN 7 2004
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
5905-7

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

May be harmful if swallowed. Do not take internally. Avoid contact with eyes, skin and clothing. Avoid breathing vapors, dust, or spray mist.

FIRST AID

Organophosphate

IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give anything by mouth to an unconscious or convulsing person.

IF INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by 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.

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

Have the product container with you when calling a poison control center or doctor, or going for treatment.

NOTE TO PHYSICIAN

Contains an organophosphate that inhibits cholinesterase.

SEE INSIDE BOOKLET FOR ADDITIONAL PRECAUTIONS AND DIRECTIONS FOR USE.

EPA REG. NO. 5905-7

NET CONTENTS:

EPA REG. NO.

MANUFACTURED BY
HELENA CHEMICAL COMPANY
225 SCHILLING BOULEVARD, SUITE 300
COLLIERVILLE, TENNESSEE 38017

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category F on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, or viton
- 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.

When handlers used closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users 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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not apply to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.. Drift and runoff may be hazardous to aquatic 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 product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

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 andlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

CHEMIGATION PROHIBITION

Do not apply this product through any type of irrigation system.

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 the 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 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.

Do not enter or allow worker 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:

Coveralls
 Chemical-resistant gloves, such as Barrier Laminate, Butyl Rubber, Nitrile Rubber, or Viton
 Shoes plus socks

STORAGE AND DISPOSAL

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

STORAGE: Store in a dry place. In case of spill, remove spillage with an industrial type vacuum cleaner and wash area with household bleach.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

DIRECTIONS FOR USE ON COTTON

FYFANON® 5 LB. EMULSION will control the following insects attacking cotton: Boll Weevil, Aphids, Leafworms, and some species of Spider Mites.

FYFANON® 5 LB. EMULSION contains 5 pounds of **FYFANON®** per gallon. Water dilution of various strengths to be used in conventional and low volume sprayers (both grounds and airplane applicators) can be prepared. **FYFANON® 5 LB. EMULSION** is mixed with water by agitation or recirculating through spray pumps. If mixture is allowed to stand, re-mix before using.

Apply 1 gallon of the diluted product to 5 acres as a minimum, 1 gallon of diluted product to 3 acres as a maximum, depending on local conditions. For timing of applications consult your State Agricultural Extension Service or Experiment Station. Always use sufficient water for proper coverage.

Do not apply this product where there may be grazing by dairy animals or animals being finished for slaughter.

Keep all unprotected person out of the operating area or vicinity where there may be danger of drift.

Do not apply this product within seven days of hand picking. Mix with 1-3 gallons water per acre for Aerial Application. Mix with 10-25 gallons water per acre for Ground Application.

CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and should be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of Helena Chemical Company (the "Company") or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. The Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

The exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at Helena Chemical Company's election, one of the following:

1. Refund of the purchase price paid by buyer or user for product bought, or
2. Replacement of the product used

To the extent allowed by law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.

© Copyright Helena Chemical Company, 2003.
FYFANON® is a registered trademark of Cheminova.

