

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAR 19 2004

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

Subject: Updated First Aid Statements
Fyfanon ULV Concentrate Insecticide
EPA Reg. No. 5905-112
Your Application of September 26, 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

1. Submit two copies of your final printed label incorporating the following correction before you release the product for shipment.

Remove the reference to tomatoes appearing on the submitted label in the section headed, "Alfalfa, Clover ___". There are no directions for use on tomatoes.

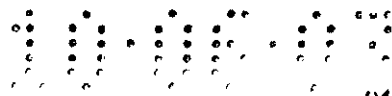
2. Provide your updated Confidential Statement of Formula (CSF) along with your updated Formulator's Exemption Statement reflecting your new supplier product.

The most recent CSF in our files for the product was submitted in 1990 and cites a supplier product which has since been transferred to another company and then canceled. You are reminded that your supplier product label must allow for the formulation of the product for the uses appearing on your product label.

If these conditions are 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

FYFANON®

ULV CONCENTRATE INSECTICIDE



ACTIVE INGREDIENTS:

Malathion: O,O-diethyl phosphorodithioate of diethyl mercaptosuccinate..... 91.00%

INERT INGREDIENTS: 9.00%

TOTAL 100.00%

One gallon contains 9.7 pounds of malathion

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 Panel for Additional Precautionary Statements and Directions For Use

EPA REG. NO. 5905-112

NET CONTENTS:

EPA EST. NO.

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

**ACCEPTED
with COMMENTS
in EPA Letter Dated:**

MAR 19 2004

*Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. N.*

5905-112

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

- Long-Sleeved shirt and long pants
- Waterproof gloves
- 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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates and aquatic life stages of amphibians. For terrestrial uses, do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. For aquatic uses, do not apply directly to water except as specified on the label. 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.

CHEMIGATION PROHIBITION

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

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 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

Waterproof gloves
Shoes plus socks

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep children and pets out of treated areas until sprays have dried.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste 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.

GENERAL INFORMATION

FYFANON® ULV CONCENTRATE can be effectively applied with conventional aircraft spray equipment by making a few minor modifications in the plumbing and boom assembly.

PUMP

Pumps capable of producing pressures of 40 to 50 psi will be satisfactory. A bleed line at least 3/16 inch in diameter should be installed on the high point of the impeller chamber to release trapped air. This line should bleed back to the top of the tank above the liquid level.

BY-PASS

A by-pass is required from the spray pump outlet to the spray pump inlet. This line must be equal in diameter to the pump outlet and should contain a valve controllable from the cockpit that will permit adjustments of boom pressure in flight. The by-pass commonly used to re-circulate **FYFANON® ULV CONCENTRATE** to the spray tank must be closed to avoid aeration of the insecticide.

BOOM AND NOZZLE PLACEMENT

The distance between the left and right outboard nozzles should be at least 3/4 of the wing span. The total number of nozzles used should be equally spaced across this span if the aircraft is flown at twenty feet or higher. Trailing edge booms are desirable and the nozzles should be placed on boom where pilot can readily see them to check any plugging of nozzles during spray operation. A bleed line at least 3/16 inch in diameter should be attached to the outer end of each boom and routed back to the top of the spray tank but above the liquid level. This line will bleed off pressures and assure sharp cut-off. If a nozzle is placed at each end of boom as many Ag Cat spray booms are assembled, this bleed line is not necessary.

NOZZLES

Use at least 4 to 6 flat fan nozzles, such as Spraying Systems 8001, 80015 or 8002 for small aircraft such as Piper Pawnees and Stearmans. For aircraft operating at 150 mph or faster, use 10 to 14 8010 or 8015 flat fan nozzles. Nozzles should be pointed straight downward on small aircraft and straight back for faster aircraft. Use 100 mesh screens with 8001, 80015 and 8002 nozzles and large-volume 50-mesh screen should be used in spray systems. No screens are required for the 8010 or 8015 nozzles. Diaphragm check valves should be used on each nozzle to insure positive cut-off of spray during flight. Do not use cone nozzles. Rotary atomizers, commonly known as Mini-Spin nozzles, developed by the Plant Pest Control Division, USDA, can be substituted for the flat fan nozzles. Use the same flat fan nozzle tips as mentioned above when using the Mini-Spin nozzle.

USE DIRECTIONS

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FYFANON® ULV CONCENTRATE is used undiluted for ultra-low volume aerial applications to control adult corn rootworm, beet leafhopper, blueberry-maggot, cereal leaf beetle, cotton boll weevil, flies, grasshoppers and mosquitoes as specified below. Aerial applications should be made at altitudes of 20 to 25 feet.

NOTE: FYFANON® ULV CONCENTRATE may cause spotting on automobile paint finish if prolonged exposure is permitted. Cars should not be sprayed directly. If accidental exposure does occur, the car should be washed immediately. **ALFALFA, CLOVER, COTTON, PASTURE AND RANGE GRASS, GRASS AND GRASS HAY, AND NON-AGRICULTURAL LANDS** (wastelands, roadsides, soil bank lands): For control of grasshoppers, apply 8 fluid ounces of **FYFANON® ULV CONCENTRATE** per acre. Repeat applications as necessary.

On alfalfa, clover, pasture and range grass, grass and grass hay, may be applied on day of harvest or grazing. Do not apply to alfalfa and clover in bloom.

On corn, make no application within 5 days of harvest or forage use.

BLUEBERRIES (Grown in Michigan and Indiana):

For control of Blueberry Maggot on blueberries, apply 10 fluid ounces of **FYFANON® ULV CONCENTRATE** per acre. Apply uniformly and repeat applications as necessary. No waiting period is necessary between last application and harvest.

GRASSES:

For control of cereal leaf beetle on grasses, apply 8 fluid ounces of **FYFANON® ULV CONCENTRATE** when adult beetles become active in the Spring. Repeat application within 7 to 14 days for control of adults and young larvae. Make no application on cereal crops within 7 days of harvest or forage use. On grasses, may be applied on day of harvest or grazing.

CORN:

For control of Adult Corn Rootworm on corn, apply 4 fluid oz. of **FYFANON® ULV CONCENTRATE** per acre. Repeat applications as necessary. Make no application on corn within 5 days of harvest or forage use.

COTTON:

For control of boll weevil on cotton, apply 8 to 12 fluid ounces of **FYFANON® ULV CONCENTRATE** per acre. Repeat applications as necessary.

For late season control of bollweevil use 16 fluid ounces per acre.

ALFALFA, CLOVER, PASTURE AND RANGE GRASS, GRASS AND GRASS HAY, BEANS, RICE, AND NONAGRICULTURAL LANDS (wastelands, roadsides, soil bank lands):

Adult mosquitoes and flies - apply **FYFANON® ULV CONCENTRATE** at the rate of 2 to 4 fluid ounces for control of adult mosquitoes and at 6 to 8 fluid ounces per acre for control of adult flies. Repeat applications as necessary.

For aquatic crops, including rice, broadcast use only over intermittently flooded areas. Application may not be made around bodies of water where fish or shellfish are grown and/or harvested commercially.

On alfalfa, clover, pasture and range grass, grass, and grass hay, may be applied on day of harvest or grazing. Do not apply to alfalfa and clover in bloom.

On corn make no application within 5 days of harvest or forage use; on rice, within 7 days of harvest; on beans and tomatoes, within 1 day of harvest.

NON-AGRICULTURAL LANDS:

6/6

For control of beet leafhopper on wild host plants, use 8 fluid ounces of **FYFANON® ULV CONCENTRATE** per acre.

**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.

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