


5905-294

10/14/2009

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	U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460	EPA Reg. Number:	Date of Issuance:
		5905-294	OCT 14 2009
NOTICE OF PESTICIDE: _ Registration X Reregistration (under FIFRA, as amended)		Term of Issuance: Unconditional	Name of Pesticide Product:
		SOL-OIL 97	
Name and Address of Registrant (include ZIP Code): HELENA CHEMICAL COMPANY 225 Schilling Boulevard, Suite 300 Collierville, Tennessee 38017 ATTN: Scott A. Pace			
<p><i>S848631</i> <i>676/1275</i></p>			
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.</p> <p>The basic Confidential Statement of Formula (CSF) dated March 27, 2009, is accepted and replaces all CSFs previously accepted for this product.</p> <p>The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments in this letter.</p> <ul style="list-style-type: none"> • See page 2 for required label changes. <p>You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Notice or the next printing of the label, whichever occurs first, must bear the new revised label. A stamped copy of the label is enclosed for your records. Should you have any questions, please contact Dr. William Jacobs at 703-305-6406 or jacobs.bill@epa.gov.</p>			
Signature of Approving Official: Meredith F. Laws, Chief Insecticide-Rodenticide Branch Registration Division (7505P)		<i>Meredith F. Laws</i> Date: OCT 14 2009	

Label Changes for EPA Reg. No. 5905-294

The changes identified below must be made to the proposed label that you submitted for this product on March 27, 2009.

1. In the statement of ingredients (page 1 of the label), footnote the active ingredient (Mineral Oil) with the phrase "Contains petroleum distillates."
2. Revise the text that appears in the box with the heading "**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**" to read and appear as shown below.

CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

3. Change the order of treatments listed under "**FIRST AID**" to:

- IF ON SKIN OR CLOTHING: ...**
- IF SWALLOWED: ...**
- IF INHALED: ...**
- IF IN EYES: ...**

4. Change the "**NOTE TO PHYSICIAN:**" to read as shown below.

NOTE TO PHYSICIAN: This product contains petroleum distillates and may pose an aspiration pneumonia hazard. Do not induce vomiting.

5. Replace the first paragraph under "**PERSONAL PROTECTIVE EQUIPMENT (PPE)**" with the text shown below.

Some materials that are chemical-resistant to this product are made of barrier laminate, nitrile rubber, neoprene rubber or viton. If you want more options, follow the instructions for category E or an EPA chemical-resistance category selection chart.

6. Revise the second and third paragraphs under "**PERSONAL PROTECTIVE EQUIPMENT (PPE)**" to read and appear as shown below.

- Mixers, loaders, applicators, flaggers, and other handlers must wear:**
- Long-sleeved shirt and long pants,
 - Shoes plus socks, and
 - Chemical-resistant gloves.

See **ENGINEERING CONTROLS** for additional requirements.

- 7. In the second sentence of the “ENVIRONMENTAL HAZARDS” paragraph, replace “For terrestrial uses, do” with “Do”. The introductory phrase is not needed, and might be confusing, for this product because it is not labeled for any aquatic uses.
- 8. Center the heading “DIRECTIONS FOR USE” and increase its type size so that it is clear to all readers that all text from “It is a violation of Federal law ... labeling” through the instructions for using the product on “CITRUS:” are part of the “DIRECTIONS FOR USE” section.
- 9. Reorganize and revise the “DIRECTIONS FOR USE” section according to the format shown below. Sentences and paragraphs that are truncated through use of ellipses (...) are to remain as they appear on the label submitted on March 27, 2009. Sentences and paragraphs that are written out fully typically include revisions that must be made. Note that the order in which subsections of the “DIRECTIONS FOR USE” will appear has been changed.

DIRECTIONS FOR USE

It is a violation of Federal law ... labeling

Do not apply this product in a way ... regulation.

STORAGE AND DISPOSAL
Do not contaminate water, food, or feed through storage or disposal
PESTICIDE STORAGE: Keep container well ... heat.
PESTICIDE DISPOSAL: Wastes resulting from use ... facility.
CONTAINER DISPOSAL: [Revise this paragraph to incorporate information on whether containers are reusable and detailed instructions for rinsing containers, as outlined in PR Notice 2007-4 and <u>40 CFR</u> §156 Subpart H. Note that different instructions will be needed for different categories of containers. When adding the text about reusability and rinsing, be sure to retain text regarding how to dispose of the container.]

AGRICULTURAL USE REQUIREMENTS
Use this product in accordance with ... Standard.
Do not enter ... hours.
PPE required for early entry any waterproof material.

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, and relative humidity) and method of application (ground, aerial, or airblast) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product. The restrictions pertaining to wind speed, temperature inversions and droplet size apply to all of the methods of application permitted for this product.

Wind Speed: Do not apply at wind speeds greater than 15 mph at the application site.

Temperature Inversions: If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions.

Droplet Size: Apply as a medium or coarser spray (ASABE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

Ground Spray Applications: Apply using a nozzle height of no more than 4 feet above the ground or crop canopy.

Airblast Equipment Application: Turn off outward pointing nozzles at row ends and when spraying outer row. To minimize spray loss over the top in citrus applications, spray must be directed into the canopy.

Aerial Applications: Do not release spray at a height greater than 10 feet above the ground, top of crop, or above the canopy in citrus.

Boom Length: The boom length must not exceed 75% of the wingspan or 90% of the rotor blade's diameter.

Swath Adjustment: When applications are made cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downward edge of the application area by adjusting the path of the aircraft upwind. Leave at least one swath unsprayed at the downwind edge of the treated field.

USE RESTRICTIONS AND PRECAUTIONS

Do not apply this product in undiluted form. Do not use this material if it does not mix with water.

Do not apply oil sprays when trees are wilting or near wilting.

Allow a period of 3 weeks or more between application of sulfur or lime and application of an oil spray.

Do not apply oil sprays during periods of excessively high temperature (over 90° F). Do not apply this product when weather reports indicate or predict freezing temperatures.

Oil sprays applied after October 1 increase the susceptibility of trees to cold-related injury and may reduce the crop in the following year.

Oil sprays applied to fruit-bearing trees during August and September may seriously reduce the solids content of the juice and retard coloring. Oil sprays applied when fruit is between 3/4 inch and 1-1/2 in diameter may cause oil blotch.

MIXING INSTRUCTIONS

- 1. Add enough water ... agitation.
- 2. Add micronutrients and other ... obtained.
- 3. Maintain agitation of the ... minutes.
- 4. Ensure that spray ... remain.

ASPARAGUS, BEANS, BEETS, CORN, SQUASH, TOMATOES, CUCURBITS & PEPPERS: To control aphids, mites, beetle larvae, leaf miners, and caterpillars, use 1 to 2 gallons of **SOL-OIL 97** in 100 gallons of water.

CITRUS: To control spider mites, whiteflies, and loosening sooty mold, use 5 gallons of product per acre. To control scale insects, greasy spot, and citrus rust mites, use 10 gallons of product per acre. Mix product in sufficient water to ensure thorough coverage of leaves, twigs, and fruit. For controlling scale insects, complete coverage is essential. A thorough inside- and outside-tree application is needed.

Do not exceed a maximum of 159 pounds of active ingredient (in a maximum volume of 1500 gallons of spray mix) per acre when treating citrus in Florida and Texas. Do not exceed a maximum of 212 pounds of active ingredient (in a maximum volume of 2000 gallons of spray mix) per acre when treating citrus in California.

Note: The **"STORAGE AND DISPOSAL"** box may be retained within the **"DIRECTIONS FOR USE"** or moved so that it immediately precedes or immediately follows the **"DIRECTIONS FOR USE"**.

10. Make the changes listed below to the “**CONDITIONS OF SALE – LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES**” text.
- a. Change the last sentence of the paragraph which begins with “The directions on this label” to read as shown below.

To the extent permitted by applicable laws, the Company makes no other warranties of any kind, expressed or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose.

- b. In the first sentence of the next paragraph, change “The exclusive” to “To the extent permitted by applicable laws, the exclusive”.

SPECIMEN LABEL

SOL-OIL 97

MANUFACTURED FOR:
HELENA CHEMICAL COMPANY
225 SCHILLING BOULEVARD
COLLIERVILLE, TENNESSEE 38422
Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No. 5905-294

A SOLUBLE OIL FOR USE IN WATER ON CITRUS

ACTIVE INGREDIENTS:

Mineral Oil* 97.2%

INERT INGREDIENTS: 2.8%

TOTAL 100.0%

*Unulfonated Residue - 96-98%

NOTE: This product not intended for greenhouse use.

KEEP OUT OF REACH OF CHILDREN	
CAUTION	
PRECAUTIONARY STATEMENTS	
HAZARDS TO HUMANS & DOMESTIC ANIMALS	
CAUTION	
Harmful if swallowed or inhaled. Wash thoroughly with soap and water after handling. Avoid breathing of spray or vapors. Avoid contamination of food and foodstuffs.	
FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to a person. • Do not give anything to an unconscious or convulsing person.
IF INHALED:	<ul style="list-style-type: none"> • Move victim to fresh air. • If not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eyelid 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. • Call a poison control center or doctor immediately for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor immediately for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. In case of emergency, call ChemTrec at 1-800-424-9300.	
NOTE TO PHYSICIAN: Contains petroleum distillate. Do not induce vomiting -vomiting may pose an aspiration pneumonia hazard.	
SEE INSIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.	

SN 0603/0108

NET CONTENTS:

EPA REG. NO. 5905-294

EPA EST. NO. 5905-FL-001

Disclaimer: Always refer to the label on the product before using Helena or any other product.

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, B, C, D, E, F, G, or H on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators, flaggers, and other handlers must wear:

- Long-sleeve shirt and long pants, and
- Shoes plus socks

See engineering controls for additional requirements.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE 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.

ENGINEERING CONTROLS

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6)].

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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. Do not contaminate water when disposing of equipment washwaters or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

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.

SPECIMEN LABEL

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.

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product.

WIND SPEED

Do not apply at wind speeds greater than 15 mph at the application site.

DROPLET SIZE

Apply as a medium or coarser spray (ASAE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

**GROUND SPRAY APPLICATIONS
RELEASE HEIGHT**

Apply using a nozzle height of no more than 4 feet above the ground or crop canopy.

WIND SPEED

Do not apply at wind speeds greater than 15 mph at the application site.

DROPLET SIZE

Apply as a medium or coarser spray (ASAE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

AIRBLAST APPLICATIONS

For airblast applications, turn off outward pointing nozzles at row ends and when spraying outer row. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

TEMPERATURE INVERSIONS

If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions of stable atmospheric conditions.

AERIAL SPRAY APPLICATIONS

For aerial applications of agricultural products, do not release spray at a height greater than 10 feet above the ground, top of crops, or above the orchard canopy.

BOOM LENGTH

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

SWATCH ADJUSTMENT

When applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downward edge of the application area by adjusting the path of the aircraft upwind. Leave at least one swath unsprayed at the downwind edge of the treated field.

WIND SPEED

Do not apply at wind speeds greater than 15 mph at the application site.

DROPLET SIZE

Apply as a medium or coarser spray (ASAE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

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 soil or water, is:

- coveralls
- shoes plus socks, and
- chemical-resistant gloves made of any waterproof material

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

STORAGE: Keep container well sealed. Protect from excessive heat.

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: 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

Do not apply oil sprays when trees are wilting or near wilting. In general, a period of 3 or more weeks should elapse between an application of sulfur or lime sulfur and an oil spray. Oil sprays applied after October 1 increase the susceptibility of trees to cold injury and may reduce the crop the following year.

SPECIMEN LABEL

Oil sprays should not be applied on bearing trees during August and September, since during this period they will seriously reduce the solids content of the juice and retard coloring. Oil sprays applied when the fruit is between 3/4" and 1-1/2" in diameter may result in oil blotch.

Avoid spraying with oil during periods of excessively high temperature (over 90° F.). Do not spray with this material if weather reports indicate freezing temperatures.

Do not use this material if it does not mix with water. Do not use in undiluted form.

MIXING INSTRUCTIONS

1. Add enough water to the mixing tank for proper agitation.
2. Add micronutrients and other desired pesticides. If dry pesticide products are used, mix the materials with water thoroughly so that they are completely dispersed in the mixing tank. DO NOT add SOL-OIL 97 before a uniform mixture of pesticide and water is obtained.
3. Maintain agitation of the mix until the spray is applied. Flush any spray mix remaining in hoses back into the tank if the solution stands for more than 20 minutes.
4. Ensure that spray equipment is thoroughly clean so that residues from other applications do not remain.

For scalcicides to be effective, complete coverage is essential, necessitating a thorough inside and outside tree application.

ASPARAGUS, BEANS, BEETS, CORN, SQUASH, TOMATOES, CUCURBITS & PEPPERS: Aphids, Mites, Beetle Larvae, Leafminers, Certain Caterpillars - Use 1 to 2 gallons of SOL- OIL 97 to 100 gallons of water.

CITRUS: Spider mites, Whitefly, loosening Sooty Mold - Use 5 gallons per acre. Scale insects, Greasy Spot, Citrus Rust Mite - 10 gallons per acre. Apply in sufficient water to assure thorough coverage of leaves, twigs & fruit.

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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