

5905-422

8/19/2010

1/6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 19 2010

Ms Cheryl Wagner
Helena Chemical Company
C/O Wagner Regulatory Associates, Inc
P.O Box 640
Hockessin, DE 19707

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 3, 2010 for:

EPA Registration 5905-422 Helena 90% Sulfur Dust

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-5335 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, which appears to read "Rachel C. Holloman", is written over the typed name.

Paul Mastradone, Acting Leader *for*
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

 United States Environmental Protection Agency Washington, DC 20460	<input checked="" type="checkbox"/>	Registration	OPP Identifier Number
	<input type="checkbox"/>	Amendment	
	<input type="checkbox"/>	Other	

Application for Pesticide - Section I

1. Company/Product Number 5905-422	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None Restricted
4. Company/Product (Name) Helena 90% Sulfur Dust	PM# 21	
5. Name and Address of Applicant (Include Zip Code) Helena Chemical Company c/o Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. Product Name

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

NOTIFICATION
AUG 19 2010

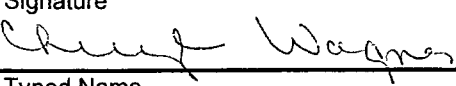
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 2007-4 and EPA Regulations at 40 CFR 156.10, 154.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the requirements 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" No. per container	If "Yes" No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
Unit Packaging wgt. container		Package wgt. container		<input type="checkbox"/> Other (Specify) HDPE lined bags	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 30 lb. bag, 50 lb. bag, bulk		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				Other ___ adhesive backed label _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Cheryl Wagner	Title Agent for Helena Chemical Company	Telephone No. (Include Area Code) (302) 234 8551
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent for Helena Chemical Company	
4. Typed Name Cheryl Wagner	5. Date August 3, 2010	



Wagner Regulatory Associates, Inc.
P.O. Box 640
7460 Lancaster Pike, Suite 9
Hockessin, Delaware 19707

August 3, 2010

Document Processing Desk (NOTIF)
ATTN: Ms. Mary Waller, PM 21
Registration Division (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501

Dear Ms. Waller:

Re: Helena 90% Sulfur Dust
EPA Registration Number 5905-422
Notice of Revised Storage & Disposal Label Language

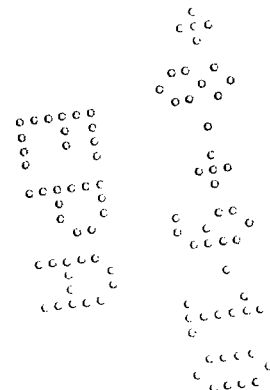
Wagner Regulatory Associates, Inc., on behalf of Helena Chemical Company, hereby notifies the Agency that the storage and disposal section of the subject label as been revised in accordance with PR Notice 2007-4. Enclosed for the Agency's file is:

- Letter from Helena Chemical Company authorizing Wagner Regulatory to serve as Agent
- EPA Notification form (EPA Form 8570-1)
- One copy of revised labeling

Please feel free to contact me at (302) 234-8551 if you have any questions or require additional information.

Respectfully submitted,

Cheryl Wagner
Agent for Helena Chemical Company



SPECIMEN LABEL

90% SULFUR DUST

ACTIVE INGREDIENTS:	BY WEIGHT
Sulfur as elemental.....	90.0%
INERT INGREDIENTS:	10.0%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN

DAÑERO-PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

(If you do not understand the label, find someone to explain it to you in detail.)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DAÑERO - PELIGRO

Causes irreversible eye damage. Harmful if absorbed through skin. Do not get in eyes, on skin or on clothing.

FIRST AID

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 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.• Have a person sip a glass of water if able to swallow.• Do not give anything to an unconscious or convulsing person.

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 first 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: Probable mucosal damage may contraindicate the use of gastric lavage.

SEE INSIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO.: 5905-422 EPA EST. NO.:

NET WEIGHT: 50 LBS. (22.68 Kg.)

MANUFACTURED FOR

HELENA CHEMICAL COMPANY

225 SCHILLING BOULEVARD, SUITE 300

Disclaimer: Always refer to the label on the product before using Helena or any other product.
3Aug2010—revised storage & disposal language

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 A on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-Sleeved shirt and long pants
- Protective Eyewear
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

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

Engineering Controls Statements

When handlers use 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

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 by cleaning of equipment or disposal of wastes.

PHYSICAL HAZARD STATEMENT

Keep away from heat, sparks, or flame. Do not smoke while applying this product.

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

SPECIMEN LABEL

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 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:

- Coveralls
- Protective Eyewear
- Chemical Resistant Gloves Made of Any Waterproof Material
- Shoes plus socks

STORAGE AND DISPOSAL

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

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 FOR BAGS: Nonrefillable container. Do not reuse or refill this container. Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of bags in a sanitary landfill or by incineration if allowed by State and local authorities.

REFILLABLE CONTAINER: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then dispose of in a sanitary landfill or by incineration if allowed by State and local authorities.

To be used as a dust without dilution in conventional ground or air equipment. The best hours for dusting are usually between 5:00 p.m. and 9:00 a.m. and when the wind velocity is less than 5 miles per hour. For disease control begin applications before diseases occur or appear and repeat at 7 to 10 day intervals as needed. To assure good control of mites, dust lower leaf surfaces.

Some fruits and other plants are susceptible to injury from sulfur under certain climatic conditions. The user is advised not to use sulfur on any crop unless local use has proved that sulfur does not damage crops in that locality. Sulfur may burn foliage when the temperature is high (90° or above). Do not use sulfur on Eastern

American Type Grapes, Spinach, Apricots or other sulfur susceptible plants. Do not make applications within two weeks before or after an oil spray. For light to moderate infestations use lower amount recommended. For moderate to heavy infestations use higher of recommended amounts.

When growing crops for processing, consult the processor before applying sulphur.

DIRECTIONS

ALFALFA (Seed): Spider Mites - 20 to 25 lbs. per acre. Do not apply during blooming period in desert areas. Dust when infestation threatens.

ALMONDS, CURRANTS, FIGS, HOPS, PLUMS, PRUNES, WALNUTS: Almond Mite, European Red Mite, Common Red Spiders and Pacific Mite - 50 lbs. per acre. Dust when Spiders begin to multiply in large numbers. Since the effectiveness of sulfur for these Red Spiders varies in different localities, State Agricultural Experiment Stations should be consulted as to the effectiveness before application.

ASPARAGUS: Rust - 15 to 20 lbs. per acre. Dust after cutting stops. Irrigate, cultivate, then apply the sulfur. Repeat if disease is severe.

BEANS, PEAS: Common Red Spiders and Pacific Mite - 15 to 20 lbs. per acre. Dust when Spiders begin to multiply in large numbers. Since the effectiveness of sulfur for these Red Spiders varies in different localities, State Agricultural Experiment Stations should be consulted as to the effectiveness before application.

BEANS, CURRANTS, DAHLIAS, PEAS, PEACHES, ROSES, STRAWBERRIES: Powdery Mildew - 15 to 20 lbs. per acre on beans, dahlias, peas and strawberries, 30 to 40 lbs. per acre on Roses, 50 lbs. per acre on currants and peaches. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

CHERRIES: Leaf Spot and/or Brown Rot - 40 to 45 lbs. per acre. Make first application at Pink Bud Stage, repeat at petal fall and shuck fall stages. Repeat as necessary through growing season.

CITRUS: Citrus Red Spider, Two Spotted Mite, Thrips - 80 to 100 lbs. per acre. Dust when infestation threatens.

COTTON: Atlantic Mite, Pacific Mite, Two Spotted Mite - 25 to 35 lbs. per acre. Dust when infestation threatens.

GRAPES: Powdery Mildew - 7 to 15 lbs. per acre. Dust first when shoots are 6 inches long. Follow a dusting program of applications each 7 to 10 days.

MELONS: Powdery Mildew - 10 to 20 lbs. per acre. May be controlled by dusting, but the sulfur often injures the vines, particularly if the temperature reaches 85°F. Treat when disease first appears and re-treat as necessary. Do not use on sulfur sensitive varieties.

SPECIMEN LABEL

PEACHES, PLUMS, PRUNES: Brown Rot - 50 lbs. per acre. Put on a preventative dusting when the fruit starts to ripen. This often reduces the severity of the disease. Rust - Apply 50 lbs. per acre during summer when disease appears. Repeat after 2 weeks if necessary.

SUGAR BEETS: Spider Mites - 30 to 40 lbs. per acre. Apply when infestation threatens.

TOMATOES: Russet Mite, Two Spotted Spider Mite - 20 to 50 lbs. per acre. Because of sulfur, first obtain permission from your canner or processor before using it on tomatoes intended for sale to such canner or processor.

**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 Holding Company, 2010.

