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5905-443

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

S502091

JAN 02 1997

Ms. Beverley Neale
Registration Specialist
Helena Chemical Co.
6075 Poplar Avenue, Suite 500
Memphis, TN 38119

Dear Ms. Neale:

Subject: Deletion of Unsupported Malathion Uses
Malathion 8 Insecticide
EPA Reg. No. 5905-443
Labeling Submitted June 8, 1993
Federal Register Notice of February 9, 1994
Your Supplier's Letter of March 4, 1996.

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 one copy of your final printed label incorporating the following corrections before you release the product for shipment.

a. The subject product labeling falls under the scope of the Worker Protection Standard (WPS) and must bear the required WPS statements as outlined in PR Notices 93-7 and 93-1. The new protective WPS language must be incorporated into the label before you release the product for shipment.

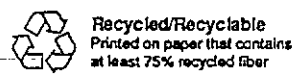
b. Update the second sentence under the "Environmental Hazards" section to read as follows:

"Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark."

c. Add a statement to the directions for use on beans prohibiting the grazing or feeding of the treated crop foliage by livestock (vines/forage and straw/hay).

2. Within 6 months of the date of this letter, submit your updated basic and alternate CSF showing the correct EPA Reg. No. for your source of the malathion used in the subject product.

The product listed as the source of malathion on your



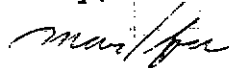
current basic CSF dated December 21, 1993 and on two of the alternate CSF has since been canceled and transferred to another registrant.

Based on the additional information provided in your supplier's letter of March 4, 1996 regarding one of the inert ingredients, the two alternate Confidential Statements of Formula (CSF) dated December 21, 1993 and containing this inert ingredient, are acceptable.

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 amended label constitutes acceptance of these conditions.

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

Sincerely,



William W. Jacobs, Ph. D.
Acting, Product Manager Team 14
Insecticide-Rodenticide Branch
Registration Division (7505C)

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MALATHION 8 INSECTICIDE

ACTIVE INGREDIENT:

Malathion*: O,O-dimethyl phosphorodithioate of
diethyl mercaptosuccinate..... 80.40%

INERT INGREDIENTS**..... 19.60%

TOTAL..... 100.00%

ACCEPTED
with COMMENTS
in EPA Letter Dated
JAN 02 1997
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
5905-443

This product contains 8 lbs. of Malathion per gallon.

KEEP OUT OF REACH OF CHILDREN
CAUTION - PRECAUCION

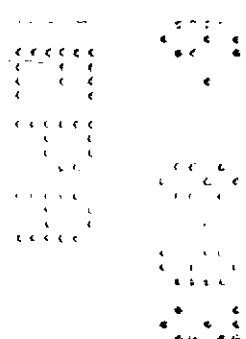
PRECAUCION AL USARIO: Si usted no lee ingles, no use este producto hasta que le etiqueta
haya sido explicado ampliamente.

SEE INSIDE BOOKLET FOR ADDITIONAL PRECAUTIONS AND DIRECTIONS FOR USE.

EPA REG. NO. 5905-443
EPA EST. NO.

NET CONTENTS;

Manufactured by
HELENA CHEMICAL COMPANY
MEMPHIS, TN. 38119



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**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. Wash thoroughly after handling. Wash contaminated clothing before reuse. Flush contaminated eyes with plenty of water and get medical attention if irritation persists. Keep children and pets off treated areas until this material is washed into the soil and grass is dry.

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center. Drink one or two glasses of water and induce vomiting by touching the back of throat. Do not induce vomiting or give anything by mouth to an unconscious or convulsing person.

IF INHALED: Remove victim to fresh air. Apply artificial respiration if indicated.

IF IN EYES: Flush eyes for at least 15 minutes with water. Call physician immediately.

IF ON SKIN: Immediately wash with plenty of soap and water while removing contaminated clothing and shoes. Get medical attention.

Note to Physicians: This product is a cholinesterase inhibitor. Atropine is antidotal. 2-PAM may be effective as an adjunct to atropine.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not apply directly to water or wetlands (i.e., swamps, bogs, marshes, and potholes). 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.

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CHEMIGATION PROHIBITION

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

RE-ENTRY STATEMENT

Do not apply this product in such a manner as to directly or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons.

Do not enter treated areas without protective clothing until sprays have dried.

Protective clothing means, at least, a hat or other suitable head covering, a long-sleeved shirt and long-legged trousers or a coverall type garment (all of closely woven fabric covering the body, including the arms and legs), shoes and socks.

Because certain states may require more restrictive re-entry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.

Written or oral warnings must be given to workers who are expected to be in a treated area or in an area about to be treated with this product. When oral warnings are given, warnings shall be given in a language customarily understood by workers. Oral warnings must be given if there is reason to believe that written warnings cannot be understood by workers. Written warnings must include the following information. **CAUTION!** Area treated with Malathion on (date of application). Do not enter without appropriate protective clothing until sprays have dried. See Statement of Practical Treatment and Precautionary Statements for actions to be taken in case of accidental exposure.

STORAGE AND DISPOSAL

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

STORAGE: Store in a dry place.

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.

GENERAL INFORMATION

This product is to be used with water. Do not use in undiluted form. Before using, mix the recommended amount of Malathion 8 with an equal amount of water and add this mixture to the spray tank. Maintain agitation while mixing and applying. For aerial application to vegetable crops, apply 1-3 gallons of spray mixture per acre. For ground application to vegetable crops, apply 10-15 gallons of spray mixture per acre.

Apply at first sign of an insect infestation and repeat as necessary. Best results are obtained with thorough coverage of all exposed plant surfaces. Consult your State Agricultural Extension Service or Experiment Station for additional information as to proper timing of application.

CHERRIES: Cherry Fruit Fly, Eyespotted Bud Moth - 5/8 pt. per 100 gal. of water. Black Cherry Aphid, Fruittree Leafroller - 1 pt. per 100 gal. of water. Do not apply within 3 days of harvest. May injure foliage of some varieties.

GRAPES: Leafhoppers, Mealybugs, Spider Mites - 1 pt. per acre. Do not apply within 3 days of harvest. May injure Ribier, Italia, Cardinal and Almeria varieties if applied after clusters appear.

PEACHES: Aphids - 5/8 pt. per 100 gal. of water. Oriental fruit moth, Plum Curculio - 1-1/4 pt. per 100 gal. of water. Apply at petal fall and every 10 to 14 days thereafter until control is achieved. Do not apply within 7 days of harvest.

PECANS: Aphids, Spider Mites - 5/8 pt. to 1 pt. per 100 gal. of water.

STRAWBERRIES: Aphids, Lygus Bugs, Spider Mites, Spittlebugs, Potato Leafhopper, Field Crickets, Strawberry Leafhopper, Strawberry Root Weevil, Whiteflies - 1 pt. to 2 pt. per acre. Do not apply within 3 days of harvest.

BEANS: Aphids, Cucumber Beetles - 1-1/4 pt. per acre. Spider Mites - 5/8 pt. to 1 pt. per acre. Mexican Bean Beetle - 1 pt. per acre. Leafhoppers, Thrips - 1 pt. to 1-3/4 pt. per acre. Lygus Bugs (Dry Beans - California) - 1 pt. to 1-3/4 pt. per acre. Do not apply within 1 day of harvest.

BEETS (TABLE): Aphids - 1 pt. to 1-1/4 pt. per acre. Do not apply within 7 days of harvest.

BROCCOLI, BRUSSELS SPROUTS, CABBAGE, CAULIFLOWER, KALE, MUSTARD, TURNIPS: Aphids, Imported Cabbageworm, Cabbage Looper, Flea Beetles - use 1 pt. to 2 pt. per acre. Do not apply to Broccoli and Turnips within 3 days of harvest. Do not apply to Brussels Sprouts, Cauliflower, Kale and Mustard within 7 days of harvest.

CELERY: Aphids, Spider Mites - 1 pt. per acre. Do not apply within 7 days of harvest.

CORN (Field, Sweet, Pop): Aphids, Grasshoppers - 1 pt. per acre. For best grasshopper control, apply when nymphs are in the first through third instar. Sap Beetles - 1 pt. per acre beginning when 10% of ears show silk and repeat at 2 to 5 day intervals. Do not apply within 5 days of harvest.

CUCUMBERS, SQUASH: Aphids, Spider Mites, Pickleworm - 1 pt. per acre. Squash vine borer - 1-7/8 pt. per acre. For squash vine borer control, apply weekly to stems and vines at base of plant. Do not apply unless plants are dry. Do not apply to cucumbers and squash within 1 day of harvest.

EGGPLANTS: Aphids, Spider Mites - 5/8 pt. to 1 pt. per acre. Lace Bug - 1-7/8 pt. to 2 pt. per acre. Do not apply within 3 days of harvest.

LETTUCE (Head, Leaf): Aphids, Leafhoppers, Loopers - 1 pt. to 2 pt. per acre. Do not apply

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to Leaf Lettuce within 14 days of harvest. Do not apply to Head Lettuce within 7 days of harvest.

ONIONS: Thrips - 1 pt. per acre. Onion Maggot - 1-1/2 pt. per acre. Do not apply within 3 days of harvest for green onions.

PEPPERS: Aphids - 5/8 pt. per acre. Pepper Maggot - 1-1/2 pt. per acre. Do not apply within 3 days of harvest.

POTATOES: Aphids, Leafhoppers - 5/8 pt. per acre.

TOMATOES: Aphids, Spider Mites, Tomato Russet Mite - 5/8 pt. to 1 pt. per acre. Do not apply within 1 day of harvest.

ORNAMENTALS: Aphids, Whiteflies, Mealybugs - 1 pt. to 1-1/2 pt. per 100 gal. of water. Birch Leafminer, Bagworm, Tent Caterpillar, Soft Brown Scale, Monterey Pine Scale - 1-1/2 pt. per 100 gal. of water. Apply to completely cover. Do not use on Canaerti Junipers.

The use of Malathion 8 may cause injury to certain ferns including Boston, Maidenhair and Pteris and some species of Crassula.

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

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, 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 is a claim for damage and in no event shall damages or any other recovery of any kind against the Company exceed the price of the product which causes the alleged loss, damage, injury, or other claim. 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.