

5905-544

8/19/2010

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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 5, 2010 for:

EPA Registration 5905-544 Extra Value Dusting Sulfur

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 cursive script that reads "Rachel C. Holloman".

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

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

Application for Pesticide - Section I

<p>1. Company/Product Number 5905-544</p>	<p>2. EPA Product Manager Mary Waller</p>	<p>3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted</p>
<p>4. Company/Product (Name) Extra Value Dusting Sulfur</p>	<p>PM# 21</p>	
<p>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</p>	<p>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</p>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION
<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.	

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, 156.140, 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:

<p>Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No</p>	<p>Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Type of Container</p> <p><input type="checkbox"/> Metal</p> <p><input checked="" type="checkbox"/> Plastic</p> <p><input type="checkbox"/> Glass</p> <p><input type="checkbox"/> Paper</p> <p><input type="checkbox"/> Other (Specify) HDPE lined bags</p>
<p>* Certification must be submitted</p>		<p>If "Yes" No. per If "Yes" No. per</p> <p>Unit Packaging wgt. container Package wgt container</p>	

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
50 lb. bag

5. Location of Label Directions
 On Label
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph Other _____ adhesive backed label _____
 Paper glued
 Stenciled

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Catherine Byrd	Title Agent for Helena Chemical Company	Telephone No. (Include Area Code) (302) 234-2780
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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.

2. Signature 	3. Title Agent for Helena Chemical Company	<p>6. Date Application Received</p> <p style="text-align: center;">(Stamped)</p>
4. Typed Name Catherine Byrd	5. Date	

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HELENA CHEMICAL COMPANY

225 Schilling Blvd., Suite 300
Collierville, Tennessee 38017
Phone: (901) 761-0050

May 3, 2010

US Environmental Protection Agency
Office of Pesticide Programs
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Re: Designation of Agent for:
Helena Chemical Company (EPA Company no. 5905)
664 Moore Road
Memphis, TN 38120

Dear Sir or Madam:

This letter serves as notification that our company has appointed Wagner Regulatory Associates, Inc. ("WRA") to serve as Agent on our company's behalf regarding US EPA regulatory matters relative to Helena's existing registered products, products pending registration and future registration applications. WRA is based at 7460 Lancaster Pike, Suite 9, Hockessin, Delaware 19707.

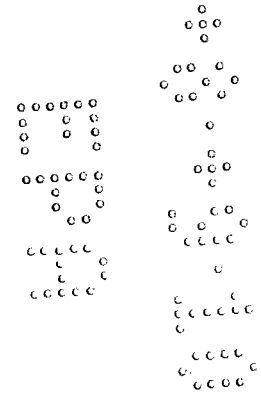
Helena requests the EPA to accept registration submissions and inquiries from WRA for Helena products and authorizes the EPA to provide registration correspondence to WRA for Helena products.

Thank you for your time and assistance. Please feel free to call me at if you have any questions. This appointment will remain in effect until such time as it is revoked in writing by Helena.

Respectfully submitted,

Dave Thomas
Vice President - Marketing

cc: WRA Inc.



Handwritten: C, D# 438522, 4007



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

August 5, 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: Extra Value Dusting Sulfur
EPA Registration Number 5905-544
Notice of Revised Storage & Disposal Label Language

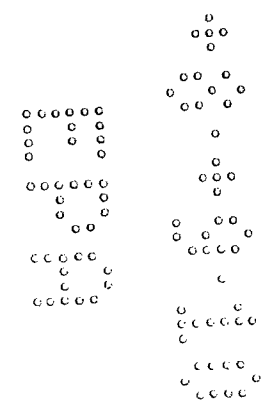
Wagner Regulatory Associates, Inc., on behalf of Helena Chemical Company, hereby notifies the Agency that the storage and disposal section of the subject label as been revised in accordance with PR Notice 2007-4. Enclosed for the Agency's file is:

- 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

EXTRA VALUE DUSTING SULFUR

ACTIVE INGREDIENTS:

Sulfur.....93.0%

INERT INGREDIENTS:.....7.0%

TOTAL.....100.0%

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 CONTROL STATEMENTS

When handlers use closed systems or enclosed cabs 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. Do not contaminate water when disposing of equipment washwaters. Do not apply when weather conditions favor drift from treated areas.

PHYSICAL AND CHEMICAL HAZARDS

Sulfur dust suspended in air ignites easily. Keep away from heat, sparks, and flame. Do not smoke while applying this product.

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.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

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 immediately for treatment advice.

IF IN EYES:

- 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 INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth to mouth if possible.
- Call a poison control center or doctor for further 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 1-800-424-9300.

NOTIFICATION
AUG 19 2010

EPA Reg. No. 5905-544
EPA Est. No.

NET CONTENTS: 50 LBS.

MANUFACTURED FOR
HELENA CHEMICAL COMPANY
225 SCHILLING BOULEVARD, SUITE 300
COLLIERVILLE, TN 38017

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Harmful if inhaled or absorbed through skin. Avoid breathing dust. Avoid contact with eyes, skin, or clothing.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear long-sleeved shirt and long pants, agricultural chemical-resistant gloves made of any waterproof material (such as Nitrile, Neoprene, and/or Barrier Laminate) and shoes plus socks.

SPECIMEN LABEL

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

Agricultural chemical resistant gloves made of any waterproof material (such as Nitrile, Neoprene, and/or Barrier Laminate)

Shoes plus socks

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool dry place.

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

CONTAINER DISPOSAL: Non refillable 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. Offer for recycling, if available, or dispose of bags in a sanitary landfill or by incineration if allowed by State and local authorities.

OBSERVE THE FOLLOWING USE PRECAUTIONS

Sulfur may cause severe fruit and foliage injury to certain crops. Use only if local use has proved that sulfur does not damage crops in your area. Sulfur may burn foliage when temperature is high. Do not apply if temperature during, or within 3 days after application is expected to exceed 90 F.

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

Do not use sulfur within 3 to 4 weeks of an oil spray.

APPLES: Scab, Powdery mildew. Apply 30 to 40 lbs. per acre. Make first application in Green Tip Stage. Repeat application at Pink Bud Stage. Use low rate on smaller trees, increasing rate according to size of tree. Use high rate on larger trees. Use on sulfur tolerant varieties only.

CITRUS: Six Spotted and Citrus Rust Mites. Apply 80 lbs. per acre; (1/2 to 1 1/2 lbs. per tree, depending on size, for citrus rust mite in Florida). Citrus flat and Yuma spider mites. Apply 100 lbs. per acre; Citrus thrips- Apply 100 lbs. per acre in three applications, mid-March, Petal fall and 2-4 weeks later. Do not apply within 3 to 6 weeks of an oil spray.

PEACH, NECTARINE: Brown rot blossom blight, Fruit brown rot, Coryneum blight, Rust, Peach silver mite, Powdery mildew. Apply 50

lbs. per acre at Blossom, Petal-fall, Shuck-fall, and four weeks before harvest.

BEANS: powdery mildew, Rust, Spider mites. Apply 15 to 30 lbs. per acre. For Rust control, start applications as soon as the first true leaves form and continue at weekly intervals until blossom time.

CAUTION: May cause injury to some varieties of beans. Use lower rate when plants are small; increase rate as plants increase size. Use high rate on larger plants. Use high rate when infection is severe.

COTTON: Atlantic mite, Cotton rust. Apply 25 to 30 lbs. per acre. For Rust control, start applications as soon as the first true leaves form and continue at weekly intervals until blossom time. Use low rate when plants are small; increase rate as plants increase in size. Use high rate on larger plants. Use high rate when infection is severe.

PEAS: Powdery mildew. Apply 15 to 20 lbs. per acre. Begin application at first bloom or first disease appearance. Continue applications at weekly intervals until 4 days prior to harvest. Use the low rate when plants are small; increasing to the high rate as plants grow larger. Use the high rate during cool, humid weather or following application of irrigation water. Use the high rate if infection is severe.

PEANUTS: Rust, Leaf spot. Apply 15 to 20 lbs. per acre. Begin applications at first appearance of disease. Continue applications at 14 day intervals, until 4 days prior to harvest. Use the low rate when plants are small, increasing to the high rate when plants are 35 days old. Use the high rate if infection is severe.

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:

SPECIMEN LABEL

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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