

PM19

5967-128

1-84 File



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

MAR 24 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Terri Aal
MOYER PRODUCTS, INC.
P. O. Box 5434
Fresno, CA 93755

Subject: Label Amendment Submission of 11/04/93 in Response to PR Notice 93-7
EPA Reg. No. 5967-128
DORMANT EMULSION

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.

BEST AVAILABLE COPY



Recycled/Recyclable
Printed with SoyCanola Ink on paper that
contains at least 50% recycled fiber

2 of 4

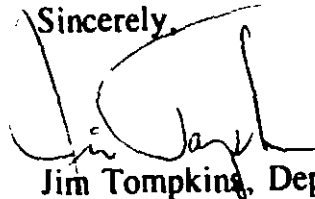
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

BEST AVAILABLE COPY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Terri Aal
MOYER PRODUCTS, INC.
BOX 5434
FRESNO CA 93755

Comment for: EPA Reg Nr.5967-128
DORMANT EMULSION

The following specific comments pertain to your WPS
labeling submission concerning the product
cited above:

User Safety Recommendations must either be placed in a box
or printed on the label in a contrasting color from
surrounding text.

BEST AVAILABLE COPY

MOYER

PRODUCTS

4-8-4

PRELIMINARY STATEMENTS
HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Avoid breathing spray mist. Avoid contact with skin, eyes, clothing. In case of contact, immediately flush eyes and skin with plenty of water. Get medical attention if irritation persists.

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 E on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves, such as Barrier Laminate or Nitrile Rubber \geq 14 mils or Neoprene Rubber \geq 14 mils or Viton \geq 14 mils, 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.

USER SAFETY RECOMMENDATIONS:

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 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.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not apply when weather conditions favor drift from the treated area. Do not apply where runoff is likely to occur. Do not contaminate water by cleaning equipment or disposing of wastes. Apply this product only as specified on this label.

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.

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

AGRICULTURAL USE REQUIREMENTS

Use this product 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, chemical-resistant gloves, such as Barrier Laminate or Nitrile Rubber \geq 14 mils or Neoprene Rubber \geq 14 mils or Viton \geq 14 mils, shoes plus socks.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Keep container closed when not in use. Protect from freezing. Keep in shade. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent.

PESTICIDE DISPOSAL: Open dumping is prohibited. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Do not reuse container. Triple rinse residue from empty container and add rinse to mixture in spray tank. Return to drum manufacturer or dispose of drum in sanitary landfill in accordance with state and local regulations.

DORMANT EMULSION

ACTIVE INGREDIENT	By Weight
Petroleum Oil	100.00%
INERT INGREDIENTS	20.00%
TOTAL	100.00%

Classification - Dormant Heavy
Unsulfonated Kerosene - 70% Minimum

KEEP OUT OF REACH OF CHILDREN CAUTION

HARMFUL IF SWALLOWED. DO NOT SWALLOW OR INHALE.

See Additional precautions on side panel
PRACTICAL TREATMENT: (First Aid)

IF SWALLOWED: DO NOT MAKE PERSON VOMIT. CALL A DOCTOR IMMEDIATELY. Ingestion of this product or subsequent vomiting can result in aspiration of light hydrocarbon liquid which can cause pneumonia. **NOTE TO PHYSICIAN:** Emergency information - Call Chemtrec (800) 424-9300.

IF ON SKIN: Wipe off material and wash skin with soap and water. Get medical attention if irritation persists.

IF IN EYES: Wash with plenty of water for at least 15 minutes. Get medical attention.

IF INHALED: Remove to fresh air. **IF NOT BREATHING:** Give artificial respiration preferably mouth to mouth. Get medical attention. Never give anything by mouth to an unconscious person.

EPA REG. NO. 05067-121AA EPA EST. NO. 5967-CX-1,
5967-CX-4
(as stamped on label)

MANUFACTURED BY
MOYER PRODUCTS, INC.
P.O. BOX 5434, FRESNO, CALIFORNIA 93755

NET CONTENTS GALLONS

THESE RECOMMENDATIONS FOR CALIFORNIA USE ONLY
HAWAIIAN APPOINT SCALE, HAWAIIAN SCALE: On Almonds, Apricots, Cherries, Nectarines, Peaches, Plums and Prunes - Dormant Spray - Use 3-4 gallons to make 100 gallons of diluted spray. If winter rains have replenished soil moisture and bark of trees is noticeably damp, this spray should be applied in December or January.

ORANGE SCALE, ORANGE SCALE (Palo Verde Scale) and other Scale Insects: On Almonds, Apricots, Cherries, Nectarines, Peaches, Plums and Prunes - Dormant Spray - Use 4 gallons per 100 gallons spray.

EGGS OF APHIDS, ITALIAN PLUM SCALE, EGGS OF THE SPINER APHID, SAN JOSE SCALE, IMMATURE TWIG MINERS: On Almonds, Apples, Apricots, Cherries, Nectarines, Peaches, Pears, Plums and Prunes - Dormant Spray - Use 4-5 gallons to make 100 gallons diluted spray. Apply in December or January when the soil is full of moisture.

ITALIAN TWIG EGGS: On Apples, Pears and Prunes - Use 4-5 gallons to make 100 gallons diluted spray. Apply when buds swell but prior to bud cracking.

MOSS ANTHRENIDS: On Apples, Almonds, Apricots, Cherries, Nectarines, Peaches, Pears, Plums and Prunes - Dormant Spray - Use 2-4 gallons with 15-20 lbs. of Spray Linn for each 100 gallons of diluted spray.

Contact the Division of Agricultural Sciences, University of California or the State Extension Service Specialists for additional information.

CONCENTRATE APPLICATION

ALMONDS: Dormant - Brown Apricot Scale, San Jose Scale, Other Scale Insects, Mite Eggs. 6-8 gallons per acre in 40-160 gallons of water as a concentrate spray.

PEACHES: Dormant - Brown Apricot Scale, Other Scales, Mite Eggs. 8-12 gallons per acre in 40-160 gallons of water as a concentrate spray.

PLUMS: Dormant - San Jose Scale, Brown Apricot Scale, Other Scale Insects, Pear Psylla Eggs. 12-15 gallons per acre in 40-160 gallons of water as a concentrate spray. Delayed Dormant - Same insects as above plus Mite Eggs. 8 gallons per acre in 40-160 gallons of water as a concentrate spray.

PRUNES: Dormant - Palo Verde (Other) Scale, San Jose Scale, Brown Apricot Scale, Mite Eggs. 6-8 gallons per acre in 40-160 gallons of water as a concentrate spray.

AIR APPLICATION

FOR CROPS AND INSECT PESTS LISTED ABOVE: An application - Use same range of product dosage per acre for each crop listed. Apply in sufficient water to make 15-25 gallons diluted spray per acre. An application is recommended as an emergency measure only when soil conditions do not permit application with ground equipment.

NOTE: Since spray pattern, particle size, speed of travel, arcuate calibration, air volume, and wind conditions are critical as to degree of control and risk of phytotoxicity, it is suggested the user rely on local experience as well as apply available knowledge in the labeling, adjustment, speed of travel and calibration when using concentrate sprays in his orchard.

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 24 1974
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
5967-121B

CONDITIONS OF SALE:

1. Moyer warrants that this product consists of the ingredients specified and is reasonably fit for the purpose stated on this label when used in accordance with the directions under normal conditions of use. No one other than an officer of Moyer is authorized (and such authorization must be in writing) to make any other warranty, guarantee or direction concerning this product.

2. Because the time, place, rate of application, weather conditions and normal or abnormal conditions of use or storage are beyond Moyer's control, Moyer's liability is limited to replacement of product or refund of purchase price. In no event shall Moyer be liable for indirect or consequential damages.

BEST AVAILABLE COPY