

Reg # 9779-5

PM-14

OCT 19 1993

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

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Glenda Haage  
Riverside/Terra Corporation  
600 Fourth St.  
Sioux City, IA 51101

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Dear Ms. Haage:

Subject: Addition of Cherries  
Malathion 5  
EPA Registration No. 9779-5  
Supplemental Labeling Submitted January 29, 1993

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable provided that you:

1. Submit two(2) copies of your final printed labeling before you release the product for shipment.
2. Submit your revised Formulator's Exemption Statement(FES) and Confidential Statement of Formula(CSF) showing the correct EPA Reg. No(s). for your source of malathion within 6 months of the date of this letter. There appears to be a discrepancy between the CSFs and the FESs submitted for the product. The second listed malathion source appearing on your FES dated January 29, 1993 (which was submitted in support of the subject supplemental labeling) does not appear either on your FES dated August 11, 1992 (which was submitted to support reregistration of your product) or on the most recent CSFs in our file (dated March 17, 1980 and October 17, 1984).

Moreover, though this same source is labeled for use on cherries, it is not currently labeled for formulating use and is not labeled for all the uses appearing on your current registered label for the subject product. Therefore, it does not meet the requirements for the formulators exemption. Refer to item two of the FES which states "\_\_\_ and is labeled for at least each use for which my product is proposed to be labeled."

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

Note that this acceptance of your label does not relieve you of your obligation to comply with the Worker Protection Standard (WPS). If any of your products are covered by the WPS, you are

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required to submit, and receive the Agency's approval by April 21, 1994, of a revised label reflecting the required label statements of 40 CFR 156, published in the Federal Register on August 21, 1992 (57 FR 38102).

The attached information sheet displays the uses which are within the scope of the WPS labeling requirements. For advice or instruction regarding your compliance with PR Notice 93-7, you may contact the special WPS Label Information Line at 1-800-777-2185.

Sincerely yours,

Robert A. Forrest  
Product Manager (14)  
Insecticide-Rodenticide Branch  
Registration Division (7504C)

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SUPPLEMENTAL LABEL

Malathion 5  
(EPA Reg. No. 9779-5)

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

OCT 19 1993

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

9779-5

FOR USE ON CHERRIES

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

CHERRIES: For control of black cherry aphid and fruittree leafroller, use 1 1/2 pints per 100 gallons of water. For cherry fruit fly, Japanese beetle, and eyespotted bud moth, apply 1 pint per 100 gallons water. (The rates for use on cherries are based on a standard of 400 gallons per acre dilute spray for mature trees). Do not apply more than 8 lbs. of actual Malathion 5 per acre to cherry trees. Injury may occur on certain varieties of sweet cherries, particularly in the Northwest. Do not apply within 3 days of harvest.

Observe all applicable directions, precautions and limitations of the EPA-registered label for this product.

