



pm 21 10163-77

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FILE

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

JAN 14 1994

Bethany Hulcy
GOWAN COMPANY
BOX 5569
YUMA, AZ. 85366

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 08/13/93 In Response to PR Notice 93-7
EPA Reg. No. 10163-77
GOWAN DUSTING SULFUR

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

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 listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.



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contains at least 50% recycled fiber

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Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the 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 neither been reviewed nor 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:

Submit the required notification. Then 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 as amended

AND

- **WITHIN** one year from date of this acceptance.

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

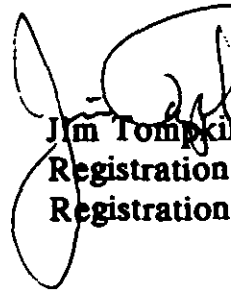
Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

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Hand or courier deliveries of final 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,

A handwritten signature in black ink, appearing to read "Jim Tompkins", is written over the typed name and title.

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

Attachment

cc: Office of Compliance Monitoring

GOWAN COMPANY
GOWAN DUSTING SULFUR 08/13/93
10162-77

ORIGINAL SUBMISSION

The eyewear requirement for "applicators and other handlers" in the "Personal Protective Equipment" section on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Protective Eyewear".

The exact location is shown in Section A and B on Part 1 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

The eyewear requirement for early entry in the Agricultural Use Requirements Box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Protective eyewear". The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

GOWAN DUSTING SULFUR

ACTIVE INGREDIENT: Sulfur
INERT INGREDIENTS

6 7 7
% By Wt.
98%
2%
TOTAL 100%

KEEP OUT OF REACH OF CHILDREN CAUTION

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Induce vomiting by sticking finger down throat. Never give anything by mouth to an unconscious person. Get medical attention.
IF IN EYES: Wash eyes with plenty of clear water for at least 15 minutes. Get medical attention.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Avoid breathing dust. May cause irritation of nose, throat or skin. Avoid contact with eyes, skin or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- 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.

ACCEPTED
with COMMENTS
EPA Letter Dated

JAN 14 1994

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

10163-77

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.

USAGE PRECAUTIONS

Sulfur may cause severe fruit and foliage injury to certain crops. Examples of sulfur-sensitive plants include Anjou and Comice pears; apricots; cranberries; certain varieties of cucurbits, such as cucumbers, squash and certain varieties of melons; filberts; spinach; tung; walnuts; and certain ornamentals. Many other plants, such as apples, pears and strawberries, are susceptible to foliage burn with sulfur under certain climatic conditions. When growing crops for processing, consult the processor before applying sulfur.

Sulfur may burn foliage and fruit during periods of high temperature and under certain climatic conditions. Do not apply when shade temperatures exceed, or are likely to exceed 90° F. Do not use sulfur within 14 days (60 days on citrus) of an oil spray.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not apply when weather conditions favor drift from areas treated. Do not apply where runoff is likely to occur.

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 intervals. 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
- Waterproof gloves
- Shoes plus socks

Read entire label. Use strictly in accordance with cautions, warnings and directions, and with applicable State and Federal regulations. Timing and dosage may vary as a consequence of local weather or other conditions. Always follow the recommendations of State Agriculture Extension Service concerning specific usage.

This product can be applied by ground or air application. Use the lower rates on small plants and under mild disease conditions or light pest infestations. Use the higher rates on large plants and under severe disease conditions or heavy pest infestations.

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: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

NET WEIGHT _____ POUNDS

EPA Reg. No. 10163-77
EPA Est. No. 55429-TX-1

BEST AVAILABLE COPY

GOWAN COMPANY
P.O. Box 5569
Yuma, AZ 85366-5569

BEST AVAILABLE COPY GOWAN DUSTING SULFUR

RECOMMENDATIONS

ALFALFA: Powdery Mildew, Rust—20 to 25 lbs. per acre. Apply to stubble or when crop is not over 3-6 inches high or when disease appears. Repeat at 7-14 day intervals or as necessary. Pacific, Strawberry (Atlantic), and Two Spotted Mites—15 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary. Note to User: Sulfur may cause petal burn to open flowers.

ALMONDS: Brown Rot, Rust, Scab, Shothole—30 to 50 lbs. per acre. Begin when disease threatens or in prebloom, bloom and post-bloom periods. Repeat at 7-10 day intervals or as necessary. Spider Mites—40-50 lbs. per acre. Repeat if necessary. Since the effectiveness of Sulfur for Spider Mites varies in different localities, consult local agricultural authorities as to the effectiveness.

APPLES: Apple Cedar Rust, Black Rot, Brown Rot, Frog-Eye Leaf Spot, Powdery Mildew, Quince Rust, Scab, Sooty Blotch—30 to 60 lbs. per acre from prepink through cover. Note to User: McIntosh, Golden Delicious, Jonathan and certain other varieties may be injured by sulfur application under certain conditions. Check tolerance prior to application.

ARTICHOKES: Leaf Spot—25 to 35 lbs. per acre. Begin when disease first appears and repeat at 7-10 day intervals or as necessary.

ASPARAGUS: Rust—6 to 35 lbs. per acre. Begin after cutting stops. Repeat at 7-10 day intervals through season. Asparagus Mite—40 to 50 lbs. per acre when damage occurs. Repeat as necessary.

AVOCADOS: Mite suppression—40 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary.

BARLEY; OATS; WHEAT: Rust—25 to 40 lbs. per acre. Apply at first sign of disease. Repeat at 7-10 day intervals.

BEANS: Leaf Spot, Powdery Mildew, Rust, Spider Mites, Thrips—15 to 35 lbs. per acre. For disease control, start applications as soon as the first true leaves form and continue at weekly intervals until blossom time. For Mites and Thrips, apply when first appear and repeat as necessary. Note to User: Sulfur may cause injury to some varieties of beans. Check tolerance prior to application.

BEETS: Rust—20 lbs. per acre. Apply at first signs of disease. Repeat at 7-10 day intervals or as necessary.

BLACKBERRIES; BLUEBERRIES; BOYSENBERRIES; CURRANTS; DEWBERRIES; GOOSEBERRIES; HUCKLEBERRIES; LOGANBERRIES; RASPBERRIES: Powdery Mildew—20 to 30 lbs. per acre. Begin when new shoots are 6 inches long and before blossoms open. Repeat at 10 day intervals or as necessary.

BROCCOLI; BRUSSELS SPROUTS; CABBAGE; CAULIFLOWER; COLLARDS; KALE; RUTABAGAS; TURNIPS: Powdery Mildew—20 to 25 lbs. per acre. Begin at first sign of disease. Repeat at 7-10 day intervals or as necessary.

CARROTS: Petrobia Mite—30 to 35 lbs. per acre. Powdery Mildew, Rust—20 to 50 lbs. per acre. Begin at first sign of disease or mites and repeat at 7-10 day intervals.

CELERY: Early and Late Blight—6 to 12 lbs. per acre. Begin as soon as plants emerge. Repeat at 7-10 day intervals or as necessary.

CHERRIES: Brown Rot, Leaf Spot, Powdery Mildew, Rust, Scab, Silver Mite, Stem Blight—35 to 60 lbs. per acre. Begin in pink stage. Repeat at bloom, petal fall and in cover stages at 7-14 day intervals and as a post-harvest foliar treatment for Leaf Spot.

CITRUS: Citrus Flat, Citrus Read Spider, Citrus Rust, Six-Spotted Mite, Yuma Spider Mites—80 to 125 lbs. per acre. Apply when pests first appear and repeat as necessary. Citrus Thrips—Apply 100 to 125 lbs. per acre per acre in three applications at mid-March, petal fall, and again 2-4 weeks later. Do not use sulfur within 60 days of an oil spray.

CLOVER: Powdery Mildew, Rust, Spider Mites—15 to 25 lbs. per acre. Begin when crop is in bud stage or at first sign of disease or mites. Repeat at 7-10 day intervals or as necessary.

COTTON: Rust, Strawberry (Atlantic) Mites—30 to 50 lbs. per acre. For Rust, apply when first true leaves form or when disease threatens. Repeat at 7-10 day intervals. For Mites, apply when mites first appear and repeat as necessary. Underleaf coverage is necessary for Mite control.

COWPEAS: Rust—5 to 25 lbs. per acre. Begin soon after seedlings emerge. Repeat at 7-10 day intervals through season.

CUCUMBERS; PUMPKINS; SQUASH: Powdery Mildew, Scab—10 to 35 lbs. per acre. Begin when first true leaves appear and repeat at weekly intervals. Note to User: Sulfur may injure certain varieties of cucurbits.

DATES: Red Spider Mites—Apply 50 to 120 lbs. per acre when mites first appear. Repeat as necessary to maintain control. May be applied within 1 day of harvest.

EGGPLANTS: Powdery Mildew—20 to 35 lbs. per acre. Begin when first true leaves appear. Repeat at weekly intervals.

FIGS: Fig Rust Mite—40 to 50 lbs. per acre. Apply in the spring and early summer when damage to foliage (russetting) appears. A second application may be necessary.

FLAX: Powdery Mildew—20 to 30 lbs. per acre. Begin at first sign of disease. Repeat at 7-10 day intervals or as necessary.

GARLIC: Downy and Powdery Mildew—20 to 35 lbs. per acre. Petrobia Mite—25 to 30 lbs. per acre. Apply before diseases or pests are expected to appear. Repeat at 7-10 day intervals or as necessary.

GRAPES: Powdery Mildew, Rust—10 to 40 lbs. per acre. Begin when new shoots are 6 inches long. Repeat before blossoms open, and continue as necessary. Avoid over-application in hot weather. Note to User: Concord and other labrusca type grapes may be injured by sulfur.

GRASS SEED CROPS: Timothy Mites—30 lbs. per acre. Apply when mites first appear and repeat as necessary.

HOPS: Spider Mite Suppression—30 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary.

LETTUCE: Powdery Mildew—10 to 15 lbs. per acre. Begin at first sign of disease. Repeat as necessary.

MELONS (Honeydew and Sulfur-Resistant Melons Only): Powdery Mildew, Scab, Spider Mites—15 to 50 lbs. per acre. Begin when first true leaves form for Mildew or when Mites first appear. Repeat at weekly intervals or as necessary. Sulfur may injure foliage, especially if the temperature reaches 95°F. Do not apply to varieties susceptible to sulfur injury.

NECTARINES; PEACHES: Brown Rot, Leaf Spot, Peach Canker, Peach Silver Mite, Powdery Mildew, Rust, Scab, Shothole—35 to 60 lbs. per acre. Apply at pink, bloom, petal fall, shuck split, shuck fall and at 10-14 day intervals as long as necessary. For Brown Rot of fruit, apply when fruit starts to ripen.

OLIVES: Olive Mite—50 to 70 lbs. per acre. Apply when mites appear and repeat as necessary. Do not use sulfur in hot weather as damage may result to crop and foliage.

ONIONS: Botrytis Blight, Downy and Powdery Mildew—20 to 50 lbs. per acre. Begin before disease is expected to appear. Repeat as necessary. Petrobia Mite—26 to 40 lbs. per acre. Apply when mites first appear and repeat as necessary.

PEANUTS: Leaf Spot, Powdery Mildew—20 to 25 lbs. per acre. Begin when plants are 40 days old or when first spots appear on lower leaves. Repeat at 10-14 day intervals and after rains. Rust—20 to 30 lbs. per acre. Apply when disease threatens. Repeat at 7-10 day intervals as necessary.

PEARS: Brown Rot, Leaf Spot, Powdery Mildew, Rust, Scab—20 to 60 lbs. per acre at prebloom, bloom, petal fall and cover periods. Do not apply after the fruit begins to turn down. Note to User: Anjou and Comice varieties may be injured by sulfur.

PEAS: Powdery Mildew, Rust, Spider Mites—15 to 35 lbs. per acre. Begin early in season before disease or mites appear. Repeat at 7-10 day intervals.

PEPPERS: Powdery Mildew—20 to 35 lbs. per acre. Begin before disease appears. Repeat at weekly intervals.

PLUMS; PRUNES: Brown Rot, Leaf Spot, Powdery Mildew, Rust, Scab, Shothole, Silver Mite—35 to 60 lbs. per acre. Begin at late dormant stage for Shothole; at pink stage for other diseases. Repeat at bloom, petal fall, shuck fall and in cover periods as necessary. For Brown Rot of fruit, dust when fruit starts to ripen.

POTATOES: Powdery Mildew—5 to 15 lbs. per acre. Apply before disease appears. Repeat at 7-10 day intervals or as necessary.

QUINCES: Brown Rot, Powdery Mildew, Scab—35 to 60 lbs. per acre. Begin before diseases are expected to appear. Repeat at 7-10 day intervals or as necessary.

SOYBEANS: Leaf Spot, Powdery Mildew—8 to 15 lbs. per acre. Apply at first sign of disease. Repeat at 7-10 day intervals.

SPINACH: Powdery Mildew, Rust—8 to 30 lbs. per acre. Apply when disease first appears. Repeat at 7-10 day intervals.

STRAWBERRIES: Powdery Mildew—3 to 50 lbs. per acre. Begin at first sign of disease and repeat at 7-10 day intervals or as necessary. Note to User: Sulfur may injure strawberries under certain climatic conditions.

SUGAR BEETS: Powdery Mildew, Pacific Mite, Strawberry (Atlantic) Mite, Two-Spotted Mites—30 to 50 lbs. per acre. Apply before disease appears or when mites first appear and repeat as necessary. There is no time limitation.

TOMATOES: Tomato Russet Mite, Two-Spotted Mite—20 to 50 lbs. per acre. Apply when mites first appear and repeat as necessary. If the crop is being grown with the aid of stakes or poles, apply 10 to 13 lbs. per acre per foot of average plant height.

VETCH: Rust—25 to 40 lbs. per acre. Begin at first signs of disease. Repeat at 7-10 day intervals.

WALNUTS: Spider Mites—40 to 50 lbs. per acre. Repeat if necessary. Check tolerance prior to using. Consult local agricultural authorities as to the effectiveness of sulfur on Spider Mites.

ORNAMENTALS: Powdery Mildew, Rust, Leaf Spot—20 to 40 lbs. per acre. Dust for complete coverage on both sides of leaves, applying when disease first appears and repeat at 5-10 day intervals and after rains, as necessary. Keep new growth protected. Avoid application to sulfur-sensitive plants.

NOTICE ON CONDITIONS OF SALE

Our recommendations for use of this product are based upon tests believed to be reliable. The use of this product being beyond the control of the manufacturer, no guarantee, expressed or implied, is made as to the effects of such or the results to be obtained if not used in accordance with directions or established safe practice. The buyer must assume all responsibility, including injury or damage, resulting from its misuse as such, or in combination with other materials.