



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Andrea Priest
Gowan Company
P.O. Box 5569
Yuma, AZ 85366-5569

JUN 12 2008

Dear Ms. Priest:

Subject: Labeling Amendment; Revised Precautionary Statements
MSR 50% Concentrate Insecticide
EPA Registration No. 10163-219
Date Submitted: June 11, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provisions:

1. Within the **NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS** section of the label, revise the sentence "Gowan Company makes no other express or implied warranty..." to read "To the extent consistent with applicable law, Gowan Company makes no other express or implied warranty..."
2. Within the **NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS** section of the label, revise the sentence "To the fullest extent permitted by law, Gowan Company's exclusive liability..." to read "To the extent consistent with applicable law, Gowan Company's exclusive liability..."

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment.

Please note that, with the acceptance of this label amendment, the official product name for this product has been changed to MSR 50% Concentrate Insecticide. Please use this product name in all future correspondences with the Agency regarding this product. If you have any questions regarding this letter, please contact me at (703) 306-0415.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis".

Kable Bo Davis
Entomologist
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

MSR[®]

50% CONCENTRATE INSECTICIDE

FOR USE IN THE MANUFACTURE OF INSECTICIDES

ACTIVE INGREDIENT:		% By Wt.
S-[2-(Ethylsulfanyl)ethyl] O,O-dimethyl phosphorothioate		50.0%
OTHER INGREDIENTS		50.0%
		TOTAL 100.0%

-STOP-
READ THE LABEL BEFORE USE

KEEP OUT OF REACH OF CHILDREN
DANGER

FLAMMABLE! KEEP AWAY FROM HEAT AND OPEN FLAME

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS

Corrosive. Causes irreversible eye damage. May be fatal if absorbed through skin. May be fatal if inhaled. May be fatal if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Do not get in eyes, skin or on clothing.

SYMPTOMS OF POISONING: A sense of "tightness" in the chest. Sweating. Contracted pupils. Stomach pains. Vomiting and diarrhea.

Do not contaminate food or feed.

FIRST AID ORGANOPHOSPHATE	
If in eyes	<ul style="list-style-type: none"> • Hold eye 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 eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-888-478-0798 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
This product is an organophosphate insecticide. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine. Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or public waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to the discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

PHYSICAL AND CHEMICAL HAZARDS

Flammable. Keep away from heat and open flame.

ACCEPTED
With COMMENTS
In EPA Letter Dated:
JUN 12 2008

Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

NET CONTENTS _____ GALLONS 10163-219

EPA Reg. No. 10163-219
EPA Est. No. 072733-KOR-001



Gowan Company
P.O. Box 5569
Yuma, Arizona 85366-5569

PROTECTIVE CLOTHING, EQUIPMENT AND WORK SAFETY

REPEATED EXPOSURES TO CHOLINESTERASE INHIBITORS SUCH AS ARE CONTAINED IN THIS PRODUCT MAY, WITHOUT WARNING, CAUSE PROLONGED SUSCEPTIBILITY TO VERY SMALL DOSES OF ANY CHOLINESTERASE INHIBITOR.

Do not rub eyes or mouth with hands. If you feel sick in any way, STOP WORK and get help right away. See FIRST AID section of label.

If handled indoors, provide mechanical exhaust ventilation.

HANDLE THIS PRODUCT ONLY WHEN WEARING THE FOLLOWING PROTECTIVE CLOTHING AND EQUIPMENT:

Wear a protective suit of one or two pieces that covers all parts of the body except the head, hands and feet. Wear chemical-resistant gloves, chemical-resistant apron, and chemical-resistant shoes, shoe coverings, or boots. Wear goggles or a face shield. Wear a pesticide respirator approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health.

IF MIXING AND/OR LOADING IN A CLOSED SYSTEM, WEAR THE FOLLOWING PROTECTIVE CLOTHING AND EQUIPMENT:

Wear long sleeve shirt and long legged pants. Wear chemical-resistant gloves, chemical-resistant apron, and chemical-resistant shoes, shoe covering, or boots. Wear goggles or a face shield. Respirators approved by the Mining Enforcement and Safety Administration in addition to the National Institute for Occupational Safety and Health should be available nearby for use in case of emergency.

IMPORTANT! Before removing gloves, wash them with soap and water. Always wash hands, face, and arms with soap and water before smoking, eating, drinking, or using the toilet.

AFTER WORK, take off all clothing and shoes. Shower using soap and water. Wear only clean clothes. Do not wear contaminated clothing. Wash protective clothing and protective equipment with soap and water after each use. Respirators must be cleaned and filters replaced according to instructions included with the respirators. Personal and protective equipment heavily contaminated or drenched with oxydemeton-methyl must be destroyed according to state and local regulations. **HEAVILY CONTAMINATED OR DRENCHED CLOTHING CANNOT BE ADEQUATELY DECONTAMINATED.**

DIRECTIONS FOR USE

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

Closed systems for mixing and/or loading this product must be capable of removing the pesticide from the shipping container, rinsing the container, and transferring the pesticide and the rinsate into mixing tanks. Protective clothing and equipment, specified in the pesticide labeling must also be used when mixing and/or loading this pesticide.

MSR 50% CONCENTRATE is intended for formulation into end use products for:

TERRESTRIAL-FOOD USES:

Alfalfa (seed), Clover (seed), Apple (nonbearing), Apricot (nonbearing), Cherry (nonbearing), Crabapple (nonbearing), Grapes (nonbearing), Nectarine (nonbearing), Quince (nonbearing), Broccoli, Broccoli Raab, Brussels sprouts, Cabbage, Cauliflower, Corn (sweet), Cotton, Cucumber, Filbert, Grapefruit, Lemon, Orange, Lettuce, Lima beans, Mint (including spearmint and peppermint), Muskmelon, Watermelon, Onion (Spanish dry bulb), Peach (nonbearing), Walnut (bearing and nonbearing), Plum (nonbearing), Prune (nonbearing), Pumpkin, Summer squash, Winter squash, Strawberry, Sugar beets, Safflower, Melons, Carrots (grown for seed)

TERRESTRIAL - NON-FOOD USES:

Christmas tree plantations, Ornamentals (only by soil or tree injection treatment), such as shade and nursery trees and shrubs, Flowers (for cutting)

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent) then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by State and local authorities by burning. If burned, stay out of smoke.

STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store away from heat and open flame. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle an open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material spilled for any reason or cause, carefully dam up spilled material to prevent run-off. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material: Absorb spilled material with absorbing type of compounds and dispose of as directed for pesticides above. In spill or leak incidents, keep unauthorized people away.

FOR 24 HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL CHEMTREC® (800) 424-9300.

For other product information, contact Gowan Company or see Material Safety Data Sheet.

NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our directions for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Gowan Company. All such risks shall be assumed by the Buyer and User.

Gowan Company warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY

TO THE FULLEST EXTENT PERMITTED BY LAW, GOWAN COMPANY'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT GOWAN COMPANY'S SOLE DISCRETION.