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

DEC 11 1995

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. James A. Armbruster
Manager Regulatory Services
PBI/Gordan Corporation
PO Box 14090
Kansas City, MO 64101

Dear Mr. Armbruster:

Subject: Deletion of Unsupported Malathion Uses
Acme Malathion Spray
EPA Registration No. 33955-394
Your Application & Labeling Submitted October 19, 1993
Federal Register Notice of March 18, 1991

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable, provided that you submit one copy of your final printed label for the subject product incorporating the following correction before you release the product for shipment.

1. This labeling falls under the scope of the Worker Protection Standard (WPS) and must bear the required WPS statements as outlined in PR Notices 93-7 and 93-1. The new protective language must be incorporated into this label for any shipments released after the deadlines that have been established. You may opt to do so immediately if you are electing the self-verification option.

If it is your intention that the product be marketed only for use by the homeowner, appropriate language must be added to the label to remove it from the scope of the WPS. Refer to section IV.E. of PR Notice 93-7 and Supplement F of PR Notice 93-11 for guidance on the removal of homeowner products from the scope of WPS. A copy of each of these referenced sections is enclosed for your reference.

Also, if it is your intention that the subject product is for homeowner use only, submit your completed EPA Form 8570-1 verifying that the subject product is packaged in child resistant packaging (CRP) and that the container sizes qualify as typical homeowner size containers under the WPS. Refer to item number 1 above regarding WPS. According to our files, a certification statement relative to CRP was previously submitted for the product on 3/9/81.

BEST COPY AVAILABLE



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

2. Revise the first aid statement for ingestion of the product to read as proposed in your application of May 8, 1995.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the products bearing the amended labeling constitutes acceptance of this condition.

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

Sincerely yours,

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

BEST COPY AVAILABLE

ACME® MALATHION SPRAY

304 6

ACTIVE INGREDIENT:

Malathion: O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate 50%

INERT INGREDIENTS 50%

TOTAL 100%

Contains xylene range aromatic petroleum solvent.

KEEP OUT OF REACH OF CHILDREN

WARNING

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center immediately. Induce vomiting by giving victim 1 or 2 glasses of water and touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious or convulsing person.

IF IN EYES: Flush eyes with plenty of water. Get medical attention.

IF ON SKIN: Remove contaminated clothing and wash affected area with soap and water. Get medical attention if irritation persists.

IF INHALED: Remove victim to fresh air and apply artificial respiration if indicated. Get medical attention.

NOTE TO PHYSICIAN: Malathion upon repeated, prolonged or careless exposure may cause cholinesterase inhibition. Atropine is antidotal. Aromatic solvent may present aspiration hazard. Gastric lavage is indicated if product was swallowed.

See Side Panels for Additional Precautionary Statements

ACCEPTED
with COMMENTS
in EPA Letter Dated

DEC 11 1985

NET CONTENTS ONE PINT

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
33955-394

893/1093 AP

EPA REG. NO. 33955-394

EPA EST. NO. 2217-KS-1

Mfd by ACME DIVISION
PBI/GORDON CORPORATION
KANSAS CITY, MISSOURI 64101

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STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Harmful if swallowed. Avoid breathing spray mists or vapors. Avoid contact with skin. Thoroughly wash after handling and before eating or smoking. Avoid contamination of feed and food stuffs. Do not treat areas frequented by children and do not allow children in treated areas until the spray has dried. Do not apply this product in such a manner as to directly or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons.

Environmental Hazards: This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in areas near the application site. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical or Chemical Hazards: Do not use, pour, spill, or store near heat or open flame.

DIRECTIONS FOR USE

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

STORAGE & DISPOSAL

STORAGE: Store in original container in a locked storage area inaccessible to children and domestic animals.

PESTICIDE DISPOSAL: Securely wrap container in several layers of newspaper and discard in trash.

CONTAINER DISPOSAL: Do not reuse container. Rinse thoroughly before discarding in trash.

~~Use only with adequate ventilation. After using this product indoors, ventilate thoroughly before occupying enclosed spaces. Do not allow contact with treated surface until sprays have dried.~~

~~**APPLES & PEARS:** To control European Red Mite, Clover Mite, and Two Spotted Mite, mix 2 teaspoons in 1 gallon water. To control Woolly Apple Aphid and Forbes Scale, mix 1 teaspoon in 1 gallon water. To control Green Apple Aphid and Rosy Apple Aphid, mix 1 teaspoon in 1½ gallons water. Make two or more applications as needed for mites, one or more for aphids. At pre-pink or pink stage of bloom or when aphids appear. Do not use within 3 days of harvest. This product may injure foliage on some varieties of apples and pears.~~

Table 1. Uses, dosage rates, harvest intervals, and comments for the foliar application of Acme Malathion Spray.				
Site	Pests	Amount In 1 Gallon of Water	Days to Harvest ⁽¹⁾	Comments
Tomatoes	Spider Mites	3 tsp.	1	Make one or more foliar applications as needed.
	Aphids	3 tsp.		
Beans (Dry and Succulent)	Mexican Bean Beetles, Spider Mites, Leafhoppers	3 tsp.	1	Make one or more foliar applications as needed.
Peas	Pea Aphids	3 tsp.	3	Make one or more foliar applications. Do not use pea vines for forage.

Table 1. Uses, dosage rates, harvest intervals, and comments for the foliar application of Acme Malathion Spray.

Site	Pests	Amount In 1 Gallon of Water	Days to Harvest ⁽¹⁾	Comments
White Potatoes	Aphids	3 tsp.	—	Foliar applications as needed.
Cabbage, Broccoli, Kale, Mustard, Turnip	Aphids, Imported Cabbageworm, Cabbageworm	3 tsp.	7 3 7 3	Make full coverage applications. Repeat as necessary.
Flowers, Ornammentals, Shrubs	Oyster Shell Scale, Eynonymus Scale	1 tsp.	—	Apply in summer when infestation occurs. Repeat in 10 to 12 days. For scales, apply when crawlers have settled on foliage.
	Aphids, White Fly Thrips, Mealy Bugs, Japanese Beetle (Adult), Four Lined Plant Bug, Tarnished Plant Bug, Rose Leafhopper, Potato Leafhopper	1 1/2 tsp.	—	Injury may occur on Ferns, Hickory, Viburnum, Lantana, Crassula and Canareti Juniper. Slight injury has also been reported on Boston, Pteris, and Maidenhair Ferns, Petunias, Small leaf Spirea, White Pine and Maples.
	Bagworms, Juniper Scale	2 tsp.		
	Soft Brown Scale	2½ tsp.		
	Pine Needle Scale	4 tsp.		

⁽¹⁾Days to harvest refers to the interval or the number of days before harvest for the last application of malathion.

~~LIQUID FLY BAIT: To control House and Stable Flies in Barns, Feed Lots, Poultry Houses, Utility buildings and around food disposals, mix 5 ounces with 5 ounces of corn syrup and add to 2 gallons water. Paint or spray on desired surfaces. Avoid contamination of milk, milk equipment and water. Avoid contamination of feed and food products, also drinking fountains and feed troughs. Remove lactating dairy animals from buildings before treating. Remove anim ls under one month of age before treating.~~

MOSQUITOES, FLIES & OTHER SMALL FLYING INSECTS OUTDOORS: Use 11 tablespoons per gallon of water, fuel oil, or diesel oil and spray yard, lawn, patio or other outdoor area using a fine mist spray. Repeat as needed. Do not apply oil solutions to ornamentals, injury may occur. Do not contaminate foods, dishes, or utensils.

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Table 2.

OUTDOOR DOMESTIC USES- MOSQUITOES, FLIES AND OTHER FLYING INSECTS OUTDOORS FOR YARDS, LAWNS AND RECREATIONAL AREAS			
SITE	PESTS	AMOUNT PER GALLON ¹	COMMENTS
Yards, Lawns, Recreational Areas (Outdoors Only)	Mosquitoes, Adult Flies	11 Tablespoons	Apply as a fog or spray. Repeat as needed. Do not apply oil solutions to ornamental species as injury may occur. Apply around yards, homes, walls and fences.

¹ Water, fuel oil, or diesel oil may be used as the carrier or diluent.

LIMITED WARRANTY AND DISCLAIMER.

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.