

34704-319

5-24-2005

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

MAY 24 2005

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Scott Baker
Loveland Products, Inc.
P.O. Box 1286
Greeley, CO 80632-1286

Subject: Label Amendment: First Aid
Dormant Flowable Emulsion
EPA Reg. No. 34704-318
Submissions dated November 29, 2004.

Dear Mr. Baker:

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

- 1) Add under the Storage and Disposal heading "Do not contaminate water, food or feed by storage and disposal".
- 2) delete "For terrestrial uses" from the Environmental Hazards since only terrestrial uses are listed on the label.

A stamped copy "accepted with comments" of the label is enclosed for your records.

Please submit two copies of the final printed label for our records. If you have any questions please call me at (703) 308-8328.

Sincerely,

A handwritten signature in black ink that reads "Akiva Abramovitch".

Akiva Abramovitch, Ph. D.

Chemist

Insecticide-Rodenticide Branch
Registration Division (7505C)

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ACCEPTED with COMMENTS In EPA Letter Dated: MAY 24 2005 Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 34704-319

DORMANT FLOWABLE EMULSION

INSECTICIDE

ACTIVE INGREDIENT:	BY WT.
Petroleum Oil	80.00%
INERT INGREDIENTS:	20.00%
TOTAL	100.00%

Classification—Dormant Heavy Unsubphoned Residue—78% Minimum

KEEP OUT OF REACH OF CHILDREN CAUTION

See Side Panel For Additional Precautionary Statements.

FIRST AID

If swallowed:	<ul style="list-style-type: none"> Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
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.

FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-800-301-7976.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

NOTE TO PHYSICIAN: Petroleum distillate poses aspiration pneumonia hazard. Only minor irritation should be expected from any type of exposure other than pulmonary aspiration. Ingestion may result in some gastroenteritis and mild diarrhea. Since systemic toxicity is not expected, the added risk of aspiration from attempts to induce vomiting or lavage are deemed not warranted.

EPA REG. NO. 34704-318

EPA EST. NO. _____

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Avoid inhalation of spray mist.

FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-800-301-7976.

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 the 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, nitrile rubber, neoprene or viton and shoes plus socks.

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering controls statements:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets with requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.
- 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

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. Do not contaminate water by cleaning of equipment or disposal of wastes.

Do not apply when weather conditions favor drifting from the areas treated. Do not apply where runoff is likely to occur. Do not use in a manner or at a time other than in accordance with label directions because animal, plant or crop injury, illegal residues or other undesirable results may 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 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 4 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, nitrile rubber, neoprene or viton and shoes plus socks.

DORMANT FLOWABLE EMULSION

EPA REG. NO. 34704-318

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call collect: CHEMTREC (800) 424-9300

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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: Metal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Do not cut or weld metal containers.

Plastic: 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.

DIRECTIONS FOR MIXING: Be sure spray tank is clean. With enough water in tank to cover agitator shaft, add desired amount of this material to the tank with agitator in motion. Pump this mixture through the overflow and back into tank for about two minutes. If this mixture turns white, it indicates good emulsification. Fill the tank with water, adding other desired materials as tank is filling. Keep agitator running at all times.

**Do not use if material does not emulsify.
Do not use in undiluted form.**

Use efficient equipment. Avoid application of oil sprays just prior to or during hot weather, rainy weather or drying winds. Apply when temperature is above 40°. Do not apply prior to freezing weather. Use only when trees are in healthy condition, and moisture conditions are sufficient. Avoid overspraying or double spraying.

Apply the following recommended rates in sufficient water to thoroughly cover one acre: with ground application equipment on Apples and Pears use a minimum of 300 gallons; on stone fruits and nuts use a minimum of 200 gallons; on grapes for cane pruned vines use a minimum of 200 gallons, for cordon pruned or arbor trained vines use a minimum of 300 gallons of diluted spray per acre. When using concentrate spray equipment, use a minimum of 60 to 90 gallons of diluted spray per acre. Do not apply this product through any type of irrigation system.

APPLES AND PEARS: San Jose Scale, Oyster Shell Scale, Brown Apricot Scale, Black Scale and aids in control of European Red Mite—Use 4 to 5 gallons per 100 gallons of water. (Concentrate spray 6 to 8 gallons per acre); or 3 to 4 gallons of DORMANT FLOWABLE EMULSION in combination with 5 to 6 gallons of Lime Sulphur Solution per 100 gallons of water. (Concentrate spray use 6 to 8 gallons of DORMANT FLOWABLE EMULSION plus 6 gallons of Lime Sulphur Solution per acre). Apply in the dormant period.

APRICOTS, CHERRIES, NECTARINES, PEACHES AND ALMONDS: San Jose Scale, Oyster Shell Scale, Brown Apricot Scale, Black Scale and aids in control of European Red Mite—Use 3 gallons per 100 gallons of water (Concentrate spray use 6 gallons per acre). Apply in the fall, dormant, or delayed dormant period.

As An Adhesive: For sticking copper on Apricots, Cherries, Nectarines, Peaches, Prunes and Almonds—Use 1½ to 2 gallons per 100 gallons of water. Apply in fall, dormant, or delayed dormant periods.

OLIVES—As an Adhesive: For sticking copper use 2 gallons per 100 gallons of water. Apply at post-harvest and before new growth appears.

PLUMS AND PRUNES: San Jose Scale, Oyster Shell Scale, Brown Apricot Scale and European Red Mite Eggs—Use 3 to 3½ gallons of DORMANT FLOWABLE EMULSION in combination with 5 to 6 gallons of Lime Sulphur Solution per 100 gallons of water. (Concentrate spray use 6 gallons of DORMANT FLOWABLE EMULSION plus 6 gallons of Lime Sulphur Solution per acre.) Apply in the dormant or delayed dormant periods. (Sacramento and Suisan Valley areas: Application preferred in pre-bloom when fruit buds show green tips). Certain varieties of plums and prunes may be injured by oil sprays; check tolerance to oil prior to treatment.

GRAPES: Grape Mealybug—Use 4 gallons per acre in 200 to 400 gallons of spray combined with an insecticide approved for use with a spray oil on grapes. Apply in the dormant period. Observe the warning directions on the insecticide label approved for use on grapes. Do not combine this mixture with sodium arsenite.

WALNUTS: Frosted Scale, European Fruit Lecanium Scale, Calico Scale and aids in control of European Red Mite—Use 3 gallons per 100 gallons of water. Apply in the delayed dormant period. This treatment should only be used on trees that have not suffered from lack of moisture at anytime during the growing season. Further, oil should not be applied to orchards when soil moisture is low.

FIGS: Fig Scale—Use 4 to 5 gallons per 100 gallons of water. Apply in the dormant period.

DEALERS SHOULD SELL IN ORIGINAL PACKAGES ONLY

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Terms of Sale or Use: On purchase of this product buyer and user agree to the following conditions:

WARRANTY DISCLAIMER AND NOTICE

THE DIRECTIONS FOR USE OF THIS PRODUCT ARE BELIEVED TO BE ADEQUATE AND SHOULD BE FOLLOWED CAREFULLY. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. CROP INJURY, INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT DUE TO SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OR ABSENCE OF OTHER MATERIALS, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER.

THE PRODUCTS SOLD TO YOU ARE FURNISHED "AS IS" BY LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER, AND ARE SUBJECT ONLY TO THE MANUFACTURER'S WARRANTIES, IF ANY, WHICH APPEAR ON THE LABELS TO THE PRODUCTS SOLD TO YOU. EXCEPT AS EXPRESSLY PROVIDED HEREIN, LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD OR USE OF THE PRODUCT, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. EXCEPT AS EXPRESSLY STATED HEREIN, LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTY OF RESULTS TO BE OBTAINED BY USE OF THE PRODUCT. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND LOVELAND PRODUCTS, INC.'S, THE MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE LIMITED TO DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT. NO AGENT OR EMPLOYEE OF LOVELAND PRODUCTS, INC. OR SELLER IS AUTHORIZED TO AMEND THE TERMS OF THIS WARRANTY DISCLAIMER OR THE PRODUCT'S LABEL OR TO MAKE A REPRESENTATION OR RECOMMENDATION DIFFERENT FROM OR INCONSISTENT WITH THE LABEL OF THIS PRODUCT.

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FORMULATED FOR


Loveland
PRODUCTS INC.

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