

34704-734

6/28/2004

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 34704-734	2. EPA Product Manager MARY L. WALLER	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) WETTABLE SULFUR FUNGICIDE-INSECTICIDE	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) LOVELAND PRODUCTS, INC. PO BOX 1286 GREELEY, CO 80634-1286 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION JUN 28 2004
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION - To place back on the label Direction for Use for Pistachios that was omitted during the transfer from FMC (EPA Reg. No. 279-387). The directions are: PISTACHIOS: CITRUS FLAT MITE - Use 50 pounds per acre. Apply when mites first appear and repeat as necessary. May be applied by ground or air.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name MARK R. TROSTLE	Title Director Registrations & Regulatory Affairs	Telephone No. (Include Area Code) 970-347-1470 mark.trostle@uap.com
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Director Registrations & Regulatory Affairs	
4. Typed Name MARK R. TROSTLE	5. Date JUNE 14, 2004	



WETTABLE SULFUR FUNGICIDE-INSECTICIDE

ACTIVE INGREDIENT:	BY WT.
Sulfur	92.0%
INERT INGREDIENTS:	8.0%
	TOTAL 100.0%

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.

The material in this bag is guaranteed to pass 95% through a 325 mesh screen.

PHYSICAL OR CHEMICAL HAZARDS
Keep away from heat, sparks, or flame. Do not smoke while applying this product.

KEEP OUT OF REACH OF CHILDREN CAUTION

See Below For Additional Precautionary Statements
NET WEIGHT 30 LBS. (13.6 KG)
EPA REG. NO. 34704-734
EPA EST. NO. _____

ENVIRONMENTAL HAZARDS
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 apply where runoff is likely to occur. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply this product only as specified on this labeling.

IHT EXP 06G04

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.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS (AND DOMESTIC ANIMALS) CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Avoid breathing dust or spray mist. Avoid contact with skin, eyes, or clothing.

Personal Protective Equipment:

Applicators and other handlers must wear: long-sleeved shirt and long pants, waterproof gloves, 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.

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 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, and shoes plus socks.

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.

STORAGE AND DISPOSAL
PESTICIDE STORAGE: Keep away from fire and sparks.
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, fold and roll back bags, clamp 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.
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: 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.

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a 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.
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.

Do not apply this product through any type of irrigation system. Applications of material containing sulfur should not be made prior to or during periods of excessively high summer temperatures or within 2 weeks of an oil spray. To mix WETTABLE SULFUR, fill the spray tank with water until agitator blades are covered. With agitator running, sift in the required amount of WETTABLE SULFUR. Continue filling and keep agitator running during spraying.

Almonds: Brown Rot, Scab--Use 6 pounds per 100 gallons of water in pre-bloom, bloom and post-bloom periods. Apply when disease threatens during rain periods and repeat at 7 to 10 day intervals.

NOTIFICATION
JUN 28 2004

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WETTABLE SULFUR

EPA REG. NO. 34704-734

Apples and Pears: For Scab or Powdery Mildew control, use as a spray in pre-blossom, calyx and early cover sprays. Use 6 to 8 pounds of WETTABLE SULFUR or 4 to 6 pounds of WETTABLE SULFUR plus 2 to 3 pounds Polysulphide Compound or 2 gallons of Liquid Lime Sulfur Solution per 100 gallons of dilute spray. Sulfur may injure certain varieties of apples. Check specific varietal tolerance to sulfur prior to using.

Pears only: Do not apply after fruit begins to turn down. **Fall Clean-Up Spray:** Blister Mites, European Red Mites and Twospotted Spider Mites— Use 6 pounds of Wettable Sulfur plus 6 pounds of Polysulphide Compound or 5 gallons of Liquid Lime Sulfur Solution to each 100 gallons of dilute spray.

Blackberries, Boysenberries, Gooseberries, Loganberries, Raspberries, Strawberries: To control Powdery Mildew—Use 2 pounds Wettable Sulfur per 100 gallons of water. Apply when disease first appears and repeat at 7-10 day intervals or as necessary to maintain control.

Citrus: Citrus Flat Mite, Yuma Spider Mite, Sixspotted Mite and Citrus Rust Mite Use 5 to 12 pounds per 100 gallons of water (75 to 125 pounds per acre). Apply when mites appear and repeat as necessary. Do not make an oil application within 60 days prior to or after a sulfur application.

Grapes: Powdery Mildew—Use 2 to 5 pounds per 100 gallons of dilute spray. Use as a spray beginning when shoots are 6 to 8 inches long and repeat at 7 to 10 day intervals. Ground application preferred. Concord and other Labrusca type grapes may be injured by sulfur.

Platachios: Citrus Flat Mite — Use 50 pounds per acre. Apply when mites first appear and repeat as necessary. May be applied by ground or air.

Plums, Prunes, Peaches, Nectarines, Cherries: Powdery Mildew, Silver Mite, Cherry Leaf Spot, Prune Rust and Brown Rot—Use 5 to 10 pounds per 100 gallons of water. Apply in the pre-bloom, bloom and post-bloom periods. Apply when disease threatens during rain periods and repeat at 7 to 10 day intervals.

Tomatoes: Tomato Russet Mite—Use 12 to 25 pounds per acre. Apply with ground equipment at the rate of 60 to 250 gallons of water per acre. Use only application equipment which has paddle type agitation. Continuous and complete agitation is necessary.

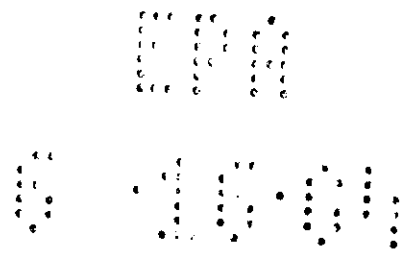
WARRANTY DISCLAIMER AND NOTICE

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.

IN NO EVENT SHALL LOVELAND PRODUCTS INC., THE MANUFACTURER OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES AND THE BUYER AND USER WAIVE ANY RIGHT THEY MAY HAVE TO SUCH DAMAGES.



FORMULATED FOR



P.O. BOX 1286, GREELEY, COLORADO 80632-1286



Performance

Quality

June 14, 2004

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall #2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

Attention: Mary L. Waller, (PM 21)

Subject: Wettable Sulfur Fungicide-Insecticide (EPA Reg. No. 34704-734) Notification

Dear Ms. Waller:

Loveland Products, Inc. is submitting a notification to the Agency for Wettable Sulfur Fungicide-Insecticide (EPA Reg. No. 34704-734).

- **“Notification of change in the Directions for Use on Pistachios is being placed back on the printed label after having been omitted on the present label per PR Notice 98-10.”**
- **“This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.”**

In compliance with PR Notice 98-10 regarding notifications, enclosed is a copy of the updated label for Wettable Sulfur Fungicide-Insecticide (EPA Reg. No. 34704-734).

If you have any additional questions or concerns, please contact me by telephone 970-347-1470 or mark.trostle@uap.com by email.

Sincerely,

Mark R. Trostle
Director of Registrations and Regulatory Affairs

Enclosures