

34704-1020

12/19/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Robert Avalos
Loveland Products Inc.
P.O. Box 1286
Greeley, CO 80632-1286

DEC 19 2012

Subject: Product Name: Western Farm Service Dusting Sulfur
EPA Reg. No. 34704-1020
Submission date: 10/19/2012
Notification for Primary Brand Name change per PRN 98-10: **Dusting Sulfur**
Decision Number 472123

Dear Mr. Avalos:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the action(s) requested falls within the scope of PRN-98-10.

The Primary Brand Name change to "**Dusting Sulfur**" is acceptable and will be placed in the regulatory file.

If you have questions concerning this letter, please call Banza Djapao at 703-305-7269 or via email at djapao.banza@epa.gov, or you may call me at 703-305-6784.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary Waller
Product Manager 21
Fungicide Branch
Registration Division (7504P)

United States EPA Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 34704-1020	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DUSTING SULFUR	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Loveland Products Inc. P.O. Box 1286 Greeley, CO 80632-1286 <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
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application. Agency letter dated _____
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

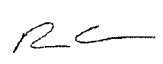
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
 Name change of product

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.

Section - III

1. Material This Product Will Be Packaged In:						2. Type of Container		
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No				<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. _____ No. per container _____	If "Yes" Package wgt _____ No. per container _____	3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product
6. Manner in Which Label is Affixed to Product						Printed on bag		
<input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled								

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Robert Avalos robert.avalos@cpsagu.com	Title Registrations Specialist	Telephone No. (Include Area Code) (970) 685-3355
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 statements may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature  <small>robert.avalos@cpsagu.com 2012.10.19 16:03:59 -06'00'</small>	3. Title Registrations Specialist	
4. Typed Name Robert Avalos robert.avalos@cpsagu.com	5. Date 10/19/2012	



October 19, 2012

Document Processing Desk (NOTIF)
 Office of Pesticide Programs (7504C)
 U.S. Environmental Protection Agency
 Room S4900, One Potomac Yard
 2777 S Crystal Drive
 Arlington VA 22202

Subject: First Choice Dusting Sulfur (EPA Reg. No. 34704-1020)

Dear Mary Waller,

Loveland Product, Inc. would like to inform the agency about the name change of First Choice Dusting Sulfur (EPA Reg. No. 34704-1020). The new name will be as follows:
 Dusting Sulfur

Enclosed, please find the following documents:

1. Form 8570-1 Application
2. 2-Printed Labels
3. 1 CD containing an electronic version of the label
4. Certification with Respect to label integrity

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.

Please contact me at 970-685-3355 or by email: robert.avalos@cpsagu.com if there are any questions or comments concerning this submission.

Sincerely,

robert.avalos@c
 psagu.com
 2012.10.19
 16:02:30 -06'00'

Robert Avalos
 Registrations Specialist
 robert.avalos@cpsagu.com
 Loveland Products, Inc.

Enclosures

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NOTIFICATION

DEC 19 2012



DUSTING SULFUR

READ ENTIRE CONTAINER LABEL BEFORE USING THIS PRODUCT

FOR AGRICULTURAL OR COMMERCIAL USE ONLY

ACTIVE INGREDIENT:

SULFUR	98.0%
OTHER INGREDIENTS:	2.0%
TOTAL	100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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 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 a poison control center or doctor.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 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 mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
<p>If an adverse reaction occurs after exposure: Promptly start the recommended procedures above. FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-866-944-8565.</p>	

SEE INSIDE FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

EPA REG. NO. 34704-1020

EPA EST. NO. 2935-CA-001

NET CONTENTS 50 LBS (22.68 kg)

013102 V2 10/12

**DUSTING SULFUR
EPA REG. NO. 34704-1020**

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Causes moderate eye irritation. Harmful if inhaled or absorbed through skin. Avoid breathing dust. Avoid contact with skin, eyes and clothing.

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 A on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride, and
- 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.

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

Do not apply directly to water, to areas where the 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. Apply this product only as specified on label. Do not apply when weather conditions favor drift from treated areas.

PHYSICAL OR CHEMICAL HAZARDS

Burning sulfur emits highly toxic fumes. Sulfur dust suspended in air ignites easily. Keep away from heat, sparks, and flame. Avoid creating dust in handling. Keep container closed. Use with adequate ventilation. Keep from contact with oxidizing materials.

In Case of Fire: Use water spray, fog, CO₂, or sand. Wear NIOSH approved self-contained breathing apparatus.

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 regulations.

**DUSTING SULFUR
EPA REG. NO. 34704-1020**

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), notification to workers 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,
- Chemical resistant gloves made of any waterproof material,
- Shoes plus socks.

PRECAUTIONS IN USING

Some fruit and other plants are susceptible to injury from sulfur under certain climatic conditions. The user is advised not to use sulfur on any crop unless local use has proved that sulfur does not damage crops in that locality. Sulfur may burn foliage and fruit during periods of high temperature and under certain climatic conditions. Except on Cotton, do not apply when temperatures exceed or are likely to exceed 90 °F. Do not use on Eastern American type Grapes, Apricots, Anjou and Comice pears, Spinach, Filberts, Walnuts or other sulfur sensitive plants. Do not use on sulfur sensitive Cucurbits. Do not use sulfur within 30 days of an oil spray (60 days on Citrus). If the crop to be treated will be used for canning or freezing purposes, consult food processor before applying sulfur.

GENERAL USE DIRECTIONS

Apply this product uniformly to the foliage when air is calm, either by ground or aircraft. Timing and dosage may vary as a result of local weather conditions. Use the higher dosage during periods of frequent and heavy rainfall. Dust often enough to keep susceptible growth covered. This may require weekly or bi-weekly applications during periods of rapid growth and frequent rainfall. Consult State Agricultural Experiment Stations or the State Agricultural Extension Service for additional information concerning timing, number and rate of applications needed, and safe re-entry interval.

FOR ALL CROP USES LISTED ON THE PRODUCT LABEL

Dusting sulfur can create situations where drift to non-target or sensitive areas can occur. To minimize the occurrence of drift incidents, in addition to specific instruction on the main label, the following conditions must also be met for use in California:

1. The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto non-target areas such as hospitals, clinics, residential areas, schools, and any other area designated by the county agricultural commissioner.
2. The operator of the property and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
3. Sulfur shall not be applied when the wind velocity exceeds 10 mph. Applicators should be aware that in some areas of California, "dead calm" conditions are often associated with an inversion situation. In these areas, applying sulfur when there is a minimum air movement of 2 mph will help ensure that an inversion situation does not develop.
4. All applicators, prior to use of dust formulations, should read and understand the Best Application Practices Manual.
5. Before using this product, read and follow all applicable directions, restrictions, and precautions on the EPA registered label.

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DUSTING SULFUR
EPA REG. NO. 34704-1020
APPLICATION INSTRUCTIONS

FRUIT CROPS

APPLES: Scab, Powdery mildew - Apply 30.0 to 35.0 pounds per acre in the green tip to pink bud stage.
CAUTION: Use on sulfur tolerant varieties only.

CANEBERRIES (BOYSENBERRIES): Powdery mildew - Apply 15.0 to 20.0 pounds per acre. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

CHERRIES: Brown rot blossom and Twig blight and Brown rot of fruit, Powdery mildew - Apply 40.0 to 45.0 pounds per acre. Make first application at pink bud stage, repeat at petal fall and shuck fall stages. Repeat as necessary through growing season.

CITRUS: Six-spotted mite, Citrus rust mite, Citrus flat mite, Yuma spider mite, Citrus thrips - Apply 80.0 to 100 pounds per acre. Follow recommendations of State Agricultural Experiment Stations.
CAUTION: Avoid applications during or preceding high temperatures. Do not apply within 2 months of an oil spray.

FIGS: Fig rust mite - Apply 40.0 pounds per acre when Mites first appear. Since the effectiveness of sulfur varies in different localities, State Agricultural Experiment Stations should be consulted as to the effectiveness before application.

GRAPES: Powdery mildew - Apply 8.0 to 20.0 pounds per acre. Make first application when shoots are 6 inches to 8 inches long. Make a second application when shoots are 12 inches to 15 inches long and the third about 14 days later. Repeat applications at 10- to 14-day intervals to protect new growth.
CAUTION: Avoid over application in hot weather.

NECTARINES AND PEACHES: Powdery mildew, Brown rot blossom and Twig blight and Brown rot of fruit, Rust and Peach silver mite - Apply 35.0 to 60.0 pounds per acre. Dust is necessary during bloom and when rain threatens during growing season up to harvest for Brown rot control. Apply when Mildew and Mites first appear. Repeat as necessary.

PLUMS AND PRUNES: Brown rot of fruit and Prune rust - Apply 35.0 to 50.0 pounds per acre starting 5 weeks before harvest and thereafter at weekly intervals if wet weather occurs.

STRAWBERRIES: Powdery mildew - Apply 10.0 to 20.0 pounds per acre. Dust when disease appears and retreat as necessary. Check for plant safety before treating commercially.

VEGETABLE AND FIELD CROPS

ALFALFA (Seed): Spider mites - Apply 15.0 to 50.0 pounds per acre. Apply when Spider mites first appear and repeat at 14-day intervals or as necessary.
CAUTION: Sulfur may cause petal burn to open flowers.

BEANS: Spider mites, Powdery mildew - Apply 15.0 to 30.0 pounds per acre for early season Mite control when populations first appear.
CAUTION: May cause injury to some varieties of Beans. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

CARROTS, ONIONS, GARLIC: Petrobia mite - Apply 20.0 to 35.0 pounds per acre during warm weather.

CLOVER: Powdery mildew, Spider mites - Apply 15.0 to 25.0 pounds per acre. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

**DUSTING SULFUR
EPA REG. NO. 34704-1020**

COTTON: Atlantic mite, Two-spotted mites - Apply 25.0 to 40.0 pounds per acre when Mites first appear and repeat as necessary.

CUCUMBERS, SQUASH, MELONS (Sulfur resistant varieties only): Powdery mildew - Apply 15.0 to 25.0 pounds per acre. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

PEAS: Powdery mildew - Apply 15.0 to 20.0 pounds per acre. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

SUGAR BEETS: Spider mites - Apply 30.0 to 35.0 pounds per acre. Powdery mildew: For use in California only. Apply 10.0 to 20.0 pounds per acre when first spots of Powdery mildew appear on leaves. Apply second application 3 to 4 weeks after the initial application only if the disease is not adequately controlled by the initial application. Use the higher rates when moderate to severe disease pressure exists. Applications made later than 5 weeks before harvest may not increase yield of sugar.

TOMATOES: Russet mite, Two-spotted mites - Apply 15.0 to 50.0 pounds per acre when Mites first appear and repeat as necessary.

TURNIPS AND RUTABAGAS: Powdery mildew - Apply 15.0 to 20.0 pounds per acre. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

ORNAMENTALS

Make full coverage applications on both sides of leaves. Keep new growth protected. Dust when disease appears and re-treat as necessary. Check for plant safety before treating commercially.

CHRYSANTHEMUM: Powdery mildew, Rust - Do not apply when flowering. Apply 20.0 to 40.0 pounds per acre.

HOLLYHOCK: Rust - Apply 20.0 to 40.0 pounds per acre.

ROSE: Black spot, Powdery mildew, Rust - Apply 10.0 to 25.0 pounds per acre.

CAUTION: DO NOT use over 15.0 pounds per acre when temperatures approach 90 °F. Soil must be moist.

STORAGE AND DISPOSAL

1. Prohibitions: Do not contaminate water, food or feed by storage or disposal.
2. Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.
3. 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.
4. General: Store in original container only and keep in closed storage areas.
5. Do not store in areas accessible to children.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC — 1-800-424-9300.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVE-LAND PRODUCTS, INC. or the seller is authorized to vary in any way.

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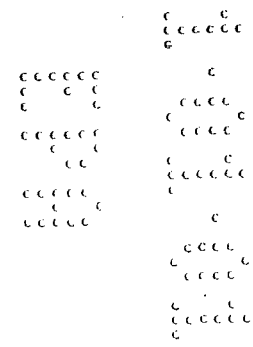
**DUSTING SULFUR
EPA REG. NO. 34704-1020**

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. Box 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.



**FORMULATED FOR
LOVELAND PRODUCTS, INC.
P.O. BOX 1286, GREELEY, COLORADO 80632-1286**