



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

3 24 1993

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Michael H. Watts
KINCAID ENTERPRISES INC.
P. O. Box 549
Nitro, WV 25143

Subject: Label Amendment Submission of 11/01/93 in Response to PR Notice 93-7
EPA Reg. No. 41014-3
MARLATE METHOXYCHLOR INSECTICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



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

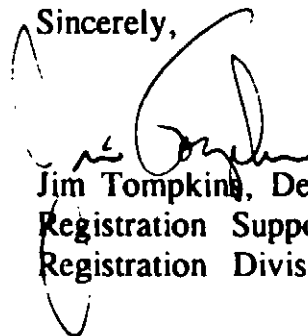
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Michael H Watts
KINCAID ENTEPRISES INC
BOX 549
NITRO, WV 25143

Comment for: EPA Reg Nr.41014-3
MARLATE METHOXYCHLOR INSECTICIDE

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

Add the following statement to the "Personal Protective Equipment" section of your label: "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." The exact location for this statement is shown in Section A on Part 1 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

User Safety Recommendations must either be placed in a box or printed on the label in a contrasting color from surrounding text.

You must retain from your original label any statements about entry restrictions that apply to the non-agricultural uses on your product. Create a Non-Agricultural Use Requirements box in the Directions For Use section of your labeling and add the statements: "The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses." Then add to the box the statements that are in brackets [] on your original label. Please refer to the instructions for creating a Non-Agricultural Use Requirements box starting on page 45 of Supplement Three to PR Notice 93-7 (Main Labeling Guidance).

Delete the crossed-out statements on your proposed label. They are redundant statements or phrases.

Correct the typographical errors circled on your proposed label.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS &
DOMESTIC ANIMALS**

Caution: Harmful if swallowed. Avoid breathing dust. Avoid contact with skin, eyes or clothing. Wash thoroughly after handling.

STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching finger to back of throat.
If On Skin: Wash thoroughly with soap and water.
If In Eyes: Flush with plenty of water.

MARLATE

**For Dairy and Beef Cattle
and Certain Other Livestock • Crops
Buildings • Ornamentals**

Kincaid Enterprises, Inc. MARLATE Insecticide is intended for use as a spray to control many insects affecting garden vegetables, fruits and ornamentals and may also be used for direct dusting of dairy cattle to kill horn flies, and as a residual spray in farm buildings (except poultry houses) to control insects. It may be combined with common fungicides.

INSECTICIDE

WETTABLE POWDER

FOR EFFECTIVE CONTROL
OF INSECTS ON
FLOWERS, FRUITS, VEGETABLES,
ORNAMENTALS AND
DAIRY & BEEF CATTLE

ACTIVE INGREDIENTS

1-Methoxychlor, 50%

INERT INGREDIENTS

50% Methoxychlor, 50%
1,9-Dichloro-2,4,6-Trinitrobenzene, 10%
Inert Ingredients, 80%
EPA Reg. No. 496-100-01

CAUTION

NET WT 12 OZ



ACCEPTED
with COMMENTS
in EPA Letter Dated

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

4/10/4-3

BEST AVAILABLE COPY

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS &
DOMESTIC ANIMALS**

Precautionary Statements: Caution - Harmful if swallowed. Avoid breathing dust. Avoid contact with skin, eyes or clothing. ~~Wash thoroughly after handling.~~

Personal Protective Equipment: Handlers who may be exposed to the dilute through application or other tasks must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Handlers who may be exposed to the concentrate through mixing, loading, application, or other tasks must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

User Safety Recommendations: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

Storage: Reclose container after each use. Store in a cool, dry place away from food or feed. If spilled, sweep up and dispose of below.

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, then dispose of bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of the smoke.

BEST AVAILABLE COPY

657

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.

Do not apply this product through any type of irrigation system.

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 restrictive-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 12 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
- Shoes plus socks

BEST AVAILABLE COPY

767

DAIRY CATTLE Direct Dusting for Control of Horn Flies-Use one rounded tablespoonful per animal. Sprinkle on poll, neck (top and sides), and back and upper sides; rub in lightly to carry powder beneath hair. One treatment protects cattle against horn flies for about 3 weeks. Do not apply to dairy cattle as spray or dip.

Do not apply to lactating animals within five (5) hours of milking or during milking.

FARM BUILDINGS (except poultry houses)-Stable flies, houseflies, fleas, gnats, mosquitoes, roaches, and wasps-Use 12 ounces in 7½ quarts of water. Apply 1 gal. of spray mixture to approximately 500 sq. ft. of surface-treating walls, floors, cracks, crevices, baseboards, pet bedding, stalls and pens. Such heavy deposits usually are effective for 3 to 6 weeks, unless removed by weathering or other means. Care should be taken to avoid contamination of milk handling equipment, feedstuffs, feed troughs, and watering receptacles. Dairy animals should not be present while spraying.

The use of any residual fly spray should be supplemented with proper sanitary measures.

VEGETABLES, FRUITS, FLOWERS AND ORNAMENTALS Use 2 level tablespoonfuls per gallon of water; apply thoroughly to all surfaces of foliage and fruit. Begin applications when insects first appear (for fruits, begin at petal-fall) and continue at 7 to 14 day intervals as needed. Unless otherwise noted, do not apply to listed food crops later than 7 days before picking.

INSECTS CONTROLLED

On Vegetables (asparagus, beans, beets*, cabbage, cucumbers, eggplant, lettuce*, melons, peppers, potato, tomatoes)-Asparagus beetles, blister beetles, cabbageworms, Colorado potato beetle, cucumber beetles, fall armyworm, flea beetles, Japanese beetle, leafhoppers, Mexican bean beetle, squash vine borer, webworms.

On Fruits (apple, pears, peaches**, plums, cherries, grapes*, blueberries*, raspberries*, strawberries*)-Apple maggot, cankerworms, cherry fruit fly, cherry fruitworm, codling moth, grape berry moth, Japanese beetle, plum curculio, spittlebug, strawberry weevil, tent caterpillars.

On Flowers and Ornamentals (roses, chrysanthemums, dahlias, shrubs, shade trees)-Blister beetles, cankerworms, cucumber beetles, flea beetles, leafhoppers, flower thrips, Japanese beetle, leafhoppers, rose chafer, rose slugs (sawflies), tent caterpillars, gypsy moths.

*Do not apply later than 14 days before picking.

**Do not apply later than 21 days before picking.

NOTICE OF WARRANTY

Kincaid Enterprises, Inc. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with the directions under normal conditions. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Kincaid Enterprises, Inc. In no case shall Kincaid Enterprises, Inc. be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. KINCAID ENTERPRISES, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

EPA Reg. No. 41014-3 EPA Est No. 16VA-1
Made in U.S.A. Printed in U.S.A.



KINCAID
ENTERPRISES, INC.
P.O. Box 549 Nitro, WV 25143

BEST AVAILABLE COPY