

45385-65

09/30/2004

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

SEP 30 2004

Mr. H. R. McLane, Agent for  
CTX Cenol, Inc.  
7210 Red Road, Suite 206  
Miami, FL 33143-5321

Dear Mr. McLane:

Subject: Updated First Aid Statements  
Chem-Tox Malathion 3  
EPA Reg. No. 45385-65  
Your Application Dated April 5, 2004

The labeling amendment 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 two copies of your final printed label incorporating the following corrections before you release the product for shipment.

1. If, as indicated in your letter of March 21, 2003, the product is not intended for household use, remove the household container disposal instructions.

2. Since the added restriction for aerial use in Florida is not a Federal restriction, the label should be revised by removing the State restriction and replacing it with the statement cited below. This general statement would not only direct the user to consult with the proper regulatory agency in Florida but in other States or tribal areas as well. This general statement is also more in line with the wording being proposed in the draft PR Notice for adult mosquito control products dated April 28, 2004. This draft document may be found on the Agency's website at [www.epa.gov/PR\\_Notices](http://www.epa.gov/PR_Notices).

Before applying the product for mosquito control, consult with the State or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

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 product bearing the amended label constitutes acceptance of this condition.

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

Sincerely,



Marilyn A. Mautz  
Biologist  
Insecticide-Rodenticide Branch  
Registration Division (7504C)

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION.** Harmful if swallowed. Avoid breathing spray mist. Do not get in eyes, on skin or clothing. Wash skin thoroughly after handling. Avoid contamination of feed and foodstuff. Do not use on household pets or humans. Do not smoke while spraying. Wear protective clothing and chemical resistant gloves to minimize skin exposure.

### ENVIRONMENTAL HAZARDS

This product 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. For aquatic uses, do not apply directly to water except as specified on this label. Do not contaminate water when disposing of equipment washwaters. **BEE CAUTION:** 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 proposed treatment areas.

### PHYSICAL AND CHEMICAL HAZARDS

Do not pour, use, spill or store near heat or open flame

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Store in original container and place it in a cool, dry, locked or secured storage area.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Wastes resulting from the use of this product may be disposed of on site, or at an approved waste disposal facility. **CONTAINER DISPOSAL:**

1. Household (All): Do not reuse empty container. Place container in trash. 2. Metal (All Sizes): Triple rinse (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State or local authorities. 3. Plastic (All) - triple rinse, (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill; or incinerate, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

### CONDITIONS OF SALE AND WARRANTY

**CONDITIONS OF SALE:** Read the entire Directions for Use, Conditions, Disclaimer of Warranties, and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened container at once. By using this product, user and buyer accept the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and should be followed carefully, however it is impossible to eliminate all risks associated with the use of this product. 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 CTX CENOL INC. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** There are no warranties express or implied, of merchantability or of fitness for a particular purpose or otherwise, which extend beyond the statements made on this label. No agent of CTX CENOL INC. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. CTX CENOL INC. disclaims any liability whatsoever for special, incidental, or consequential damages resulting from the use or handling of this product. **LIMITATION OF WARRANTIES:** The exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price, or at CTX CENOL INC.'s option, the replacement of the product.

# CHEM-tox

## MALATHION 3

**A Ready-To-Use MALATHION SPRAY for use in MOSQUITO CONTROL WORK and GENERAL OUTDOOR TREATMENT. CONTROLS ACCESSIBLE STAGES OF FLYING INSECTS AS LISTED.**

ACTIVE INGREDIENT:  
Malathion (CAS 121-75-5) - - - - - 3.00%  
OTHER INGREDIENTS\* - - - - - 97.00%  
Total 100.00%

\*Contains Petroleum Distillate

EPA Reg. No. 45385-65 EPA Est No. 45385-OH-1

### KEEP OUT OF REACH OF CHILDREN CAUTION

See side panels for additional Precautionary Statement.

### FIRST AID

**IF SWALLOWED** - 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** - Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

**IF ON SKIN OR CLOTHING:** 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:** 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. Have this product container or label with you when calling a poison control center, or doctor, or when going for treatment. You may also call 1-800-858-7378 for emergency medical treatment advice.

**NOTE TO PHYSICIAN:** Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

### NET CONTENTS

<input checked="" type="checkbox"/>	1 Gallon	<input type="checkbox"/>	5 Gallons
<input type="checkbox"/>	30 Gallons	<input type="checkbox"/>	55 Gallons

## DIRECTION FOR USE

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

### FOR FLY CONTROL: OUTSIDE OF FARM BUILDINGS AND DAIRY BARN:

Apply at the rate of one (1) gallon per 1,000 sq. ft. on painted surfaces and two (2) gallons per 1,000 sq. ft. on unpainted surfaces where flies alight or congregate, window sills, fences, etc. Use a large droplet spray that wets all surfaces to the point of run off. Repeat as necessary.

### GENERAL OUTDOOR TREATMENT: For BITING MIDGES (adults), FLIES (adults), GNATS (adults), MOSQUITOES (adults), MOTHS (adults):

Apply 1/2 gallon (64 fluid ounces) of MALATHION 3 per acre as a fog, aerosol, or space spray, average swath width is 300 to 400 feet. For MOSQUITOES, allow the spray to remain in the area for a minimum of 10 seconds. For FLIES, allow spray to remain in the area for a minimum of 40 to 50 seconds.

## MOSQUITO CONTROL

### DIRECTIONS FOR THERMAL FOGGING

Apply at the rate of 1 gallon per 2 acres. For maximum effectiveness outdoor fogging should be carried out only under surface conditions which usually exist only from one hour after sunset, through the night, and until sunrise. During this time, providing the wind velocity is under 3-4 miles per hour, the fog will remain in the area and close to the ground the required time to be fully effective. Outdoor fogging, in windy (over 4 mph) weather will be ineffective as the tiny fog particles will be too widely dispersed by the wind. Repeat as necessary.

## AIRPLANE APPLICATION

Apply insecticide at a rate of 2 1/2 gallons per acre. **PROHIBITION ON AERIAL USE IN FLORIDA:** Not for aerial application in the State of Florida unless specifically authorized by the Florida Bureau of Entomology and the Florida Department of Agriculture and Consumer Services. (04-05-04)



**CENOL**  
INCORPORATED  
P.O. Box 472

Twinsburg, OH 44087

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

SEP 30 2004  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the  
registration under EPA  
45385-65  
Reg No.

Label unit 1 of 1  
Pack page 5 of 5