

45385-65

04-17-2009

1/6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

APR 17 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated December 10, 2008 for:

EPA Registration 45385-65 Chem-Tox Malathion 3

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

For future notifications, please separate and group the non-refillable container statements from the refillable container statements. This will allow the user to follow the appropriate directions easier.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

EPA 2

INDEX

NOTIFICATION TO COMPLY WITH PR NOTICE 2007-4 CONCERNING THE STORAGE AND DISPOSAL SECTION REVISED COPY.

REGISTRANT
CTX-CENOL INCORPORATED
P.O. BOX 472
TWINSBURG, OH 44087

TO: DR. MARILYN C. MAUTZ PM-4

PRODUCT NAME

CHEM-TOX MALATHION 3
EPA REG. NO. 45385-65

SUBJECT OF NOTIFICATION: PR NOTICE 2007-4

	PAGE
INDEX	1
COVER LETTER to: DR. MARILYN A. MAUTZ PM-4	2
1 COPY OF EPA FORM 8570-1 EPA REG. NO. 45385-65..	3
1 COPY, AS REQUIRED, OF THE 1 PAGE DRAFT LABEL ...	4
1 COPY OF 09/30/2004 LAST STAMPED ACCEPTED LABEL..	

NOTIFICATION

PR NOTICE 2007-4 COPY IS FOUND IN THE STORAGE AND DISPOSAL SECTION; "HI-LITED"; IN THE LET COLUMN

THIS PRODUCT'S LAST LABEL EPA STAMPED, "ACCEPTED" DATED DATED SEP 30, 2004 IS USED AS THE BASE LABEL FOR THIS "NOTIFICATION".

RETURN POSTCARD FOR EPA SIGNATURE OF RECEIPT

MAILING STICKERS FOR RETURN TO H. R. MCLANE, INC.

DEC 10 2008



H. R. McLANE, INC.

7210 Red Road, Suite 206A - Miami, Florida 33143-5321 U.S.A.
Phone 305 661 1706 - Fax 305 661 3036 E-Mail hrmclaneinc@bellsouth.net
Consulting in EPA Regulatory Affairs
FIFRA Licensing & Registrations - Since 1948

DEC. 10, 2008

DR. MARILYN A. MAUTZ PM-4
DOCUMENT PROCESSING DESK (PRN-2007-4-NOTIFICATION)
OFFICE OF PESTICIDE PROGRAMS (7504 - P)
ENVIRONMENTAL PROTECTION AGENCY
1200 PENNSYLVANIA, AVE. N.W.
WASHINGTON, D. C. 20460-0001

PHONE 703-305-6701
FAX 703-305-6596

Subject: NOTIFICATION: TO COMPLY WITH REQUIREMENTS OF PR NOTICE 2007-4.
Registrant: CTX CENOL INCORPORATED; EPA EST. NO. 45385-OH-1
P.O. BOX 472 - TWINSBURG, OH 44087
MR. BART BAKER; VICE PRESIDENT.
Product: "CHEMTOX MLATHION 3
EPA REG.NO.45385-65

DEAR DR. MAUTZ:

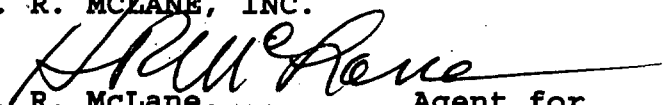
THIS NOTIFICATION DEALS WITH THE STORAGE AND DISPOSAL
REVISED LABEL COPY REQUIRED BY PR NOTICE 2007-4 AS FOUND
IN THE LEFT COLUMN OF THE ENCLOSED DRAFT LABEL PAGENATED
AS 4 OF 4 IN THIS DOSSIER. THE LAST EPA STAMPED,
"ACCEPTED SEP 30, 2004, LABEL IS USED AS THE BASE LABEL
FOR THIS, "NOTIFICATION".

	PAGE
INDEX	1
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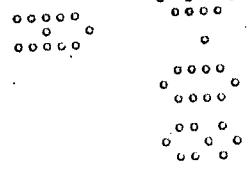
-----> CERTIFICATION FOR THIS NOTIFICATION

"This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the terms of 40 CFR 156.10, 156.140, 156.144M 156.146M 156. 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."

Sincerely
H. R. McLane, INC.


H. R. McLane, Agent for
MR. BART BAKER - VICE PRESIDENT.

HRM/nb/ encl: as above. cc/BB/CTXCENOL





United States
Environmental Protection Agency
Washington, DC 20460

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

EPA	
Registration No.	
45385-65	

Page 3 of 4
614

Application for Pesticide Section I PR NOTICE 2007-4 Notification Date: Dec.10, 2008

1. Company / Product Number: 45385-65	2. EPA Product Manager Dr. Marilyn A. Mautz	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company Product Name: CHEM-TOX MALATHION 3	PM Number - 4	
5. Name and address of Applicant: (Include Zip Code) CTX Cenol Corporation P.O. Box 472 Twinsburg, OH, 44078 <input type="checkbox"/> Check if this is a new address	6. Expedite Review. In accordance with FIFRA Section 3(c)(3) (b)(i), My product is similar or identical in composition and labeling NOTIFICATION EPA Reg. No. N/A APR 17 2009 Product Name: N/A	

Section II

<input type="checkbox"/> Amendment- Explain below (-----)	Final Printed Labels in response to _____ Me Too Applications, -- Other Explain below
<input type="checkbox"/> Resubmission in response to Agency Letter Dated: _____	
<input checked="" type="checkbox"/> Notification -Explain Below Compliance with PRN 2007-4	

Explanation: Use additional pages if necessary (For Section I and Section II) *This is a NOTIFICATION that conforms to PR NOTICE 2007-4 concerning the STORAGE AND DISPOSAL required changes as found in the label's LEFT panel which is page 4 of 4 in this 4 page dossier using the last EPA stamped ACCEPTED version dated SEP 30, 2004 as the base version for this NOTIFICATION. The certification for this PR NOTICE 2007-4 NOTIFICATION appears in our cover letter. Please place this as a permanent portion of the file for this product. Thank you.*

Section III

1. Material This Product will be packed in:			
Child Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Certification must be submitted Date: _____	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging Wgt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package Wgt. No. Per Container	2. Type of Container <input checked="" type="checkbox"/> Metal (Poly Lined) <input checked="" type="checkbox"/> Plastic HDPE (Fluorine treated) <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other "BAREX"
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container 1; 2½; 5; 30; 55; 275 Gal.	5. Location of label directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> Label accompanying product	
6. Manner in which label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other			

Section IV

Contact Point (Complete items below for Identification of individual to be contacted if necessary to process this application.)

Name: H. R. McLane, Inc. 7210 Red Rd. suite 206A miami, FL 33143	Title: Agent 305-661-1706 CTX Cenol Corporation	Telephone No. (Include Area code) 1-800-321-3421
--	---	--

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 false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application received (Stamped)
2. Signature: By H. R. McLane 	3. Title Agent	
4. Typed Name of registrant Mr. Bart Baker; Vice President CTX Cenol Corporation	5. Date 12-10-08	

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 neat or open flame

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **PESTICIDE STORAGE:** Store product in its original labeled container in a cool, dry, locked place designated for such insecticides and out of reach of children. Do not expose to extreme temperatures. In case of spillage, soak up with absorbent material such as sawdust, or fullers earth; sweep up and place in a labeled container and dispose of as follows.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved wastes disposal facility.

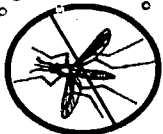
CONTAINER DISPOSAL: Nonrefillable; 1, 2½, 5, 30, 55 gallon container. Do not reuse or refill this container. Offer for reconditioning if appropriate. Refillable 275 gallon container; refill this container with pesticide only. Do not use this container for any other purpose. Clean container promptly after emptying. (Metal)

*Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by other approved State and local procedures. (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.

*Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. 12-10-06. If burned, stay out of smoke.

12-10-06

Product Batch Code: No. _____



Optional Diagram

PRN 2007-4 NOTIFICATION VERSION

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

1 Gal. ; 2½ Gal. ; 5 Gal. ; 30 Gal. ; 55 Gal.

275 Gal. APR 17 2009



CENOL
INCORPORATED
P.O. Box 472
Twinsburg, OH 44087

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 runoff. 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.

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:** To the extent consistent with applicable law 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.

Label unit 1 of 1
Dossier page 4 of 46

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 C.T.X. GENOL 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 C.T.X. GENOL INC. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. C.T.X. GENOL 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 C.T.X. GENOL 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

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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

NOTIFICATION

APR 17 2009

DIRECTION FOR USE

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GENOL
INCORPORATED
P.O. Box 472

Twinsburg, OH 44087

ACCEPTED
with COMMENTS
in EPA Letter Dated:

SEP 30 2004
Under the Federal
Fungicide, and Rodenticide Act
as amended for the
registered under EPA
45385-65

Label unit 1 of 1
Pack page 5 of 5

3/26