

45385-66

4/15/2009

1/4



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

332
1300
407350
April 15, 2009
S-842988
Decision # 404830

CTX Cenol Corporation
c/o H.R. McLane, Inc.
7210 Red Road, Suite 206A
Miami, FL 33143

Attention: Mr. H. R. McLane

- Subject** Mal 50-OS
EPA Reg. No. 45385-66
Your Notification application of December 10, 2008
- Purpose** The Agency has received your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for this product.
- Review** The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and has found that the action falls within the scope of this PR Notices. The label submitted with the application has been stamped "Notification" is acceptable, and will be placed in our records.
- Questions** If you have questions about this letter, please contact me at 703-305-5407 (phone); 703-308-0029 (fax); or peacock.dan@epa.gov (E-Mail).

Sincerely,

Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

File Location Dan Peacock, :4G Dan\Doc\Word\Notifications\Letters\Letters
DPeacock\45385-66, Apr 14, 2009, Notification, OK.doc

EPA Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Notification

EPA
Registration No.
45385-66

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

1. Company / Product Number: 45385-66		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-TOP MAL 50 OS		PM Number - 4			
5. Name and address of Applicant: (Include Zip Code) CTX Cenol Corporation P.O. Box 472 Twinsburg, OH, 44078		6. Expedite Review. In accordance with Section 3(c)(3) (b)(i), My product is similar or identical in composition and labeling to: NOTIFICATION APR 15 2009 EPA Reg. No. <u>N/A</u> Product Name: <u>N/A</u>			
<input type="checkbox"/> Check if this is a new address					

Section II

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

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 MAR 10, 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 packaged 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 checked="" 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
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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 <i>[Signature]</i>	3. Title Agent	
4. Typed Name of registrant Mr. Bart Baker; Vice President CTX Cenol Corporation	5. Date 12-10-08 DEC 10 2008	



H. R. McLANE, INC.

page 2 of 4

7210 Red Road, Suite 206A - Miami, Florida 33143-5321 U.S.A.
Phone 3056611706 - Fax 3056613036 E-Mail hrmclaneinc@bellsouth.net
Consulting in EPA Regulatory Affairs
FIFRA Licensng & 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 703-305-6785
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 MAL 50-08
EPA REG.NO.45385-66


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 MAR 10, 2004, LABEL IS USED AS THE BASE LABEL
FOR THIS, "NOTIFICATION".

	PAGE
INDEX	1
COVER LETTER to: DR. MARILYN A. MAUTZ...PM-4.....	2
1 COPY OF EPA FORM 8570-1 EPA REG. NO. 45385-66..	3
1 COPY, AS REQUIRED, OF 1 PAGE DRAFT LABEL	4
1 COPY OF 03/10/2004 LAST STAMPED ACCEPTED LABEL..	5

-----> 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

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 smoke while spraying. Wear protective clothing 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. Do not contaminate water when disposing of equipment washwaters. For aquatic uses, do not apply directly to water except as specified on this label.

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 area.

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. **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. 12-10-08.

CHEM-tox™

MAL 50-OS

Contains Cythion®

An oil soluble Malathion Concentrate containing 4.6 lbs. of Malathion active ingredient per gallon. For formulating Thermal Fogging and Mist Spraying Oils for Mosquito Control Work and Outdoor Application.

ACTIVE INGREDIENT:

Malathion (CAS 121-75-5) ----- 50.00%

OTHER INGREDIENTS* ----- 50.00%

*Contains Petroleum Distillate Total 100.00%

EPA Reg. No. 45385-68 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 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: Malathion, upon repeated, prolonged, careless use, may cause cholinesterase inhibition. Atropine is antidotal. Contains Petroleum distillate - vomiting may cause aspiration pneumonia.

(* CYTHION® is a registered Trademark of the American Cyanamide Co.)

NET CONTENTS

1 Gal. : 2½ Gal. : 5 Gal. : 30 Gal. : 55 Gal.

275 Gal. ORDER CODE OC-530



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

PRN 2007-4 NOTIFICATION VERSION

DIRECTION FOR USE

It is a violation of the Federal Law to use this product in a manner inconsistent with its labeling. This product will not mix with water.

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

Dilute this concentrate 1 part to 22 parts NO. 2 fuel oil to make a 3% ready-to-use spray. 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

MOSQUITO CONTROL

Airplane application - Apply a 3% to 5% Malathion in fuel oil at rate of 1/2 lb. actual Malathion a.i. per acre. Use 2 1/2 gal. of 3% Malathion per acre or use 1 1/2 gal of 5% Malathion per acre.

MIST SPRAYING AND LARVICIDING: Broadcast use only over intermittently flooded areas. Application may not be made around bodies of water where fish or shellfish are grown and/or harvested commercially. Apply a 3% to 5% Malathion in fuel oil at the rate of 1/2 lb. actual Malathion a.i. per acre. Use 2 1/2 gal. of 3% Malathion per acre or use 1 1/2 gal of 5% Malathion per acre. Repeat as necessary. For control of mosquito larvae in standing stagnant water and temporary rain pools in intermittently flooded areas. **THERMAL FOGGING:** Apply at a rate of 0.075 lb. to 0.1 lb of actual Malathion a.i. per acre. For a 3% solution this will be at the approximate rate of 1 gallon per 3.5 acres.

DILUTION DIRECTIONS FOR THERMAL FOGGING AND MIST SPRAYING OILS:

For mosquito control work, use a 3% to 5% Malathion concentration in No. 2 fuel oil. For a 3% Malathion fogging or mist spraying oil use 1 part of MAL 50-OS to 22 parts fuel oil. To make a 5% fogging or mist spraying oil add 1 part MAL 50-OS to 13 parts of fuel oil. Fogging compounds and mist spraying compounds of up to 5% concentration of Malathion can be made in No. 2 fuel oil without using co-solvents.

NOTICE - When diluting MAL 50-OS with mineral seal oil, deodorized aliphatic or kerosene type petroleum oils, use one part aromatic type solvent to four parts kerosene type oils.

FOGGING INSTRUCTIONS: For maximum effectiveness general outdoor fogging should be carried out under surface inversion 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. Repeat as necessary. Outdoor fogging in windy (over 4 MPH) weather will be ineffective as the tiny particles will be too widely dispersed by the wind.

TERMS OF SALE AND USE OF THIS PRODUCT.

WARRANTY: Manufacturer and Seller warrants that this product, as of the time of the sale, conforms to the ingredient statement on the label, and is reasonably fit for the purpose set forth in the Directions For Use. Except as so warranted the product is sold as is. To the extent of applicable law Manufacturer makes no other warranty express or implied.

EXCUSE FROM NON-CONTROLLABLE CONDITIONS: Because of certain critical conditions created or incurred by buyer or user over which manufacturer has no control, buyer and user as a condition of purchase or use, assume responsibility for and release manufacturer from liability arising out of handling or use of the product attributable to such causes. No person is authorized to vary or waive any statement contained herein. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Telecommunications Network at #1-800-858-7378.

12-10-08

Label unit 1 of 1
Dossier page 4 of 4

Product Batch Code: **NOTIFICATION**

APR 15 2009



FROM DMT P.A.

(THU) 3 19 2009 10:57/ST. 10:55/NO. 5080110717 P 4 7/4