

PM18

48498-1

*file 1 of 6*



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

NOV 18 1994

LYNN C. CALLENS  
MONTEREY CHEMICAL CO.  
AGENT FOR: CMR RESEARCH & MARKETING  
BOX 5317  
FRESNO, CA. 93755

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 8/28/94 in Response to PR Notice 93-7  
EPA Reg. No. 48498-1  
CMR SPECIAL SUPREME OIL

**IMPORTANT NOTICE:** This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

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 listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

**SERIOUS ERROR(S) ON SUBMITTED LABELING:**

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

**YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING.** Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

**YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.**



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

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director  
Compliance Division, (7203)  
Worker Protection Notification  
Office of Compliance Monitoring  
U.S. Environmental Protection Agency  
401 M Street SW  
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

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**IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.**

**WHAT THIS ACCEPTANCE MEANS:**

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the 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 neither been reviewed nor 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:**

Submit the required notification. Then 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 as amended

**AND**

- WITHIN one year from date of this acceptance.

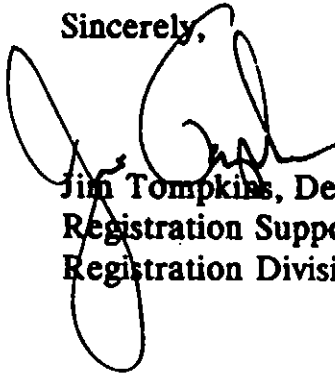
Submit the final printed labeling via the U.S. Postal Service to:

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 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

cc: Office of Compliance Monitoring

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division

Lynn C. Callens  
MONTEREY CHEMICAL CO  
AGENT FOR: CMR RESEARCH & MARKETING  
BOX 5317  
FRESNO CA 93755

Comment for: EPA Reg Nr.48498-1  
CMR SPECIAL SUPREME OIL

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

The glove requirement for "applicators and other handlers" in the "Personal Protective Equipment" section on your proposed labeling is missing or does not match the chemical-resistance category identified on your proposed labeling. Correct the chemical-resistant category statement (if necessary) to state: "Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart." Remove the incorrect glove requirement (if any) and add "Chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber or viton." The exact location is shown in Sections A and B on Part I of the product Worksheet in Supplement Three-A to PR Notice 93-7.

The glove requirement for early entry in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Chemical-resistant gloves, such as barrier laminate or nitrile rubber or neoprene rubber or viton". The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

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

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# KEEP OUT OF REACH OF CHILDREN CAUTION

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, absorbed through skin, or inhaled. Avoid contact with the skin, eyes, or clothing. Avoid breathing mist.

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selections chart.

### Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Protective eyewear

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.

### Engineering Controls Statements

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6)), the handler PPE requirements may be reduced or modified as specified in the WPS.

### 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.

### STATEMENT OF PRACTICAL TREATMENT

- If swallowed:** Call a physician or Poison Control Center. Do not induce vomiting.
- If on skin:** Remove contaminated clothes and shoes and immediately wash skin with soap and water. See a physician if irritation persists.
- If in eyes:** Immediately flush with plenty of water for at least 15 minutes. Get medical attention if irritation persists.
- If inhaled:** Remove victim to fresh air and apply artificial respiration if indicated.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not apply directly to water or wetlands (swamps, bogs, marshes, and potholes). Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water by cleaning of equipment or disposal of waste. Do not contaminate water when disposing of equipment washwaters.

### PHYSICAL OR CHEMICAL HAZARDS

Do not store, use or spill near heat or open flame. Do not weld, heat or drill containers of this product. Residues may ignite with explosive violence if sufficiently heated.

### GENERAL INFORMATION

CMR SPECIAL SUPREME OIL is a straight-cut narrow boiling range petroleum oil designated specifically for use on deciduous fruit trees. Apply CMR SPECIAL SUPREME OIL to give total coverage to all parts of tree. Thorough drenching of trunks, limbs, twigs and leaves is essential for maximum insect control.

Use only spray machines with powerful positive agitation. Keep agitator running at all times during spray operations. CMR SPECIAL SUPREME OIL is formulated as a "last break" spray oil and will not stay in solution unless agitated consistently.

**Mixing Directions:** Fill spray tank with 1/2 the required amount of water. Start agitator. Add total amount of spray oil. Maintain agitation while adding balance of water and while spraying.

# CMR

# SPECIAL

# SUPREME OIL

ACTIVE INGREDIENT:

Petroleum Oil

INERT INGREDIENTS:

TOTAL

Minimum Unsulfonated Residue - 92%  
Petroleum Oil Classification: UNCLASSIFIED

EPA Reg. No. 48498-1

EPA Es

**NOTICE OF WARRANTY:** CMR, Inc. warrants that this material conforms to the chemical description and is reasonably fit for use as directed herein. CMR, Inc. neither makes, nor authorizes any agent to make any other warranty of fitness and/or merchantability, guarantee or representation, concerning this material. Buyer assumes the risk of any use contrary to label instructions, conditions, or under conditions not reasonably foreseeable by CMR, Inc.

The use of this material being subject to conditions beyond their control, neither CMR, Inc., nor any representation or warranty expressed or implied, with respect to results from such use, is in accordance with directions. The Buyer accepts and uses this material subject to these terms either CMR, Inc. or Seller liable for the results of any use of this material.

## Net Contents: BULK

Manufactured by:  
**Creative Marketing & Research, Inc.**  
P. O. Box 2646  
Fresno, CA 93745-2646

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

NOV 18 1994

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

48498-1