



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

AUG 10 2009

Ms Amy Warren  
Control Solutions, Inc  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041

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 June 29, 2009 for:

**EPA Registration 53883-40 Martin's 50% Malathion Concentrate**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 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.

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 that reads "Rachel C. Halloman".

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



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

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

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 53883 - 40	2. EPA Product Manager George LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Martin's 50% Malathion Concentrate	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <b>APR 10 2009</b>	

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. 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, and 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 requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
				<input checked="" type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container oz - 5 gallon		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Amy Warren		Title Regulatory Affairs Specialist		Telephone No. (Include Area Code) 800-242-5562	
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 knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received  <b>(Stamped)</b>
2. Signature 			3. Title Regulatory Affairs Specialist		
4. Typed Name Amy Warren			5. Date 6-29-09		



June 29, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule  
"Pesticide Management and Disposal"  
Martin's 50% Malathion Concentrate (EPA Reg. No. 53883-40)**

Dear Sir or Madam:

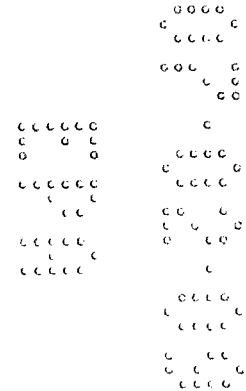
Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

Notification of label change per PR Notice 2007-4. 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, and 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 requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Amy Warren  
Regulatory Affairs Specialist  
Control Solutions, Inc.



4  
6

**NOTIFICATION**

**APR 10 2009**

*Martin's*

**50% MALATHION  
CONCENTRATE**  
4.3 Lbs. Malathion per Gallon

For Use On:  
Vegetables ◊ Trees ◊ Ornamentals

**ACTIVE INGREDIENT:**  
Malathion (O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate) . . . . . 50%  
**INERT INGREDIENTS\*:** . . . . . 50%  
100%

\*This product contains petroleum distillates.

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

Net Contents: \_\_\_\_\_

<b>FIRST AID</b>	
Have the product container or label with you when calling the poison control center or doctor, or going for treatment.	
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to mouth, if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If swallowed	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give <b>any</b> liquid to the person.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<p><b>Note to Physician:</b> This product may pose an aspiration pneumonia hazard. Contains petroleum distillate. This product is an organophosphate insecticide. If symptoms of cholinesterase are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine. You may also contact SafetyCall® International (866) 897-8050 for emergency medical treatment information.</p>	

**Emergency Phone Number:** Transportation or spill, call CHEMTREC 800-424-9300

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

**CAUTION:** Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing of spray mist. Avoid contact with skin, eyes or clothing. Causes moderate eye irritation. Wash thoroughly with soap and

water after handling. Remove contaminated clothing and wash before reuse. Do not contaminate food or feed products.

Malathion is a cholinesterase inhibitor. Do not use this product simultaneously with other drugs, insecticides, pesticides or chemicals having cholinesterase inhibiting activity nor within a few days before or after treating with Malathion.

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish, aquatic invertebrates and aquatic life stages of amphibians. 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. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply if bees are visiting the treatment area.

**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 through any type of irrigation system.  
For outdoor use around the home only.

**Fly Control:** For outdoor use only, mix 2 ¼ qts. per 100 gals. of water. Spray on walls, fences, garbage containers, and wherever flies congregate and breed. Wet all surfaces thoroughly. The addition of 8 Tbsp. of sugar per gal. will extend the life of the bait residue.

**Peaches:** For control of Spider Mites, Mealy Bugs, Woolly Aphids, Japanese Beetles (adults) and Oriental Fruit Moths, use 1 ½ to 2 Tbsp. of 50% MALATHION CONCENTRATE to 1 gal. water. For Oriental Fruit Moths, apply at petal fall and every 10 to 14 days thereafter until control is achieved. Apply as needed for other pests. Do not apply within 7 days of harvest.

**Pecan Trees:** For control of Pecan Nut Casebearers, Pecan Phylloxeras, Pecan Budmoths, Spider Mites and Aphids, use 2 Tbsp. of 50% MALATHION CONCENTRATE to 1 gal. of water.

**Ornamentals:** (Roses, Camellias, Azaleas, Chrysanthemums, Evergreens and many other flowers and shrubs) For control of Aphids, Birch Leaf Miners, Japanese Beetles (adults), Lace Bugs, Leafhoppers, Mealy Bugs, Tarnished Plant Bugs, Thrips and Whiteflies, use 1 tsp. per gal. of water. For control of Bagworms, Tent Caterpillars, Black Scale Crawlers, Leaf Scale, Oyster Shell Scale, Soft Brown Scale and Spider mites, use 2 tsp. per gal. of water. Do not use on certain ferns, including Boston, Maidenhair and Pteris, as well as some species of Crassula.

**Vegetables:** For Aphids and Spider mites on Tomatoes and Cucumbers; Aphids, Leafhoppers and Mealy Bugs on Potatoes; Mexican Bean Beetles, Leafhoppers and Spider Mites on Beans; Aphids on Peppers, Cabbage and Broccoli, use on 1 tsp. per gal. of water. For control of Onion Thrips on Onions, use 2 tsp. per gal. of water.

DO NOT USE later than 3 days before harvest on the above vegetables with the exception of Cabbage, and this should not be applied later than 7 days before harvest.

616

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**Storage and Spill Procedures:** Store upright at room temperature. Avoid exposure to extreme temperatures. Store in a locked area out of reach of children and domestic animals. In case of spillage or leakages, soak up with an absorbent material such as sand, sawdust, earth, Fuller's earth, etc. Dispose of with chemical waste.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for Guidance.

**Container Disposal: If empty** - Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling is not available, then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**If partly filled:** Call your local solid waste agency for disposal instructions. Unless otherwise instructed, place in trash. Never pour unused product down the drain or on the ground.

Control Solutions, Inc.  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041  
EPA Reg. No. 53883-40  
EPA Est. No. 53883-TX-002

(Notif for PR 2007-4 SD Statement)

**NOTIFICATION**

**AUG 10 2009**