

59144-1

9/29/2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

SEP 29 2004

Ms. Kim Davis, Consultant /Agent
Gro Tec, Inc.
c/o RegWest Company
30856 Rocky Rd.
Greeley, CO 80631

Dear Ms. Davis:

**Subject: Addition of California Restriction and Correction of First Aid
Malathion 50% Insect Spray
EPA Reg. No. 59144-1
Your Application Dated March 23, 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. The subject application, which was originally submitted as a notification, was transmitted to the Insecticide-Rodenticide Branch for review as an amendment pursuant to the Agency's April 23, 2004 letter addressed to you.

Replace the added phrase "except in California" with wording reflecting the fact that this restriction is not a Federally mandated restriction. Acceptable wording would be a statement clarifying the status of the product in California such as the statement cited below.

The product is not registered for use in the home greenhouse or for home citrus insect control in the State of California.

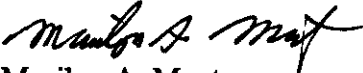
If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended

label constitutes acceptance of this condition.

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

Your subject application included a distributor product label for the product as well as the enclosed stamped basic label. Please note that distributor labeling need not be submitted to the Agency and that we do not review nor stamp distributor labeling. Distributor product labeling must be identical to the basic product label except for product name and name and address of the distributor. It can bear less claims but may not bear claims in addition to those appearing on the basic product label.

Sincerely,



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

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MALATHION 50% INSECT SPRAY

Makes up to 189 Gallons Spray {quart size}
For Home and Garden Pest Control
Emulsifiable Concentrate
Provides Quick Kill Upon Direct Contact with Listed Pests
Protects Flowers, Fruits, Shrubs & Vegetables

For Flowers & Shrubs
For Fruits & Vegetables

Ornamental and Fruit Tree Insect Control
Flower Gardens
Home Vegetable Gardens
Home Greenhouse Plants

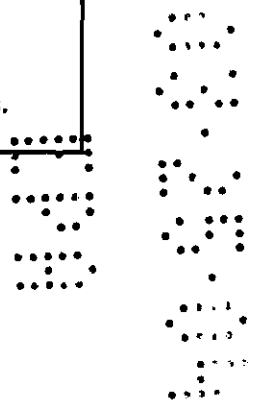
ACCEPTED
with COMMENTS
in EPA Letter Dated:

SEP 29 2004
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
59144-1

Active Ingredient:	
Malathion (CAS No. 121-75-5)	50%
Other Ingredients*	50%
*Contains petroleum distillates	Total 100%

Keep Out of Reach of Children
WARNING
See back booklet for additional precautionary statements.

Net Contents: _____ fl. oz. (____ ml)



{Booklet}

PEEL HERE

for use, storage and disposal directions

- Provides quick kill upon direct contact with listed pests
- For flowers, shrubs, fruits and vegetables
- Use on fruits and vegetables up to one week or less before harvest (see specific days inside of label)

PRODUCT USAGE	
Kills Insects	Aphids, Mealybugs, Scale, Bagworms, Spider Mites, Leafhoppers, Japanese Beetles and other listed insects
Use On	Flowers, shrubs, fruits and vegetables
Amount to Use	2 tsp. per gallon of water for vegetables, 1 to 2 tsp. per gallon of water for fruits, and 2 to 4 tsp. per gallon of water for flowers, shrubs and ornamentals (see specific rates inside of label)

? 1-888-648-8955
+ 1-800-424-9300

GRO TEC, INC.
P.O. Box 290
Madison, GA 30650
www.penningtonseed.com

EPA Reg. No. 59144-1

EPA Est. 59144-GA-1

[Subscript used is first letter of runcode on container]

DIRECTIONS FOR USE

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

{For household/domestic use product packaged in containers greater than 1 gallon:}

Storage and Disposal

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

Storage: Store in original container in a cool, dry (preferably locked) storage area inaccessible to children and pets.

Disposal: If empty: Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

{For household/domestic use product in containers of 1 gallon or less:}

[Storage and Disposal]

Storage: Store in original container in a cool, dry (preferably locked) storage area inaccessible to children and pets.

Disposal: If empty: Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Not for use on plants being grown for sale or other commercial use, for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climactic modification and being grown in home ornamental gardens or on lawns and grounds. Do not apply this product through any type of irrigation system.

Fruit Insect Control

To protect most fruit set a regular spray schedule at 10 to 14 day intervals after the trees have bloomed and the small fruit has formed. For best results consult your local Agricultural Extension Service for spray schedules and proper timing of applications.

Apples: To control Aphids, Bud Moth, Forbes Scale, Codling Moth, Plum Curculio, Red Banded Leafrollers and Spider Mites, mix 2 teaspoons in 1 gallon of water. Make two or more applications for mites and one or more for aphids spaced at 7 to 10 day intervals or as a schedule indicates for a cover spray. Do not apply later than 3 days before harvest. This product may injure Cortland and McIntosh varieties in summer sprays.

Cherries: For Black Cherry Aphids and Fruit Tree Leafrollers, mix 1 teaspoon in 1 gallon of water and thoroughly spray trees. Do not apply later than 3 days before harvest. May injure foliage in some varieties. Test spray, as for grapes, before application.

Grapes: For Leafhoppers, Spider Mites and Mealy Bugs, mix 1 teaspoon in 1 gallon of water. Do not apply later than 3 days before harvest. May cause injury to foliage of certain varieties. As a test, spray several leaves of the plant first and observe later. If no damage occurs it is safe to apply.

Peaches: For Spider Mites, Oriental Fruit Moth and Plum Curculio, mix 2 teaspoons in 1 gallon of water. Spray when damage is first seen or anticipated. Do not apply later than 7 days before harvest.

Pears: To control Codling Moth, Fruit Trees Leafrollers, Pear Psylla, Plum Curculio and Red Banded Leafrollers, use 2 teaspoons per gallon of water. Do not apply later than 1 day before harvest. May injure Bosc pears under certain conditions in the Northeastern states.

Pecans: Follow a suggested spray schedule from your University Extension Service to control Spider Mites, Aphids, Pecan Nut Casebearer and Pecan Phylloxera. Mix 2 teaspoons in 1 gallon of water and apply with a pressure sprayer. Treat when insects are first seen or their damage is anticipated. Contract a licensed commercial spray service to spray large trees.

Strawberries: For control of Spider Mites and Aphids, mix 1 teaspoon in 1 gallon of water. Treat when insects first appear. Do not apply later than 3 days before harvest. **Note:** Do not apply when fruit is in bloom and bees are present. For best results, plan on a regular spray application to fruit at 1-2 week intervals through the growing season.

For Use in the Home Greenhouse (Except in California)

The following food plants grown in a home greenhouse may be treated for Aphids and Spider Mites when observing the pre-harvest spray interval as listed after the crop: **Beans** – 1 day; **Cucumber** – 1 day; **Eggplant** – 3 days; **Head Lettuce** – 7 days; **Onion** – 3 days; **Pepper** – 3 days; and **Tomatoes** – 1 day.

Observe proper ventilation procedures and treat plants in early morning during cool temperatures. Mix 2 teaspoons of this product in 1 gallon of water and thoroughly treat all portions of the plant. Certain vegetables (such as cucumbers) may be injured if sprayed when humidity and temperature are high (> 80°F). Test spray a leaf or two and observe at a later time before applying to entire crop; otherwise treat only when greenhouse temperatures are moderate at 70° to 75° F.

Home Citrus Insect Control (Except in California)

For use on Grapefruit, Kumquats, Lemons, Limes, Oranges and Tangerines for control of Black Scale, California Scale, Citricola Scale, Soft Scale and Yellow Scale, mix 1 to 1½ teaspoons per gallon of water. For control of Florida Red and Purple Scale and the Mediterranean Fruit Fly use 2 teaspoons per gallon of water. For Thrips and Aphids use 1½ teaspoons per gallon of water. This spray will also suppress Spider Mites that may be present. Apply as a thorough coverage spray on fruit and the upper and lower sides of leaves and twigs when insects are present or their damage is anticipated. Do not apply when trees are in bloom or within 7 days of harvest.

Outdoor Ornamental Insect Control

Where to Use: May be used on a wide variety of Flowers, Shade Trees and Shrubs for the insects listed below. Due to possible plant injury, do not use on the following plants: Ferns, Hickory, Viburnum, Lantana, Crassula, Cannarti Juniper, Boston Ferns, Pteris Ferns, Maidenhair Ferns, Petunia, Small Leaf Spirea, White Pine or Maples.

How to Use: Mix the proper amount in a hose-end sprayer designed for use on shrubs, or a hand pressure or pump sprayer. Thoroughly spray all portions of the plant including the underside of leaves, stems and buds. Repeat as needed for control.

How to Mix: For all insects other than Pine Needle or Wax Scale use 2 teaspoons per gallon of water. For Pine Needle and Wax Scale use 4 teaspoons per gallon of water. Treat when insects are first seen and/or their damage is first noticed. Repeat as needed for control.

Aphids	Scale Insects:	Scale Insects (continued):	Mealybugs
Bagworms	Azalea Scale	Monterey Pine Scale	Oak Kermes*
Birch Leaf Miner	Black Scale Crawlers	Oyster Shell Scale*	Potato Leafhopper
Boxwood Leaf Miner	Euonymus Scale	Pine Leaf Scale	Rose Leafhopper
European Pine Shoot Moth	Fletcher Scale*	Pine Needle Scale	Spider Mites
Four-lined Leaf Bug	Florida Scale*	Scurfy Scale	Tarnished Plant Bug
Japanese Beetle Adult	Juniper Scale*	Soft Brown Scale	Tent Caterpillar
Lace Bugs	Magnolia Scale	Wax Scale**	Thrips (exposed stages)
Whiteflies			

*Apply when Scale Crawlers have settled on the foliage.

**Apply in spring when crawlers are active. Repeat in 1 or 2 full coverage application at 10-day intervals.

Vegetable Garden Insect Control

How to Spray: Mix the proper amount in a hose-end garden type sprayer or a hand-held garden pressure sprayer. Thoroughly mix and apply to all portions of the plant (undersides of leaves, stems, buds and developing fruit). Do not spray blooms.

When to Use: Treat in the spring and/or when insects are first seen or their damage is noticed. Do not spray later than the number of day(s) as shown in the chart for the "Preharvest Spray Interval" column; otherwise repeat as needed. Do not apply to wet vine crops.

How to mix: Mix 2 teaspoons per gallon of water.

Vegetable	Insect Pest(s)	Preharvest Spray Interval
Beans	Aphids, Spider Mites, Cucumber Beetles, Leafhoppers	1 day
Celery	Aphids, Spider Mites	7 days
Cucumbers, Squash, Melons	Aphids, Spider Mites, Cucumber Beetles, Leafhoppers	1 day
Cabbage, Broccoli, Mustard, Turnips, Head Lettuce	Aphids, Imported Cabbage Worm, Cabbage Looper, Leafhoppers	7 days
Eggplant	Aphids, Spider Mites	3 days
Onions	Exposed Thrips	3 days
Peppers	Aphids	3 days
Potatoes	Aphids, Leafhoppers, Mealybugs	0 day
Radishes	Aphids	7 days
Tomatoes	Aphids, Spider Mites	1 day

Conversions: 1 tsp./gal. = 1 pt./100 gallons; 2 tsp./gal = 2 pts./100 gals.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear (safety glasses). Harmful if swallowed. Avoid breathing spray mist or vapors. Avoid contact with skin. Thoroughly wash with soap and water after use. Remove contaminated clothing and wash before reuse. Avoid contamination of feed and foodstuffs. Do not treat areas frequented by children and do not allow children in treated areas until the spray has dried. Use only with adequate ventilation. After using this product in greenhouses thoroughly ventilate before occupying enclosed spaces. Do not allow contact with treated surfaces until sprays have dried. Do not apply this product in such a manner as to directly or through drift expose workers or other persons. Unprotected persons must vacate the area being treated.

First Aid

If in Eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If Swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If Inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
Note to Physician: Malathion upon exposure may cause cholinesterase inhibition. Atropine is antidotal. Product contains aromatic solvent that may present an aspiration hazard. Gastric lavage is indicated if product was swallowed.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact 1-800-424-9300 for emergency medical treatment information.]	

{Note: The first aid statements' grid format will be used if label space permits; otherwise a paragraph format will be used.}

Environmental Hazards

This pesticide is toxic to fish, aquatic invertebrates and aquatic life stages of amphibians. Do not apply directly to water. 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 this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical or Chemical Hazards

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

Warranty and Disclaimer: This product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use. Manufacturer is not responsible for the use of this product contrary to the label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to the manufacturer and/or seller, and buyer assumes the risk of any such use.

**For More Information Call: 1-888-648-9855
In Case of Emergency Call: 1-800-424-9300**

[] Denotes alternate/optional language
{ } Denotes language that does not appear on the market labeling