

66330-212

02/12/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Bill Washburn  
Regulatory Manager Arysta LifeScience North America, LLC  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

FEB 12 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4  
Stored Grain Dust M-1  
EPA Reg. No. 66330-213  
Malathion ULV  
EPA Reg. No. 66330-219  
Notification Applications Dated January 27, 2009  
Malathion 25WP  
Reg. No. 66330-212✓  
Application Dated January 26, 2009

Dear Mr. Washburn:

The Agency is in receipt of your subject Applications for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 for the subject products.

The Registration Division (RD) has conducted a review of this request for applicability under PRN-2007-4 and PRN 98-10 and finds that the label changes requested fall within the scope of these PR Notices. The labels have 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marilyn A. Mautz", is written above the typed name.

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

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 <b>EPA</b>	United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> <b>Registration</b> <input type="checkbox"/> <b>Amendment</b> <input checked="" type="checkbox"/> <b>Other:</b>	OPP Identifier Number
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**Application for Pesticide - Section I**

1. Company/Product Number <b>66330-212</b>	2. EPA Product Manager <b>VENUS EAGLE</b>	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>MALATHION 25WP</b>	PM# <b>1</b>	
5. Name and Address of Applicant (Include ZIP Code)  <b>Arysta LifeScience North America, LLC</b> <b>15401 Weston Parkway, Suite 150</b> <b>Cary, NC 27513</b>  <input type="checkbox"/> Check if this is a new address		6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____  Product Name _____

**Section - II**

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
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**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 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 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment 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.

**Notification of label change per PR Notice 98-10.** This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes"    No. per Unit Packaging wgt.    container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes"    No. per Package wgt.    container	2. Type of Container <input 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			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container  1.0 lb., 3.0 lb., 5 lb., and 10 lb.	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)			
Name <b>Bill Washburn</b>	Title <b>Regulatory Manager</b>	Telephone No. (Include Area Code) <b>901-432-5118</b>	
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 <b>Regulatory Manager</b>		
4. Typed Name <b>Bill Washburn</b>	5. Date <b>01/26/09</b>		



January 26, 2009

Ms. Venus Eagle, PM 1  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs – 7504P  
U.S. Environmental Protection Agency  
One Potomac Yard, Room S-4900  
2777 South Crystal Drive  
Arlington, VA 22202

**Subject: MALATHION 25WP  
EPA Reg. No. 66330-212**

***Notification of Label Change per PR Notice 2007-4  
and PR Notice 98-10***

Dear Ms. Eagle:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 01/26/09.
- One highlighted copy of subject label, showing all changes.
- One clean copy of the subject label.

Notification of label change per PR Notice 2007-4. This notification is consistent with 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 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment 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.

Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

Please acknowledge acceptance of this notification by stamping the extra copy of this letter and returning in the enclosed self-addressed stamped envelope. Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at [bill.washburn@arystalifescience.com](mailto:bill.washburn@arystalifescience.com)

Sincerely,

Bill Washburn  
Regulatory Manager

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PR Notice 2007-4  
NOTIFICATION

FEB 12 2009

# **MALATHION 25 WP**

## **ACTIVE INGREDIENT:**

Malathion: 0,0-dimethyl phosphorodithioate of

Diethyl mercaptosuccinate..... 25.0 %

INERT INGREDIENTS:.....75.0%

TOTAL .....100.0%

**KEEP OUT OF REACH OF CHILDREN**

## **CAUTION**

See [Side] [Back] Panel For Additional Precautions

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF INHALED:</b>	<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 further treatment advice.</li> </ul>
<b>IF IN EYES:</b>	<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>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>NOTE TO PHYSICIAN</b>	
Malathion is a moderate, reversible, cholinesterase inhibitor. Atropine is antidotal.	
<b>EMERGENCY TELEPHONE NUMBERS:</b> Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<b>FOR 24- HOUR EMERGENCY MEDICAL ASSISTANCE CALL:</b> 1-866-303-6952	
<b>FOR CHEMICAL EMERGENCY:</b> Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300	

EPA Reg. No. 66330-212  
AD 092105

EPA Est. No. 51036-GA-1

Manufactured For:  
Arysta LifeScience North America, LLC  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

PRECAUTIONARY STATEMENTS  
Hazards To Humans And Domestic Animals

CAUTION

May be harmful if swallowed. Do not take internally. Avoid contact with eyes, skin and clothing. Avoid breathing vapors, dust, or spray mist. Wash thoroughly after handling. Wash contaminated clothing before reuse. Keep children and pets out of treated areas until sprays have dried.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

1. Long-sleeved shirt and long pants
2. Waterproof gloves
3. Shoes plus socks
4. Chemical-resistant headgear for overhead exposure

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

1. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
2. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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 this product or allow it to drift to blooming crops or weeds 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 in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the Agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label

about personal protective equipment and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil, or water, is:

1. Coveralls
2. Waterproof gloves
3. Shoes plus socks
4. Chemical-resistant headgear for overhead exposure

#### CHEMIGATION PROHIBITION

Do not apply this product through any type of irrigation system.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**STORAGE:** Store in cool, dry place. In case of spill, remove spillage with an industrial type vacuum cleaner and wash area with household bleach.

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

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container.. Completely empty bag into application equipment. Offer for recycling, if available, or dispose of empty bag in a sanitary landfill by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

#### ORNAMENTAL FLOWERS AND SHRUBS

- Against Aphids, Spider Mites, Mealy-bugs and Whiteflies, use 2 1/2 pounds per 100 gallons or 2 level tablespoons per 1 gallon of water.

- Against Soft Brown Scale, Florida Red Scale and Black Scale Crawlers use 6 pounds per 100 gallons or 1 ounce (4 level tablespoons) per each gallon of water. Spray for thorough, full coverage and repeat as needed. Injury may occur on Boston, Maidenhair and Pteris Fern, and some species of Crassula.

**Warranty and Disclaimer Statement**

The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.**