WITED STAT

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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Bill Washburn **Product Registration** Arysta Lifescience NA Corporation 15401 Weston Parkway, Suite 150 Cary, NC 27513

JUN 2 2009

Subject: Notification for Label Revisions under PRN 98-10 and 2007-4 Storage & Disposal, Warranty Statement and Other Changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10, and 2007-4 Storage & Disposal and Other Changes dated May 14, 2009 for:

EPA Registration 66330-258 "Sulfur 0.4% RTU"

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and 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 non-refillable containers. The code may appear either on the label (and can be added by nonnotification/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 Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

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

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😔 EPA		nited States	_	🗌 Registra			OPP Ide	entifier Number
	Environment		•••	y 🗌 Amendı	ment			
	Washi	ngton, DC 204	160	⊠ Other:				
		Applicatio		esticide - Sectio	n I			
I. Company/Product Number 66330-258			2. EPA	Product Manager Waller		3.	Propos	ed Classification
4. Company/Product (Name)			PM#				None 🛛	Restricte
Sulfur 0.4% RTU			21	· · · · · · · · · · · · · · · · · · ·				
5. Name and Address of Applic	ant (Include ZIP C	Code)		edited Review. In				
Arysta LifeScience Nort	h America II	c		my product is simil	ar or identical	in con	nposition	and labeling
15401 Weston Parkway,		.0	fpa R	Peg No			6 4	
Cary, NC 27513				Reg. No	MUTIFIC	ATIO	N	
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May 14, 2009

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Ms. Mary Waller Product Management Team (21) Fungicide-Herbicide Branch (H7505C) Registration Division Office of Pesticide Programs Document Processing Desk (NOTIF) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

Subject: Sulfur 0.4% RTU EPA Reg. No. 66330-258

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

Dear Ms. Waller:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 05/14/09.
- 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, 156.144, 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.

Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at <u>bill.washburn@arystalifescience.com</u>

Sincerely,

Rie Washlum

Bill Washburn Regulatory Manager Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150, Cary, NC 27513 Phone 919-678-4900 Fax 919-678-2194 www.arystalifescience.com



SULFUR 0.4% RTU

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NOTIFICATION

READY TO USE FLOWER, FRUIT, & VEGETABLE

JUN 02 2009

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GARDEN FUNGICIDE

Controls powdery mildew, black spot, leaf spot and rust.

SHAKE WELL

ACTIVE INGREDIENTS	BY WT.
Sulfur:	0.40%
OTHER INGREDIENTS:	99.60%
TOTAL 1	00.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION See [Side] [Back] Panel For Additional Precautions

FIRST	ΓAID	
IF IN EYES:	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:	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.	
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REGISTRATION/AMENDMENTS/SULFUR 0.4% RTU (239) First Aid Clean Submitted 081405 jb Final label with changes as per EPA acceptance letter of 11/08/2005

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	PR NOTICE 20
IF INHALED:	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.
IF ON SKIN:	Take off contaminated clothing. Rinse
	skin immediately with plenty of water
	for 15 to 20 minutes. Call a poison
	control center of doctor for treatment
	advice.
EMERGENCY TELEPHONE NU	MBERS: Have the product container or label
with you when calling a poison co	ontrol center or doctor, or going for treatment.
FOR 24 HOUR EMERGENCY M	EDICAL ASSISTANCE CALL: 1-866-303-6952
FOR CHEMICAL EMERGENCY	: Spill, leak, fire, exposure, or accident call
CHEMTREC 1-800-424-9300	

EPA Reg. No. 66330-258 AD 110805 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

Harmful if swallowed. Do not inhale spray mist. Avoid contact with eyes. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing. Do not use for medical purposes or as a feed supplement.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of water.

REGISTRATION/AMENDMENTS/SULFUR 0.4% RTU (239) First Aid Strikeout Submitted 081405 jb Final label with changes as per EPA acceptance letter of	, 11/08/2005	· · · · · · · · · · · · · · · · · · ·
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STORAGE AND DISPOSAL

STORAGE: Store at room termperature and protect from freezing. DISPOSAL: Nonrefillable Container. Do not reuse or refill this Triple rinse container (or equivalent) promptly after container. emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with Shake for 10 seconds. water and recap. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, 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. Never place unused product down any indoor or outdoor drain.

DIRECTIONS FOR USE

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

SHAKE WELL

Spray plants thoroughly to wet the upper and lower surfaces on foliage.

FLOWERS, FOLIAGE PLANTS AND ORNAMENTALS Spray at 7 to 10 day intervals or as needed to control powdery mildew, black spot, and rust.

ROSES

Spray at 7 to 10 day intervals or following rain to control powdery mildew, black spot, and rust. Be sure to treat new growth and buds.

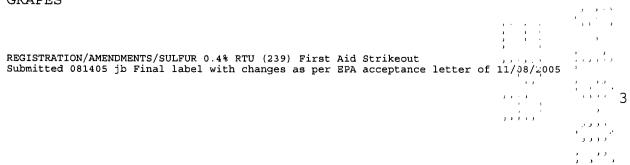
BEANS AND PEAS

To control powdery mildew, spray at first sign of disease and repeat at 7 day intervals as necessary. May be used up to day before harvest.

STRAWBERRIES

To control powdery mildew, spray at first sign of infection and repeat at 3 week intervals. NOTE: Do not apply to strawberry fruit that will be used for canning. May be used up to the day before harvest.

GRAPES



PR NOTICE 2007-4 Thoroughly cover foliage. Begin when new shoots are 6 - 10 inches. Repeat before blooms open and at 14 day intervals as needed. NOTE: Do not apply to wine grapes within 21 days of harvest. Sulfur may damage concord and other labrusca varieties.

To control powdery mildew, leaf spot and rust on bedding plants, propagates, fruits and vegetables. Test for phytotoxicity before full-scale application.

NOTE: Some plants are susceptible to injury from sulfur under certain climatic conditions. Do not use on Boston fern, spinach, apricots, filberts, walnuts and viburnum. Do not apply when temperature exceeds 85°F. Do not apply for at least 4 weeks following application of oil spray.

RE-ENTRY

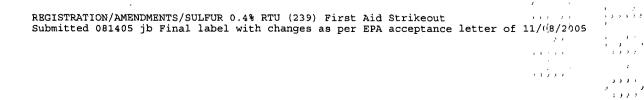
Avoid contact with plants until spray has dried.

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.

NOTIFICATION

JUN 02 2009

