

66330-259

6.2.2009

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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 66330-259 "Sulfur 12.0"**

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 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 Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

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

1. Company/Product Number <b>66330-259</b>	2. EPA Product Manager <b>Mary Waller</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Sulfur 12.0%</b>	PM# <b>21</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>		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. _____ <b>NOTIFICATION</b> _____  Product Name _____ <b>JUN 02 2009</b> _____
<input type="checkbox"/> Check if this is a new address		

**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 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" Unit Packaging wgt.      No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "Yes" Package wgt.      No. per 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  <p style="text-align: center;">1.0 gal., 2.5 gal, 5.0 gal</p>	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 <p style="text-align: center;"><b>Bill Washburn</b></p>	Title <p style="text-align: center;"><b>Regulatory Manager</b></p>	Telephone No. (Include Area Code) <p style="text-align: center;"><b>901-432-5118</b></p>
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  <p style="text-align: center;"><i>Bill Washburn</i></p>	3. Title <p style="text-align: center;"><b>Regulatory Manager</b></p>	
4. Typed Name <p style="text-align: center;"><b>Bill Washburn</b></p>	5. Date  <p style="text-align: center;"><b>14 May 2009</b></p>	



May 14, 2009

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 12.0%**  
**EPA Reg. No. 66330-259**

**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, 156.140, 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.

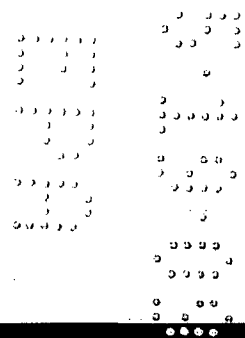
Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

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

Arysta LifeScience North America, LLC  
15401 Weston Parkway, Suite 150, Cary, NC 27513 Phone 919-678-4900 Fax 919-678-2194  
[www.arystalifescience.com](http://www.arystalifescience.com)





for treatment advice.

**EMERGENCY TELEPHONE NUMBERS:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE CALL: 1-866-303-6952**  
**FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300**

**Deleted:** You may also contact:  
 (800) 424-9300 CHEMTREC (transportation and spills)  
 (800) 832-HELP (4357) (human health)  
 (800) 345-4735 ASPCA (animal health)

PRECAUTIONARY STATEMENTS  
 Hazards to humans and domestic animals

CAUTION

Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

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 when disposing of rinsate or equipment washwater.

STORAGE AND DISPOSAL

**STORAGE:** Store in cool place. Do not contaminate water, food, or feed by storage or disposal.

**DISPOSAL:** Nonrefillable Container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after 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 1/4 full with water and recap. Shake for 10 seconds. 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.

**Deleted:** If Empty: Do not reuse this container. Place in trash or o

**Deleted:** .  
 If Partly Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Handwritten marks consisting of various symbols, including circles, dots, and lines, arranged in a grid-like pattern.

PR Notice 2007-4

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USING

For control of BLACKSPOT, LEAF SPOT, and RUST, mix 1 part concentrate to 30 parts water or 4 fl. oz. (8 TBS) per gal.

For POWDERY MILDEW mix 2 fl. oz. (4 TBS) per gal of water.

Place about half of the volume of water in sprayer, add concentrate, stir well, add rest of water and mix thoroughly. Run agitator on large tank sprayers. For coverage, see individual applications. Spray plants thoroughly to wet the upper and lower surfaces of foliage. Repeat as recommended.

VEGETABLES

BEANS:

To control powdery mildew and leaf spot, apply at early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

BROCCOLI, BRUSSELS SPROUTS, CABBAGE, CAULIFLOWER, COLLARDS, KALE, MUSTARD GREENS, RUTABAGA, TURNIPS:

To control powdery mildew, apply at first sign of disease after early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

CARROTS:

To control powdery mildew, apply at first sign of disease after early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

CUCUMBERS:

To control powdery mildew, apply when disease appears & repeat as necessary. Do not spray young plants. Apply 1 gal. of mix to each 600 sq. ft.

MELONS:

To control powdery mildew, apply at first sign of disease and repeat as necessary. Apply 1 gal. of mix for every 300 sq. ft.

NOTE: Sulfur can injure plants when temperatures exceed 90° F. Do not use on sulfur sensitive varieties.

ONIONS & GARLIC:

To control powdery mildew, apply at first sign of disease and

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repeat as necessary. Apply 1 gal. of mix for every 300 sq. ft.

PEAS:

For control of powdery mildew and Septoria leaf spot, apply at first sign of disease after early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

PEPPERS:

To control powdery mildew, apply at early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

POTATOES:

To control powdery mildew, apply at early leaf stage and repeat at 14 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

SQUASH:

To control powdery mildew, apply at first sign of disease and repeat as necessary. Apply 1 gal. of mix for every 300 sq. ft.

NOTE: Sulfur can injure plants when temperatures exceed 90° F. Do not use on sulfur sensitive varieties.

TOMATOES:

To control powdery mildew, apply at first signs of disease and repeat at 10 day intervals as necessary. Apply 1 gal. of mix for every 300 sq. ft.

FRUIT

APPLES & PEARS:

To control powdery mildew, apply to thoroughly wet foliage. Apply at pre-bloom stage or after petal fall as needed.

NOTE: Some apple & pear varieties are sulfur sensitive; test for varietal sensitivity prior to full scale treatment.

GRAPES:

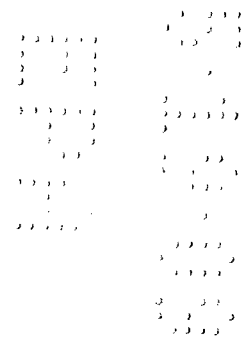
To control powdery mildew, thoroughly cover foliage. Begin when new shoots are 6-10 inches. Repeat before blooms open and at 14 day intervals as needed.

NOTE: Do not apply to wine grapes within 21 days of harvest. Sulfur may damage concord & other labrusca varieties.

MANGOES:

To control powdery mildew, apply before flowering as disease appears and repeat at 20 day intervals as necessary.

PEACHES, PLUMS, CHERRIES, NECTARINES, PRUNES:







**NOTIFICATION**  
**JUN 02 2009**

PR Notice 2007-4

**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.**

**Deleted: CONDITIONS OF SALE AND LIMITED WARRANTY**

¶ The Directions For Use of this product reflects the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of MICRO FLO COMPANY (MICRO FLO) or the SELLER. All such risks shall be assumed by the Buyer. ¶

¶ MICRO FLO warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions For Use, subject to the inherent risks, referred to above. ¶

¶ MICRO FLO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT PERMITTED BY LAW, MICRO FLO AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. MICRO FLO and the SELLER offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of MICRO FLO.

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