

82571-5

7/20/2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7504P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:  
82571-5

Date of Issuance:  
JUL 20 2010

NOTICE OF PESTICIDE:  
 Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:  
Copper Sulfur Dust

Name and Address of Registrant (include ZIP Code):  
Martin Operating Partnership, LP  
P.O. Box 191, Kilgore, TX 75663

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.

Signature of Approving Official:

Tony Kish  
Product Manager 22  
Fungicide Branch  
Registration Division (7504P)

Date:

JUL 20 2010

2) Per the product chemistry review, the footnote to the ingredient statement must be revised to specify the amount of metallic copper in the product as 15.8%.

3) The text "Do not give anything by mouth to an unconscious person" must be deleted from the "IF IN EYES" first aid statements.

Also, based on toxicity ranking per the acute toxicity review, the "IF IN EYES" statements must be placed above the other first aid statements.

4) Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read as specified below and all other text should be deleted:

"WARNING  
Causes substantial but temporary eye injury."

5) Per the acute toxicity review and the RED, chemical-resistant gloves are not required for this product but may remain in the handler PPE section of the label.

6) The following comments pertain to the Environmental Hazards section of the label:

-Place a period between the words "product" and "Drift" in the text "Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this *product Drift....*".

-Also, the text "Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans...For guidance contact your State Water Board or Regional Office of the EPA" is not needed and may be deleted from the label.

7) Add a comma between the words "socks" and "chemical" in the early entry PPE text in the Agricultural Use Requirements box on Page 4 of the label that reads "...chemical-resistant gloves made of any waterproof material, chemical-resistant footwear plus *socks chemical-resistant* headgear..."

8) Update the Container Disposal language to comply with PR Notice 2007-4.

9) To the Grapes section reduce the application rate to 19 lbs. of product per acre which is equal to 3 lbs. of copper per acre. Reduce the total application of product per year to 126.6 lbs. of product per acre per year which is equal to 20 lbs. of copper per acre.

10) To the Warranty section add "to the extent consistent with applicable law" in front of "LP Makes no warranties" and "In no case shall Martin".

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A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next round of printing must bear the new revised label. If these EPA conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these EPA Reg. conditions. This label supersedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Enclosure:    Product Chemistry Review  
                  Acute Toxicology Review

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# COPPER SULFUR DUST

## FUNGICIDE

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
JUL 20 2010

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

82571-5

<b>ACTIVE INGREDIENTS:</b>	By Wt.
Copper Oxychloride ....CAS No.1332-65-6.....	19.5%
Basic Copper Sulfate...CAS No.1344-73-6.....	7.6%
Sulfur .....CAS No.7704-34-9 .....	25.0%
<b>INERT INGREDIENTS:</b> .....	<b>47.9%</b>
TOTAL 100.0%	

(Total Copper Expressed as Metallic <sup>15.8%</sup> 15%)

### KEEP OUT OF REACH OF CHILDREN

## WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

### FIRST AID STATEMENT

<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 mouth-to-mouth if possible.</li> <li>Call a poison control center or doctor for further 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 15-20 minutes.</li> <li>Call a poison control center or doctor for 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. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for further treatment advice.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>Call 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>HOT LINE NUMBER</b>	
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.	

See side/back panel for additional "Precautionary Statements."

EPA Reg. No. 82571-5  
Manufactured by: **Martin Operating Partnership, LP**  
P.O. Box 191, Kilgore, TX 75663

EPA Est. No. 071953-TX-1  
**Net Weight**  
**50 Lbs. (22.6 kg)**

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Warning: Causes substantial but temporary eye irritation. Harmful if swallowed, inhaled, or absorbed through skin. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are Nitrile Rubber, Neoprene Rubber and Polyvinyl Chloride (PVC) in thicknesses greater than or equal to 14 mils. If you want more options, follow the instructions for Category A on an EPA chemical resistance category selection chart. Applicators and other handlers must wear long-sleeved shirt, long pants, chemical-resistant gloves made of any waterproof material, shoes plus socks and protective eyewear.

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

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

**Engineering controls statements:** When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates and may contaminate water through runoff. This product has a potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

Do not apply directly to water, to areas where water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of

a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

**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.

**DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground aerial, airblast, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Wind Speed: Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition (approximately 3 to 10 mph), and there are no sensitive areas with 250 feet downwind.

Temperature Inversions: If applying at wind speeds less than 3 mph, the applicator must determine if a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Other Local and State Requirements: Applicators must follow all state and local pesticide drift requirements regarding application of copper compounds. Where states have more stringent regulations, they must be observed.

Equipment: All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the crop canopy.

**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 (PPE) and restricted-entry interval. 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 48 hours.  
 Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

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: coveralls over long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof materials, chemical-resistant footwear plus socks chemical resistant headgear if overhead exposure, and protective eyewear.

### STORAGE AND DISPOSAL

Do not contaminate water, food, or fee by storage and disposal.

**PESTICIDE STORAGE:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, fold and roll back bags, clamp and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides or fertilizers. In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

**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:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

CSC COPPER SULFUR DUST is a product containing sulfur, basic copper sulfate and copper oxychloride, fixed neutral copper compounds.

Application of material containing sulfur should not be made just prior to or during periods of excessively high temperatures.

**GRAPES:** Powdery Mildew, Bunch Rots - Use <sup>19</sup>~~20~~ pounds per acre. Apply at the time of berries begin to touch and thereafter at 3 day intervals as needed. Total applications of this product must not exceed <sup>138</sup>~~135~~ <sup>126</sup> pounds per year. For disease control the material must be applied before the disease appears. Concord and other Labrusca type grapes may be injured by sulfur. Consult your State Agricultural Experiment Station or your State Agricultural Extension Service for additional information consistent with directions on this label.

**DEALERS MUST SELL IN ORIGINAL PACKAGES ONLY.**

**NOTICE**

MARTIN OPERATING PARTNERSHIP, LP WARRANTS THAT THIS PRODUCT CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL THEREOF AND IS REASONABLY FIT FOR THE PURPOSES STATED ON THIS LABEL WHEN USED IN ACCORDANCE WITH DIRECTIONS UNDER NORMAL USE CONDITIONS. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE 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 THE MANNER OR USE OF APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF MARTIN OPERATING PARTNERSHIP, LP. IN NO CASE SHALL MARTIN OPERATING PARTNERSHIP, LP, LLC BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER.

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