

86330-1

01/13/2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
86330-1

Date of Issuance:
JAN 13 2010

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

Term of Issuance: Unconditional

Name of Pesticide Product:
SUNSPRAY 11N

Name and Address of Registrant (include ZIP Code):

Holly Refining & Marketing-Tulsa, LLC
1700 South Union Avenue
Tulsa, OK 74107
ATTN: Ms. Jennifer Hall

5835539
676/1275

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 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.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

The basic Confidential Statement of Formula (CSF) dated September 1, 2009, is accepted and replaces all CSFs previously accepted for this product.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments in this letter.

See page 2 for required label changes.

You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Notice or the next printing of the label, whichever occurs first, must bear the new revised label. A stamped copy of the label is enclosed for your records. Should you have any questions, please contact William Jacobs at 703-305-6406 or jacobs.bill@epa.gov.

Signature of Approving Official:
Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)

Meredith F. Laws

Date:
JAN 13 2010

Label Changes for EPA Reg. No. 86330-1

The changes identified below must be made to the proposed label marked "SS-5302 9/09" that was part of the submission of December 16, 2009, for this product.

- 1. In the statement of ingredients, footnote "Mineral Oil" (in the "ACTIVE INGREDIENT:" line) with the phrase "Contains petroleum distillates".
- 2. Change the order of treatments listed under "FIRST AID" to:

If on skin or clothing: ...

If swallowed: ...

If in eyes: ...

If inhaled: ...

- 3. In the first sentence of the "NOTE TO PHYSICIAN", change "mineral oil" to "petroleum distillates".
- 4. Replace the paragraph directly below "**PRECAUTIONARY STATEMENTS Hazards to humans and domestic animals.**" with the text shown below.

CAUTION:

Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

- 5. Revise the "**STORAGE AND DISPOSAL**" section as indicated below.
 - a. Delete the numbers that precede the subheadings.
 - b. Delete the subheading "**Prohibitions:**" but retain the text that immediately follows it ("Do not contaminate water ... is prohibited").
 - c. Change the subheading "**Storage:**" to "**Pesticide Storage:**".
 - d. Revise the "**Container Disposal:**" paragraph to include appropriate text pertaining to: (1) whether containers are refillable, (2) rinsing containers, and (3) recycling containers. See PR Notice 2007-4, as revised on April 29, 2008, and 40 CFR §156 Subpart H.
- 6. Make the changes indicated below to the "**DIRECTIONS FOR USE**" section.
 - a. In the second paragraph, replace "Only for formulation into the end use products for the following:" with "This product is registered for formulation into end-use products for the following uses:".

- b. In the last paragraph ["This product may be ... use(s)"], insert "also" between "product" and "may be".

- 7. In the "**LIMITED WARRANTY & LIABILITY**" section, insert "**TO THE EXTENT CONSISTENT WITH APPLICABLE LAWS,**" as an introductory phrase to the following sentences: "**MANUFACTURER AND SELLER DISCLAIM ... PURPOSE ... label)**", "**LIABILITY OF MANUFACTURER AND SELLER ... INVOLVED**", and "**IN NO EVENT SHALL MANUFACTURER OR SELLER ... DAMAGES**".

SUNSPRAY® 11N

A superior horticultural spray oil for use in the formulation of insecticides.
Formulators are responsible for obtaining EPA Registration for their end use product.

ACTIVE INGREDIENT: Mineral Oil*	100 %
*Unsulfonated Residue of Mineral Oil	.92 % MIN
*50% Distillation Point of Mineral Oil	.468 °F
Weight per Gallon	7.2 lbs.

**KEEP OUT OF REACH OF CHILDREN
CAUTION:**

FIRST AID

If swallowed:

Immediately call a poison control center or doctor.
DO NOT INDUCE VOMITING unless told to do so by a poison control center or doctor.
Do not give any liquid to the person.
Do not give anything by mouth to an unconscious person.

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 the eye.
Call a poison control center or doctor for treatment advice.

If on skin or clothing:

Take off contaminated clothing.
Rinse skin immediately with plenty of water for 15-20 minutes followed by washing with soap & water.
Call a poison control center or doctor for treatment advice.

If inhaled:

Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give them artificial respiration, if possible.
Call a poison control center or doctor for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-918-594-6000 for emergency medical treatment information.

NOTE TO PHYSICIAN

Contains mineral oil – vomiting may cause aspiration pneumonia. Aspiration may occur after swallowing or vomiting and results in serious, and sometimes delayed, lung injury.

According to the California Safe Drinking Water and Toxic Enforcement Act of 1986 Regulations, otherwise known as "Proposition 65":
ATTENTION: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

PRECAUTIONARY STATEMENTS

Hazard to humans and domestic animals.
CAUTION:
Avoid contact with eyes, skin and clothing.
Harmful if swallowed. Avoid breathing of spray mists or vapors. Wash hands after using. Avoid contamination of feed and food stuffs.

ENVIRONMENTAL HAZARDS

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.

STORAGE AND DISPOSAL

- 1. Prohibitions:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.
- 2. Storage:** Store in a cool, dry, locked area out of the reach of children. Keep oil container tightly closed in storage to prevent entry of water.
- 3. Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
- 4. Container Disposal:** Metal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic: Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Only for formulation into the end use products for the following: Almonds, Apples, Apricots, Blueberries, Cherries, Figs, Olives, Pears, Peaches, Nectarines, Plums, Prunes, Pecans, Shade Trees, Shrubs including Conifers, Deciduous Broadleaf Evergreens, Woody Ornamentals, Azalea, Dogwood, Flowering Cherry, Flower Crab, Eponymus, Holly, Hawthorne, Juniper, Lilac, Pines, Privet, Rhododendron, Rose, Spirea.
This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

LIMITED WARRANTY & LIABILITY

This product conforms to the description and is suitable for the uses set forth on this label but is strictly limited to those uses solely as directed under the specified label conditions, and only if purchased in the original unopened container.
MANUFACTURER AND SELLER DISCLAIM ANY AND ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE (except as specified on this label). Buyer and all users shall assume all risk, liability and damage if this product is used, stored, handled or applied other than as specifically set forth on this label. **LIABILITY OF MANUFACTURER AND SELLER AND USER'S REMEDIES SHALL BE LIMITED TO REFUND OF THE PURCHASE PRICE OR REPLACEMENT OF THE SPECIFIC QUANTITY INVOLVED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

**ACCEPTED
With COMMENTS
In EPA Letter Dated:**

JAN 13 2010
Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

86330-1

SS-5302 9/09



**Holly Refining & Marketing-
Tulsa, LLC**
1700 South Union Avenue
Tulsa, OK 74107

**EPA Registration No. 86330-1
EPA Establishment No. 86330-OK-1
Net Contents: BULK**

h/n