

JUL 22 1997



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

S495026

Ms. Paddy Landers
General Manager
29454 Meadowview Road
Junction City, OR 97448

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dear Ms. Landers:

Subject: Deletion of Unsupported Malathion Uses
OR-CAL Stabilized Malathion 400
EPA Reg. No. 52251-4
Labeling Submitted September 27, 1995
Federal Register Notice of March 18, 1991

The labeling amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable, provided that you:

Submit one copy of your final printed label incorporating the following corrections before you release the product for shipment.

1. This product is subject to the Worker Protection Standard (WPS) and the labeling must bear the required WPS labeling statements as outlined in PR Notices 93-7 and 93-1. The new protective language in those submissions must be incorporated into this label. Since the release for shipment deadline has passed for products not bearing WPS statements, you cannot release the product for shipment unless the label has been revised to comply with the WPS labeling requirements.

2. The paragraph headed, "Re-entry Statement" must be replaced with the required WPS labelling referenced in item 1 above.

3. Delete the proposed human and domestic animals precautionary statements under the heading, "caution" and replace them with the following statements reflecting the category III toxicity signal word CAUTION.

"Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. "

If you have information reflecting the proposed precautionary labeling statements, it must be submitted for our evaluation. You are reminded that factual information regarding adverse effects are required to be submitted to the Agency under FIFRA section 6(a)(2). Please refer to the attached copy of section 153.66 describing the information required to be

submitted under 6(A) (2).

4. Correct the "If swallowed:" statement of practical treatment to read as stated below to reflect the aspiration hazard associated with the product.

"If swallowed: Drink promptly a large quantity of milk, egg whites, or gelatin solution, or, if these are not available, large quantities of water. Avoid alcohol. Do not induce vomiting as it may cause aspiration pneumonia."

5. Revise the Environmental Hazards statements to read as stated below. These revisions will bring the statements into compliance with the 1988 Malathion Registration Standard and PR Notice 93-3.

"This product is toxic to fish, aquatic invertebrates, and the aquatic life stages of amphibians. For terrestrial uses, 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."

6. Revise the terms, "Active Ingredients" and "Inert Ingredients" so that they are aligned to the same margin and are of equal type size and prominence.

7. Delete the label reference to the "attached label booklet". There was no separate label booklet submitted with your subject application.

Please verify that the CSF dated 11/28/90 is the current basic CSF for the product.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended label constitutes acceptance of this condition.

A stamped copy of the label is enclosed for your records.

Sincerely,

M. Mautz

Marilyn Mautz
Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes eye damage and skin irritation. Do not get in eyes, on skin, or on clothing. May be fatal if swallowed or absorbed through skin. Do not breath vapor or spray mist. Use waterproof gloves, face shield or goggles, and protective clothing when handling. See also the specific uses for additional directions for protective clothing. Wash hands, arms and face thoroughly with soap after handling and before eating or smoking. Do not use on humans or household pets. Keep children and animals away from treated areas until spray has dried. Do not apply to food or forage nor to crops to be fed to dairy animals. Do not apply this product in such a manner as to directly or through drift expose workers or other persons.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, aquatic invertebrates, and the aquatic life stages of amphibians. Do not apply water or wetlands (i.e., swamps, bogs, marshes, and potholes). Drift and runoff may be hazardous to aquatic organisms in areas near the application site. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply this product only as specified on this label. This pesticide is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply when bees are actively visiting the crop, cover crop or weeds blooming in the treatment area. Applications should be timed to provide the maximum possible interval between treatment and the next period of bee activity.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Use only according to attached label booklet and/or side panel instructions. READ ENTIRE LABEL USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

RE-ENTRY STATEMENT

The area being treated must be vacated by unprotected persons. Do not allow entry into treated areas until spray has dried, unless full protective clothing is worn. Because certain states may require more restrictive re-entry intervals; consult your State Department of Agriculture for further information. Written or oral warnings must be given to the workers who are expected to be in a treated area or in an area to be treated with this product. When oral warnings are given, warnings shall be given in a language customarily understood by workers. Oral warnings must be given if there is reason to believe that written warnings cannot be understood by workers. Written or oral warnings must include the following information: "CAUTION, Area to be treated with malathion (date of application). Do not enter without appropriate protective clothing until sprays have dried." Or in the case of crops involving hand culture, "Do not enter treated areas to perform activities that involve substantial or prolonged contact with treated foliage for 1 day."

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

STORAGE: Store in a cool, dry place. Keep container closed when not in use.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinse is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary land fill, or incineration, or if allowed by state and local authorities by burning. If burned, stay out of smoke.

OR-CAL

Stabilized

Malathion 400

ACTIVE INGREDIENTS:

*Malathion	40%
Inert Ingredients	60%
TOTALS	100%

(* O,O-Dimethyl dithiophosphate of diethyl mercaptosuccinate
"Contains aromatic petroleum distillate"
STORE IN A COOL PLACE/PROTECT FROM FREEZING

KEEP OUT OF REACH OF CHILDREN

CAUTION - AVISO

PRECAUCION AL USUARIO: Si usted no le ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center immediately. Drink one or two glasses of water and induce vomiting by touching back of throat with finger. Repeat until vomit fluid is clear. Do not induce vomiting or give anything by mouth to any unconscious person.
IF INHALED: Remove a victim to fresh air. Apply artificial respiration if indicated.
IF ON SKIN: Remove contaminated clothing and wash affected areas with soap and water.
IF IN EYES: Flush eyes with plenty of water. Call a physician immediately.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

OR-CAL
Oregon-California Chemicals, Inc.
29454 Meadowview Rd.
Junction City, Oregon 97448

EPA Establishment No. 52251-OR-005

EPA Registration No. 52251-4

NET CONTENTS -1 gallon

ACCEPTED
with COMMENTS
in EPA Letter Dated

JUL 22 1997

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
52251-4

CONDITIONS OF SALE - LIMITED LIABILITY AND

The directions on this label are believed to be reliable and pests and/or injury to the crop to which the product is applied or unusual weather conditions, the failure to follow the which are beyond the control of Oregon-California Chemicals, Inc. Oregon-California Chemicals, Inc. warrants that this product conforms to the chemical description referred to in the directions for use subject to the fact that the directions for use are followed. Oregon-California Chemicals, Inc. Oregon-California Chemicals, Inc. does not warrant the suitability or fitness for any particular purpose. The exclusion for any cause of action relating to the handling or use of damages or any other recovery of any kind against Oregon-California Chemicals, Inc. Oregon-California Chemicals, Inc. product which causes the alleged loss, damage, injury, or not be liable and any and all claims against Oregon-California Chemicals, Inc. Oregon-California Chemicals, Inc. incidental, or consequential damages or expense, of any income, whether or not based on Oregon-California Chemicals, Inc. liability in tort or any other cause of action. Oregon-California Chemicals, Inc. and the buyer and user accept it, subject to the foregoing and remedies.

Uses of OR-CAL Stabilized

For control of red, two-spotted and clover mites; green peachworm, scale insects, oriental fruit moth and plum curculionid control is achieved in following Fruit Crops. Use specific days listed is the number of days the last application can be made.

CHERRIES: 1 1/2 pints, 3 days. May injure foliage of

ALFALFA: For control of aphids, leaf hoppers, spider mites per acre, full coverage. Last application 7 days before harvest.

BLUEBERRIES: For control of cranberry fruitworm. Use 2 1/2 quarts per acre in full cover application. Last application 7 days before harvest.

CORN: For control of sap beetles and corn earworm. appear. Make 2 to 3 applications at 2-3 day intervals. Repeat if crop is to be used for grain or forage.

TOMATOES: For control of aphids, spider mites, etc. application 5 days before harvest.

GRAPES: For control of spider mites, leaf hoppers, etc. before harvest.

POTATOES: For control of aphids, leaf hoppers, etc. time limit.

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STATEMENTS

DOMESTIC ANIMALS

ON

on skin, or on clothing. May be fatal if swallowed or
Use waterproof gloves, face shield or goggles, and
es for additional directions for protective clothing.
ding and before eating or smoking. Do not use on
ay from treated areas until spray has dried. Do not
as. Do not apply this product in such a manner as

L. HAZARDS

quatic life stages of amphibians. Do not apply water
t runoff may be hazardous to aquatic organisms
er conditions favor drift from areas treated. Do not
wastes. Apply this product only as specified on this
treatment or residues on blooming crops or weeds.
er crop or weeds blooming in the treatment area.
ible interval between treatment and the next period

FOR USE

er inconsistent with its labeling. Use only according
READ ENTIRE LABEL USE STRICTLY IN
MENTS AND DIRECTIONS AND WITH AP-

TEMENT

ersons. Do not allow entry into treated areas until
cause certain states may require more restrictive
culture for further information. Written or oral
be in a treated area or in an area to be treated with
be given in a language customarily understood by
believe that written warnings cannot be understood
ing information: "CAUTION, Area to be treated
appropriate protective clothing until sprays have
not enter treated areas to perform activities that
for 1 day."

DISPOSAL

posal.
ed when not in use.

per disposal of excess pesticide, spray mixture, or
e disposed of by use according to label instructions,
ncy, or the Hazardous Waste representative at the

na offer for recycling or reconditioning, or puncture
lowed by state and local authorities by burning. If

OR-CAL

Stabilized

Malathion 400

ACTIVE INGREDIENTS:

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Inert Ingredients.....	60%
TOTALS.....	100%

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IF INHALED: Remove a victim to fresh air. Apply artificial respiration if indicated.
IF ON SKIN: Remove contaminated clothing and wash affected areas with soap and water.
IF IN EYES: Flush eyes with plenty of water. Call a physician immediately.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

OR-CAL
Oregon-California Chemicals, Inc.
29454 Meadowview Rd.
Junction City, Oregon 97448

EPA Establishment No. 52251-OR-005

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NET CONTENTS -1 gallon

ACCEPTED
with COMMENTS
in EPA Letter Dated

JUL 22 1997

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
in accordance with the provisions
of the act, the following information is
provided:
52251-4

CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

The directions on this label are believed to be reliable and should be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions, the failure to follow the label directions, or good application practices, all of which are beyond the control of Oregon-California Chemicals, Inc. or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. Oregon-California Chemicals, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of Oregon-California Chemicals, Inc. Oregon-California Chemicals, Inc. makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose. The exclusive remedy against Oregon-California Chemicals, Inc. for any cause of action relating to the handling or use of this product is a claim of damage and in no event shall damages or any other recovery of any kind against Oregon-California Chemicals, Inc. exceed the price of the product which causes the alleged loss, damage, injury, or other claim. Oregon-California Chemicals, Inc. shall not be liable and any and all claims against Oregon-California Chemicals, Inc. are waived, for special, indirect, incidental, or consequential damages or expense, of any nature, including, but not limited to, loss of profits, or income, whether or not based on Oregon-California Chemicals, Inc. negligence, breach of warranty, strict liability in tort or any other cause of action. Oregon-California Chemicals, Inc. and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.

Uses of OR-CAL Stabilized Malathion 400

For control of red, two-spotted and clover mites; green peach, rosy apple and wooly aphids; bud moth, codling moth, scale insects, oriental fruit moth and plum curculio, apply at petal fall and every 14 days thereafter until control is achieved in following Fruit Crops. Use specified rate of material for 100 gallons of water. Number of days listed is the number of days the last application can be made before harvest.

CHERRIES: 1 1/2 pints, 3 days. May injure foliage of some varieties of Cherries.

ALFALFA: For control of aphids, leaf hoppers, spider mites, alfalfa weevil larvae, army worms: Use 2 quarts per acre, full coverage. Last application 7 days before harvest. DO NOT USE DURING BLOOM.

BLUEBERRIES: For control of cranberry fruitworm, cherry fruitworm, blueberry maggots, leaf hoppers: Use 2 1/2 quarts per acre in full cover application. Last application 1 day before harvest.

CORN: For control of sap beetles and corn earworm: Use 1 quart per acre. Apply to silks as soon as they appear. Make 2 to 3 applications at 2-3 day intervals. Reapply after rain. Last application 5 days before harvest if crop is to be used for grain or forage.

TOMATOES: For control of aphids, spider mites, corn earworm, army worm: Use 3 quarts per acre. Last application 5 days before harvest.

GRAPES: For control of spider mites, leaf hoppers, mealybugs: Use 5 pints per acre. Last application 3 days before harvest.

POTATOES: For control of aphids, leaf hoppers, mealybugs, false chinch bugs: Use 3 quarts per acre. No time limit.