

577-541

01-11-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JAN 11 2010

Ms. Madelyn K. Harding  
Sherwin-Williams  
101 Prospect Avenue, NW  
Cleveland, OH 44115-1075

SUBJECT: Cuprinol Wood Preservative Green No. 10  
EPA Registration No.: 577-541  
Amendment Date: October 9, 2009  
EPA Receipt Date: October 13, 2009

Dear Ms. Harding:

The following amendment submitted in connection with registration under FIFRA, as amended, is acceptable with the conditions listed below.

**Proposed Amendment**

- Revise Basic and Alternate Formulation
- Revise Storage and Disposal Statements per PR Notice 2007-4
- Revised First Aid Statements

**Conditions**

Revise label as follows:

- 1.) Delete the term, "Powerful" from the claim "Contains Powerful Fungicide and Insecticide," on pages 1 and 2 because it is heighten efficacy (PR Notice 93-6).
- 2.) Delete the term, CAUTION, because it is a signal word used on other pesticide products. The use of this term is confusing to the users.
- 3.) The 6<sup>th</sup> statement under "Wood in Contact with Soil or Water" on page 2 must be brought into compliance with PR Notice 2000-5, Mandatory Labeling by deleting the term, should, and stating "must."

4.) The 5<sup>th</sup> statement under Option 1 and 2 and the 11<sup>th</sup> statement under Option 2 on page 3 must be brought into compliance by deleting the term, recommended. The fifth statement under Option

CONCURRENCES

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1 and 2 must read "When no finish is to be used, *apply two generous coats within 1 hour, or a 3 minute dip.* Revise the 11<sup>th</sup> statement under Option 2 to read "Do not overcoat with latex...."

5.) The Copper RED required the addition of Personal Protective Equipment (PPE) to be added to the label based on occupational exposure concerns. Therefore, you must revise the "Precautionary Statements" by adding the following information:

**Personal Protective Equipment (PPE)**

Applicators must wear the following:

- long-sleeve shirt
- long pants
- chemical resistant footwear plus socks
- chemical resistant gloves made of waterproof material

Some materials that are chemical resistant to this product are rubber, neoprene, or nitrile. If you want more options, follow the instructions for category A on an EPA chemical resistant category selection chart.

**User Safety Instructions**

Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users must remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. After handling product, immediately remove PPE and wash thoroughly as soon as possible and put on clean clothing. Wash the outside of gloves before removing.

Follow manufactures 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 material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

6.) The Copper RED also required additional Environmental Hazards statements based on the product's terrestrial uses. Revise the "Environmental Hazards statements to include the following statements:

This product is toxic to fish and aquatic invertebrates and may contaminate water through runoff. This product has the 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. Runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

**General Comments**


The Confidential Statements of Formula for the basic and alternate formulations dated November 20, 2009 is acceptable. It is in compliance with PR Notice 91-2 and in agreement with the label.

A stamped copy of the accepted labeling with conditions is enclosed. Submit 1 copy of your final printed label before distributing or selling the product bearing the revised labeling.

**CONCURRENCES**

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Should you have any questions or concerns regarding this letter, please contact Stacey Grigsby by telephone at (703) 308-6440 or by email at [grigsby.stacey@epa.gov](mailto:grigsby.stacey@epa.gov) or Jacqueline Campbell-McFarlane by telephone at (703) 308-6416 or by email at [Campbell-mcfarlane.jacqueline@epa.gov](mailto:Campbell-mcfarlane.jacqueline@epa.gov).

Sincerely,  
  
Jacqueline Campbell-McFarlane  
(Acting) Product Manager (34)  
Regulatory Management Branch II  
Antimicrobials Division (7510P)

Enclosure: Stamped Label  
Chemistry Evaluation

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**MASTER LABEL**

**Front Panel:**

**BRAND NAME – Either**

Cuprinol® No. 10 Green Preservative

**OR**

Sherwin-Williams Cuprinol® Contractor Series™ Wood Preservative Green\* No 10  
By the Cuprinol® Group

**OR**

Thompson's® WaterSeal®  
Below Grade Wood Preservative  
Proven Protection For Wood in Contact with Soil or Water

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

JAN 1 1 2010

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide,  
registered under EPA Reg. No. **577-541**

**Bullet Points are:**

**Option 1:**

- Prevents Water Damage
- Strong enough to protect wood below ground or under water
- Contains ~~Powerful~~ Fungicide and Insecticide
- Protects Poles and Fence Posts from Rot, Decay and Insect Attack
- Great for Use on Boats

**Option 2:**

- For wood in contact with soil or water
- Below Ground Use
- Strong enough to protect wood below ground or under water.

\*Not a stain. Color is from fungicide and is not colorfast.

**ACTIVE INGREDIENTS:**

Copper naphthenate..... 22.3%  
(equivalent to metallic copper 2%)

**OTHER INGREDIENTS**..... 77.7%

**TOTAL**..... 100.0%

Contains Petroleum Distillates

KEEP OUT OF REACH OF CHILDREN

WARNING!

~~CAUTION~~. **COMBUSTIBLE! HARMFUL OR FATAL IF SWALLOWED. VAPOR HARMFUL**

See Side/Back panel for additional precautionary statements

EPA REG. NO.: 577-541

EPA EST. NO.: 577-GA-1, 577-IL-1,  
577-IL-2, 577-TX-1, 577-KY-1, 577-KS-1,  
577-NC-1, 577-OH-1, 577-MD-1, 577-NJ-1,  
577-FL-1, 577-IL-2, 577-CA-1, 577-CA-3,  
577-MS-1

**Net Contents: 1 gallon or 5 gallons**

**Net Wt.**

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Back or Side Panels:

**Option 1:**

**Thompson's WaterSeal® Below Grade Wood Preservative**

**USE ON WOOD IN CONTACT WITH SOIL OR WATER.**

Thompson's WaterSeal® Below Grade Wood Preservative provides superior protection for wood below ground or under water. It prolongs the life of all wood by protecting against rot, termite damage, mildew, warping and swelling. Thompson's® WaterSeal® Below Grade Wood Preservative contains a ~~powerful~~ copper fungicide-insecticide and water repellent for three-way protection. This is important for wood used in contact with soil, water and concrete. Apply Thompson's® WaterSeal® Below Grade Wood Preservative liberally to fence posts, poles, foundation sills, docks, boats and all wood exposed to moisture or weather. Wood ~~should~~ be free of bark, dry and well seasoned. Exceeds Federal Specification TT-W-00572b. The green of Thompson's® WaterSeal® Below Grade Wood Preservative is from the copper fungicide and is not a lasting stain. Color will fade within a matter of months, and may bleed through lighter colors of stains and paints. Use Thompson's® WaterSeal® Waterproof Plus Clear or Tinted Wood Protector for protection of exterior wood surfaces above ground.

**Option 2:**

**THE CUPRINOL GROUP'S PROMISE**

We promise that Cuprinol® products will save you time and help protect and beautify wood. We also promise that Cuprinol® products will perform to your satisfaction or we'll cheerfully refund your money. If you have any questions about Cuprinol® products, where, how and when to use them, please call us at 1-800-424-5837.

**Cuprinol® Wood Preservative**

**USE ON WOOD IN CONTACT WITH SOIL OR WATER.**

This is the Wood Preservative which is world famous among boat owners. It prolongs the life of all wood by protecting against rot, termite damage, mildew, warping and swelling. Cuprinol® No. 10 Green Preservative contains a ~~powerful~~ copper fungicide-insecticide and water repellents for three-way protection. This is important for wood used in contact with soil, water and concrete. Apply Cuprinol® Preservative liberally to fence posts, poles, foundation sills, docks, boats and all wood exposed to moisture or weather. Wood ~~should~~ be free of bark, dry and well seasoned. Exceeds Federal Specification TT-W-00572b. The green of Cuprinol® No. 10 Preservative is from the copper fungicide and is not a lasting stain. Color will fade within a matter of months, and may bleed through lighter colors of stains and paints. Use Cuprinol® Siding Clear Preservative for wood above ground and under paint.

**BOTH OPTIONS:  
DIRECTIONS FOR USE**

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

**For Exterior Use Only**

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

JAN 11 2010

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide,  
registered under EPA Reg. No. 577-541

**Option 1:**

Before use, shake contents well. Do not thin. Apply by brush, spray or dip to clean, dry, bare wood. Use one thin coat under finishes. When no finish is to be used, two generous coats applied within 1 hour, or a 3-minute dip, is recommended. THOROUGHLY cover ends. The more preservative absorbed by the wood, the longer and more effective the protection. Thompson's® WaterSeal® Below Grade Wood Preservative dries to the touch rapidly. Clean excess from surface with mineral spirits and let dry approximately 24 hours before applying dark paint or finish. Thompson's® WaterSeal® Below Grade Wood Preservative from brushes, etc. with mineral spirits or turpentine. Do not apply latex (water base) paint or clear finishes over Thompson's® WaterSeal® Below Grade Wood Preservative until thoroughly cured (6-12 months).

**Option 2:**

Before use, thoroughly mix contents of can. Do not thin. Apply by brush, spray or dip to clean, dry, bare wood. Use one thin coat under finishes. When no finish is to be used, two generous coats applied within 1 hour, or a 3-minute dip, is recommended. THOROUGHLY cover ends. The more preservative absorbed by the wood, the longer and more effective the protection. Cuprinol® No. 10 Green Preservative dries to the touch rapidly. Clean excess from surface with mineral spirits and let dry approximately 24 hours before applying dark paint or finish. Clean Cuprinol® No. 10 Green Preservative from brushes, etc. with mineral spirits or turpentine. ~~Not recommended~~ to be overcoated with latex (water base) paint or clear finishes until thoroughly cured (6-12 months).

**Both Options:**

COVERAGE: 300 sq. ft. per gallon average, depending on wood porosity and surface roughness.

**STORAGE & DISPOSAL**

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

**STORAGE:** Close container tightly and store upright to prevent leakage. Do not contaminate water, food, or feed by storage or disposal. Do not use or store near excessive heat, sparks or flame. Store in original container. Soak up spills with sand, dirt, or synthetic absorbent and non-sparking tools.

**DISPOSAL:** Nonrefillable container. If empty:—Do not reuse or refill this container. Place in trash or offer for recycling if available.

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

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Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
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**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide,  
registered under EPA Reg. No. **577-541**

**WARNING:** Harmful if swallowed. May be absorbed through skin. Causes skin irritation. Do not breath vapor or mist during brush, roll, spray or drip application. Wear a NIOSH/MESA-approved mist/vapor respiratory when spraying for continued or prolonged use of this product or for frequent use of this product. Use in well ventilated area. Wash clothing before reuse.

**ENVIRONMENTAL HAZARDS:** This product is toxic to fish. 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. Do not contaminate water by disposal of equipment wash waters. 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.

**PHYSICAL OR CHEMICAL HAZARDS: COMBUSTIBLE MIXTURE. DO NOT USE, POUR, SPILL OR STORE NEAR HEAT OR OPEN FLAME.**

**FIRST AID:**

**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 a poison control center or doctor.
- 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 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.
- 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 artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

**Note to Physician**  
Contains petroleum distillate - vomiting may cause aspiration pneumonia.

**DELAYED EFFECTS FROM LONG TERM OVEREXPOSURE**  
Contains solvents which can cause permanent brain and nervous system damage. Intentional misuse by deliberately concentrating and inhaling the contents can be harmful or fatal.

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~~PHYSICAL OR CHEMICAL HAZARDS: COMBUSTIBLE MIXTURE. DO NOT USE, POUR, SPILL OR STORE NEAR HEAT OR OPEN FLAME.~~

**Option 2 only:**

In case of medical questions, emergencies, or accidents involving this product, call Cuprinol Group at (216) 566-2917.

P-T 1-108974

**Both Options:**

CAS No.	Ingredients
64742-47-8	Mineral Spirits
1338-02-9	Copper Naphthenate
64741-89-5	Paraffin Oil
68131-47-5	Hydrocarbon Resins
8002-74-2	Paraffin Wax

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VOC: Less than 550 gms/L -4.59 lbs/gal

**OR (depending on which alternate formulation is used)**

VOC : Less than 350 gms/L -2.92 lbs/gal

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

577-541

NONPHOTOCHEMICALLY REACTIVE

**Option 2, only:**

**[One of the following numbers relating brand name to package size]**

P10049      158-0349      P010047      P010050      158-0331

Cuprinol Group

A division of The Sherwin-Williams Company, Cleveland, Ohio 44115

**AND EITHER**

**SATISFACTION GUARANTEED**

When used according to label instructions, if this product fails to perform, Cuprinol Group will furnish an equivalent amount of new product at no charge or will refund the purchase price upon proof of purchase. This guarantee does not include labor or cost of labor for the application of product. For consumer information, call Cuprinol Group Customer Service 1-800-424-5837

**OR**

**LIMITED WARRANTY**

Cuprinol Group will replace this product if it is shown to be defective within one year of the date of purchase. Claims must be sent within that warranty period, together with proof of purchase, to: Cuprinol Group, 14 Midland, 101 Prospect Ave., Cleveland, OH 44115.

This warranty does not apply if the product is not used as directed.

THE DURATION OF ANY IMPLIED WARRANTIES IS LIMITED TO THE DURATION OF THIS LIMITED WARRANTY. CUPRINOL GROUP'S LIABILITY UNDER ANY WARRANTY, WHETHER EXPRESSED OR IMPLIED, IS LIMITED SOLELY TO REPLACEMENT OF THE PRODUCT AND DOES NOT INCLUDE LABOR OR OTHER INCIDENTAL OR CONSEQUENTIAL DAMAGES. Some states do not allow limitations on how long an implied warranty lasts or exclusions or limitations of incidental or consequential damages, so the above limitations or exclusions may not apply to you. This warranty gives you specific legal rights, and you may have other rights, which vary, from state to state.

FOR CUPRINOL GROUP CUSTOMER SERVICE CALL 1-800-424-5837

Cuprinol Group  
101 Prospect Avenue  
Cleveland, Ohio 44115



