



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

PM 21

3008-35

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OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

November 18, 1996

Ms. Teri Muchow, Regulatory Specialist
Osmose Wood Preserving, Inc.
980 Ellicott Street
Buffalo, NY 14209-2398

RE: Osmose K-33 (40%) Type-B Wood Preservative
(EPA Reg. No. 3008-35)
Your submission dated October 16, 1996

Dear Ms. Muchow:

The Agency has reviewed the label for the subject product, and the labeling has been "Accepted with Comments." The Agency's conclusions and recommendations are as follows:

Under Environmental Hazards, delete the second, third and fourth sentences of the first paragraph. These statements are relevant only to agricultural use products.

A photocopy of the label stamped "Accepted with Comments" is being enclosed for your records. The original label stamped "Accepted with Comments" is being made a part of the regulatory file jacket for the product.

If you have any questions or concerns, then please call me at (703) 305-6226, or Carl Grable of my staff at (703) 305-7392.

Sincerely yours,

Connie Welch,
Product Manager 21
Fungicide-Herbicide Branch
Registration Division (7505C)

Enclosure

DIRECTIONS FOR USE

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

OSMOSE K-33 (40%) TYPE-B is designed for the pressure impregnation of wood to provide protection against decay, termites and marine borers (Limnoria and Teredo).

Processes used to apply inorganic arsenic formulations shall leave no visible surface deposits on the wood, as defined by AWWA Standard C-1 and AWPB Standards, LP2 and LP22. (Visible surface deposits means a surface residue or crystallization on the treated wood. Small isolated or infrequent spots of chemical on otherwise clean wood shall be allowed.)

OSMOSE K-33 (40%) TYPE B may be diluted with water to produce a 9% CCA concentration. To produce 100 pounds of a 9% concentration, add 23 pounds of OSMOSE K-33 (40%) TYPE B to 77 pounds of water. Mix for five minutes.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not apply directly to water, areas where surface water is present or to littoral areas below the mean high water mark. Do not apply where runoff is likely to occur. Do not contaminate water when disposing of equipment washwaters.

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

Avoid contact with aluminum or zinc galvanized metal.

Note to User: Examples of acceptable materials for protective clothing (e.g., gloves, overalls, jackets, and boots) required during application and handling of inorganic arsenicals are vinyl, polyvinyl chloride (PVC), neoprene, NBR (Buna-N), rubber and polyethylene.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate 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 landfill, or by other approved state and local procedures.

RESTRICTED USE PESTICIDE

DUE TO ACUTE TOXICITY AND BECAUSE THIS PRODUCT CONTAINS ARSENIC AND/OR CHROMIUM COMPOUNDS SOME TYPES OF WHICH HAVE BEEN ASSOCIATED WITH TUMOR DEVELOPMENT IN HUMANS. For retail sale to and use only by certified applicators or persons under their direct supervision and only for those uses covered by the certified applicator certification.

OSMOSE® K-33 (40%) TYPE-B WOOD PRESERVATIVE

(For Pressure Plant Use Only)

ACTIVE INGREDIENTS:

Arsenic Pentoxide.....	18.0%
Chromic Acid.....	14.1%
Copper Oxide.....	7.9%
INERT INGREDIENTS:	60.0%

100.0 %

Total Arsenic as Metallic.....	11.7%
Water Soluble Arsenic as Metallic.....	11.7%



**KEEP OUT OF REACH OF CHILDREN
DANGER POISON
STATEMENT OF PRACTICAL TREATMENT**



IF SWALLOWED: Induce vomiting by touching the back of the throat with finger. Avoid aspiration of vomit. Do not induce vomiting of an unconscious person. Call a physician immediately.

IF INHALED: Remove victim to fresh air. Apply respiration if indicated. Call a physician immediately.

IF ON SKIN: Remove contaminated clothing and wash affected area with soap and water.
IF IN EYES: Flush eyes with plenty of water. Call a physician immediately.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Est. 3008-TN-1

EPA Reg. No. 3008-35

MANUFACTURED BY



Osmoster Wood Preserving, Inc.
980 Ellicott Street
Buffalo, New York 14209

NET CONTENTS: 600 Pounds (240 lbs. Oxide Basis, Min.)

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS DANGER: POISONOUS IF SWALLOWED OR ABSORBED THROUGH THE SKIN

Causes eye and skin irritation. Do not breathe vapor. Do not get in eyes, on skin, or on clothing. Wash thoroughly after handling and before eating or smoking. Wear eye protection devices and protective clothing and rubber gloves in all situations where dermal contact is expected. In case of contact flush skin or eyes with plenty of water. For eyes get medical attention. Wash clothing before reuse. Do not breathe spray mist.

Applicators must wear gloves impervious to the wood treatment formulation in all situations where dermal contact is expected (e.g., handling freshly treated wood and manually opening cylinder doors).

Individuals who enter pressure treatment cylinders and other related equipment that is contaminated with the wood treatment solution (e.g., cylinders that are in operation or are not free of the treatment solution) must wear protective clothing, including overalls, jacket, gloves, and boots, impervious to the wood treatment formulation. In addition, individuals who enter pressure-treatment cylinders must wear properly fitting, well-maintained, high efficiency filter respirators, MSHA/NIOSH-approved for inorganic arsenic, if the level of inorganic arsenic in the plant is unknown or exceeds 10 micrograms per cubic meter of air (10µg/m³) average over an 8-hour work period. Air monitoring programs, procedures and record retention and submission must be conducted in accordance with the instructions on the attached labeling material.

Applicators must not eat, drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment formulation (e.g., manually opening/closing cylinder doors, moving trams out of cylinders, mixing chemicals, and handling freshly treated wood).

Wash thoroughly after skin contact, and before eating, drinking, use of tobacco products, or using restrooms.

Protective clothing must be changed when it shows signs of contamination. Applicators must leave protective clothing and workshoes or boots and equipment at the plant. Worn-out protective clothing and workshoes or boots must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with state and federal regulations.

Individuals in the work area of an arsenical wood, treatment plant must wear properly fitting, well-maintained high efficiency filter respirators, MSHA/NIOSH-approved for inorganic arsenic, if the level of inorganic arsenic in the plant is unknown or exceeds 10 micrograms per cubic meter of air (10µg/m³) average over an 8-hour work period. Air monitoring programs, procedures and record retention and submission must be conducted in accordance with the instructions on the attached labeling material.

BCL-02/94

ACCEPTED
with COMMENTS
In EPA Letter Dated

11-18-90

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 3008-35

REG. NO. 3008-35

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