

577-539

10/12/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 12 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

The Sherwin-Williams Company
101 West Prospect Avenue
Cleveland, OH 44115-1075

Subject: Semi-Transparent Wood Preservative Stain
EPA Registration Number 577-539
Your Notification Dated August 6th, 2010
EPA Received Date August 10th, 2010

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to update the Container Disposal statements as per PR Notice 2007-4, is acceptable.

A copy of the notification has been made part of the file.

If you have questions concerning this letter, please contact Karen M. Leavy at (703)-308-6237.

Sincerely,

A handwritten signature in black ink that reads "M Swindell".

Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobials Division(7510P)

United States Environmental Protection Agency Office of Pesticide Programs (H7505C) EPA Washington, DC 20460		<input type="checkbox"/> Registration <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Other	OOP Identifier Number
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Application for Pesticide:

Section I

1. Company/Product Number 577-539	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Semi-Transparent Wood Preservative Stain	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) THE SHERWIN-WILLIAMS COMPANY 101 WEST PROSPECT AVENUE CLEVELAND, OH 44115-1075 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section II

Amendment – Explain below Final printed labels in response to Agency letter Dated _____

Resubmission in response to Agency letter dated **1/21/05** "Me Too" Application.

Notification – Explain below. Other – explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label Amendment to comply with PR Notice 2007-4 on Container Disposal Statements.

Section III

1. Material This Product Will Be Packaged In:

Child Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No <i>*Certification must be submitted.</i>	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,* No. per Unit Package wt. Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,* No. per Package wgt. Container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
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3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) of Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
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6. Manner in Which Label Is Affixed To Product Lithograph Paper glued Stenciled Other (_____)

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Madelyn K. Harding	Title Manager, Regulatory Affairs	Telephone No. (Include Area Code) (216) 566-2630
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Certification
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment of both under applicable law.

2. Signature 	3. Title Manager, Regulatory Affairs	Date Application Received (Stamped)
4. Typed Name Madelyn K. Harding	4. Date 8-6-2010	



SHERWIN-WILLIAMS®

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Environmental, Occupational Health & Regulatory Services
101 Prospect Avenue NW
Cleveland, Ohio 44115-1075
Facsimile: (216) 566-2730

BY FEDERAL EXPRESS

August 6, 2010

Mr. Marshall Swindell (PM 33)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501

RE: EPA Registration Number 577-539, Semi-Transparent Wood Preservative Stain
Application for Pesticide Amendment
**Per PR Notice 2007-4: Pesticide Management and Disposal; Standards for
Pesticide Containers & Containment**

QUALIFIES FOR FAST TRACK REVIEW

Dear Mr. Swindell,

This letter with the attached Application serve as Application for an Amendment to the label of EPA Registration Numbers 577-5 39 to comply with PR Notice 2007-4 on Container Disposal Statements.

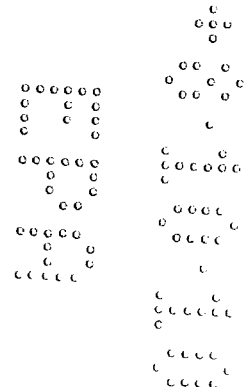
This submission includes one copy showing the new Container Disposal statement plus five "clean" copies of the label.

Thank you for your prompt attention to this matter. If you have any questions regarding this submission, please do not hesitate to contact me at 216-566-2630.

Sincerely,

Madelyn K. Harding, Senior Corporate Manager
Regulatory Affairs

Attachment: Application for Amendment of EPA Reg. No. 577-539
Highlighted Label Copy showing proposed change
Five Clean Copies of Proposed Label



FRONT PANEL

Sherwin-Williams Semi-Transparent Wood Preservative Clear Base A14T5

Exterior Oil Alkyd

for decks and wood siding
quality performance

- for new or weathered wood
- highlights natural grain & texture of wood
- superior penetrating stain

OR

- Exterior Alkyd
- Water Repellent
- Protects Wood from Rot, Deterioration, and Mildew

[PRODUCT IDENTIFICATION NUMBERS]

For Semitransparent preservatives:
Must Be Tinted Before Using

For Clear Preservative:
Do Not Tint

KEEP OUT OF REACH OF CHILDREN.

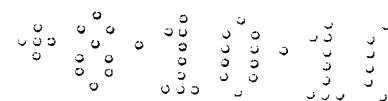
WARNING!

COMBUSTIBLE! VAPOR HARMFUL. IRRITATES EYES, SKIN AND
RESPIRATORY TRACT. HARMFUL OR FATAL IF SWALLOWED

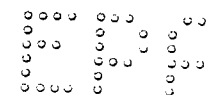
See back panel for additional Precautionary Statements

For Semitransparent preservatives:
3.73 liter / 3 qt 1 pt 14 fl oz

For Clear Preservative:
1 U.S Gal 3.78 L



BEFORE COLOR IS ADDED



ACTIVE INGREDIENTS

Bis(tri-n-butyltin)oxide.....	0.34%
Folpet [N-trichloromethylthio]phthalimide].....	0.66%

INERT INGREDIENTS99.00%

TOTAL100.00%

Contains petroleum distillates

EPA Reg. No. 577-539

EPA Est. No. 577-CA-1, 577-GA-1, 577-IL-1, 577-MD-1, 577-NJ-1, 577-TX-1, 577-OH-1, 577-KY-1, 577-NC-1, 577-FL-1, 577-IL-2, 577-KS-1, 577-CA-3

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BACK OR SIDE PANEL

CAS No.	Ingredient
64742-47-8	Mineral Spirits
Unknown	Alkyd Polymer
14807-96-6	Talc

VOC: ca 628-673 gms/L - 5.24-5.6 1 lbs/gal

NON-PHOTOCHEMICALLY REACTIVE

DO NOT THIN

H	HEALTH	2
F	FLAMMABILITY	2
R	REACTIVITY	0
	PERSONAL PROTECTION	

FIRST AID

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.

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 eye.

Call a *poison control center or doctor.*

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.

HAVE THE PRODUCT CONTAINER OR LABEL WITH YOU WHEN CALLING A POISON CONTROL CENTER OR DOCTOR, OR GOING FOR TREATMENT.

For additional information in case of emergency, call the National Pesticide Information Center toll free at 1-800-858-7378.

Note to Physician

Contains petroleum distillate - vomiting may cause aspiration pneumonia.

PRECAUTIONARY STATEMENT**HAZARDS TO HUMAN AND DOMESTIC ANIMALS****WARNING! HARMFUL OR FATAL IF SWALLOWED**

Warning. Causes skin irritation. Harmful if inhaled. Do not get on skin or on clothing. Avoid breathing spray mist.

Contents are combustible. Keep away from heat and open flame. **CONTAINS ALIPHATIC HYDROCARBONS. VAPOR HARMFUL.** Use only with adequate ventilation. If you experience eye watering, headaches, or dizziness, increase fresh air, or wear respiratory protection (NIOSH approved) or leave the area. Keep container closed when not in use.

ENVIRONMENTAL HAZARDS

This chemical is highly toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other water unless in accordance with the requirements of a National Pollution 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 EPA.

PHYSICAL OR CHEMICAL HAZARDS

To avoid spontaneous combustion, soak oily cloths in water after use or place in a closed metal container away from buildings and other combustible materials.

Combustible. Do not use or store near heat or open flame.

DO NOT TAKE INTERNALLY

KEEP OUT OF THE REACH OF CHILDREN

PERSONAL PROTECTION EQUIPMENT (PPE)

Applicators and all other handlers must wear:

- Coveralls over short sleeved shirt and short pants
- Socks and chemical resistant footwear
- Chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber or viton
- Respirator with dust/mist filter (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any R, P, or HE filter.

USER SAFETY RECOMMENDATIONS –Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if product gets inside. Then wash thoroughly and put on clean clothing. Users should remove clothing immediately after handling this product. As soon as possible, wash thoroughly.

NOTICE: 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.

For Semitransparent preservatives:

FOR ABOVE-GROUND USE ON WOOD EXPOSED TO MOISTURE AND WEATHER.

Beautifies and highlights the rich grain and texture of wood. A semi-transparent wood preservative stain designed for maximum penetration on bare exterior wood surfaces. Also provides for protection from water damage, rot, mildew, and deterioration. Covers unfinished or previously stained (semi-transparent only) wood siding, shingles, fences, railings, picnic tables, furniture, decks and floors. For above ground use on wood exposed to moisture and weather. [PRODUCT NAME] contains TBTO and FOLPET - wood preservative, mildewcide and fungicide. Its water repellency allows water to bead up and roll off.

OR

For Clear Preservative:

FOR ABOVE-GROUND USE ON WOOD EXPOSED TO MOISTURE AND WEATHER.

Beautifies and highlights the rich grain and texture of wood. A clear wood preservative designed for maximum penetration on bare exterior wood surfaces. Also provides for protection from water damage, rot, mildew, and deterioration. Covers unfinished wood siding, shingles, shakes, fences, railings, picnic tables, furniture, decks and floors. For above ground use on wood exposed to moisture and weather. [PRODUCT NAME] contains TBTO and FOLPET - wood preservative, mildewcide and fungicide. Its water repellency allows water to bead up and roll off.

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 it will contact workers or other persons or pets. Do not allow this product to drift.

STORAGE AND DISPOSAL -Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Store in cool and dry place away from heat and flame. Do not transfer to other containers for storage.

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: Do not reuse or refill this container. Triple rinse container, after emptying, then offer for recycling, reuse, or other use and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Triple rinse container, after emptying, then offer for recycling, reuse, or other use and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

For Clear Preservative:

SURFACE PREPARATION

Remove dirt and debris. Sand down badly weathered surfaces to fresh wood.
Remove previous finishes
Remove mildew by scrubbing with a mixture of one quart liquid bleach in three quarts of water. Wear protective glasses or goggles and waterproof gloves. Quickly wash off mixture that touches skin. Do not add detergents or ammonia to bleach/water mixture.

APPLICATION

Stir thoroughly before and occasionally during use. Under normal environmental and application conditions, thinning—not required. Use at 50°F and above. Apply uniformly with brush, pad or spray. Covers 100 to 200 square feet per gallon on rough or porous surfaces. Up to 350 square feet per gallon on smooth, non-porous surfaces. Allow to dry 24 hours under normal drying conditions (70°F & 50% humidity) before recoating or walking on. **Important** Minimize lapping by: 1) Do not apply in direct sun or on hot surface. 2) Always apply into a wet edge. 3) Apply up and down along vertical siding and across horizontal siding.

4) Use two coats on badly weathered or unfinished wood and whenever prominent, unsightly lap marks appear on first coat. Do not use on composition board or wood roofs. Be sure decks and floors are either bare or well worn before coating. Please note: Coatings wear under foot traffic which may leave a different appearance in the wear area versus unworn areas.

CLEAN UP - Use a paint thinner or mineral spirits for cleaning tools and equipment following manufacturer's safety instructions. Any solvent soaked material, such as rags, should be placed in water when discarded.

OR

For Semitransparent preservatives:

STAINING INSTRUCTIONS

Surface Preparation: Remove dirt and debris. Sand down badly weathered surface to fresh wood. Remove mildew by scrubbing with a mixture of one quart household liquid bleach to three quarts of water. Wear protective glasses or goggles and waterproof gloves. Quickly wash off any of the solution that touches your skin. Do not mix bleach and detergents. Previous finishes, other than semi-transparent stain, must be removed.

Application - Stir thoroughly before and occasionally during use. Use at 50°F (10°C) and above. Apply uniformly with brush, pad or spray. Cover 100 to 200 sq. ft. (9 to 19 sq. meters) per gallon on rough or porous surfaces. Up to 350 sq. ft. (33 sq. meters) per gallon on smooth, non-porous wood surfaces.

Important! All stains tend to lap mark (darker color where two freshly painted areas overlap). Minimize laps by: 1) Don't stain in direct sun or on hot surfaces. 2) Always stain into a wet edge—stain up and down along vertical siding and across horizontal siding. 3) Use two coats on badly weathered or unfinished wood, and whenever prominent unsightly lap marks appear on first coat.

Do not use on composition board or wood roofs. Be sure decks and floors are either bare or well worn before staining. Please note: Stains wear under foot traffic leaving a different color in the wear area versus unworn areas.

Allow 24 hours drying if a second coat is necessary or before walking on.

CLEAN UP - Use paint thinner or mineral spirits for cleaning tools and equipment following manufacturer's safety instructions. Any solvent soaked material such as rags should be placed in water when discarded.

SATISFACTION GUARANTEED

This coating is a result of extensive research and testing by _____
_____. We guarantee your satisfaction in the use of this product or your purchase price will be cheerfully refunded.

Or

[COMPANY OR DISTRIBUTOR NAME] LIMITED WARRANTY

This product will perform as stated on this label following label instructions. If the product fails to meet this warranty, you will be supplied additional product equal to the quantity purchased or, at your option, a refund of the purchase price of the product will be made at the place of purchase.