

577-541

5-13-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 13, 2003

Ms. Jamie Zajac
Regulatory Affairs Specialist
Sherwin-Williams Diversified Brands
601 Canal Road
Cleveland, OH 44113

Subject: Notification Application per PR Notice 2001-6
Cuprinol Wood Preservative Green No. 10
EPA Registration No. 577-541
Application dated April 23, 2003

Dear Ms. Zajac:

This acknowledges receipt of your notification of label changes submitted under the provision of PR Notice 2001-6, FIFRA sections 12 (c) 14.

Proposed Notification

- revised labeling (disposal instructions)


General Comments

Based on a review of the material submitted, the following comments apply.

The notification application is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6422. or Lisa McKelvin at (703) 308-7496.

Sincerely,


Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510C)

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| | | |
|--|--|---------------------------------|
| EPA United States Environmental Protection Agency Washington, DC 20460 | Registration Amendment <input checked="" type="checkbox"/> Other | OPP Identifier Number 245241 |
|--|--|---------------------------------|

Application for Pesticide – Section I

| | | |
|--|---|--|
| 1. Company/Product Number 577-541 | 2. EPA Product Manager Adam Heyward | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Cuprinol Wood Preservative Green No. 10 | PM# 34 | |
| 5. Name and Address of Applicant (Include ZIP Code) Sherwin-Williams Diversified Brands 601 Canal Road Cleveland, OH 44113 <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 _____ "Me Too" Application.
 Notification – Explain below. Other – Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II) Notice of label change relative to PR-Notice 2001-6. This notification is consistent with the guidance in PR Notice 2001-6 and the requirements of EPA's regulations at 40 CFR 156.10 and 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the guidance of PR Notice 2001-6 and the requirements of 40 CFR 156.10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section – III

1. Material This Product Will Be Packaged In:

| | | | |
|--|---|--|--|
| Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | 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) |
| *Certification must be submitted If "Yes" No. per If "Yes" No. per Unit Packaging Wgt. Container Unit Packaging Wgt. Container | | | |

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On Label
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product Lithograph Other
 Paper glued
 Stenciled

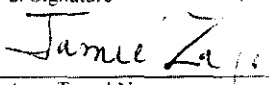
Section – IV

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

| | | |
|---------------------|--|---|
| Name Jamie Zajac | Title Regulatory Affairs Specialist | Telephone No. (Include Area Code) (216) 515-8892 |
|---------------------|--|---|

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 punished by fine or imprisonment or both under applicable law.

| | | |
|--|---|--|
| 2. Signature  | 4. Title Regulatory Affairs Specialist | 6. Date Application Received (Stamped) |
| 4. Typed Name Jamie Zajac | 5. Date 04/23/03 | |

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MASTER LABEL

BRAND NAME – Either

Cuprinol® No. 10 Green Preservative

OR

Sherwin-Williams Cuprinol® Contractor Series™ Wood Preservative Green* No 10

By the Cuprinol® Group

For wood in contact with soil or water

Below Ground Use

NOTIFICATION
Date Reviewed: 5/13/03
Reviewed By: L. McBelvin

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..... | <u>77.7%</u> |
| TOTAL..... | 100.0% |

Contains Petroleum Distillates

KEEP OUT OF REACH OF CHILDREN

WARNING!

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**

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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.

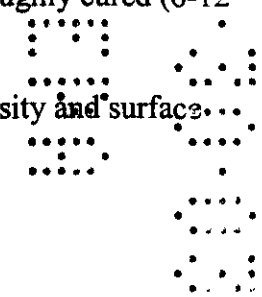
DIRECTIONS FOR USE

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

For Exterior Use Only

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).

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:

If empty: Do not reuse 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.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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.

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

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

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

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

P-T 1-108974

| 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 |

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

NONPHOTOCHEMICALLY REACTIVE

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

P10049 158-0349 P010047 P010050 158-0331



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

[one of the following warranties / guarantee statements:]

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

