

1022-528

10/24/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 24, 2008

Gail Watson
Registrations Representative
IBC Manufacturing Company
416 East Brooks Road
Memphis, TN 38109

Subject: Notification Application Per PR Notice 98-10
Copper Naphthenate Concentrate 8%
EPA Registration No. 1022-528
Application Date: October 3, 2008
Receipt Date: October 7, 2008

Dear Ms. Watson:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c)9.

Proposed Notification:

- Minor label revisions per state of Arizona

General Comment:

Based on a review of the material submitted, the following comment applies:

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

Should you have any questions concerning this letter, you may contact me by telephone at (703) 308-6422 or by e-mail at heyward.adam@epa.gov or Lisa McKelvin by telephone at (703) 308-7496 or by email at mckelvin.lisa@epa.gov.

Sincerely,

Lisa R. McKelvin

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



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1022-528	2. EPA Product Manager Heyward	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Copper Naphthenate Concentrate 8%	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) IBC Manufacturing Company 416 East Brooks Road Memphis, TN 38109 <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

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Notification of Minor Label Changes.
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 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 terms of PR Notice 98-10 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:				2. Type of Container	
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	Metal Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Gail Watson	Title Registrations Representative	Telephone No. (Include Area Code) 615-261-1100
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 or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Gail Watson</i>	3. Title Registrations Representative	
4. Typed Name Gail Watson	5. Date 10-3-08	

ISK Biocides, Inc.

October 3, 2008

Mr. Adam Heyward, Team Leader (34)
Regulatory Management Branch II
Antimicrobials Division (7510W)
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: Copper Naphthenate Concentrate 8% (EPA Reg. No. 1022-528)

Dear Mr. Heyward:

The State of Arizona is requiring a statement on product labels with that have termiticide claims with pre-treatment application before they will renew the state registration.

I have been advised by the State of Arizona that this can be accomplished by notification and have submitted as such. Enclosed please find the application form and one copy of the label with this change highlighted for ease of review.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 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 terms of PR Notice 98-10 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.

If you have questions or need additional information, I can be reached at 901-344-5316 or "watsong@ibio.com".

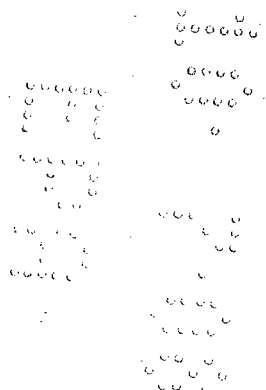
Sincerely,



Gail Watson
Registrations Representative

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Enclosures



NOTIFICATION
Date Reviewed: 10-24-08
Reviewed By: [Signature]

Net Contents:

COPPER NAPHTHENATE CONCENTRATE 8%

Preservative for Textiles and Wood

FOR EXTERIOR USE ONLY

Ingredient Statement

Active Ingredient:	
Copper Naphthen ate	68.0%*
Inert Ingredients:	32.0%
Total:	100.0%

Contains Petroleum Distillates

* Equivalent to 8% metallic copper
Conforms to Government Specification MIL-M 17231 A

EPA Reg. No. 1022-528

EPA Est. No. 1022-TN-1

KEEP OUT OF REACH OF CHILDREN

WARNING

See Back Panel for Additional Precautionary Statements

IBC Manufacturing Company
416 East Brooks Road
Memphis, TN 38109

PRECAUTIONARY STATEMENTS:

Hazards to Humans and Domestic Animals

WARNING

Causes skin and eye irritation. Wear goggles, face shield or safety glasses. Remove contaminated clothes and wash before reuse. Prolonged or repeated skin contact may cause allergic reaction in some individuals. Do not get in eyes, on skin, or on clothing. Harmful if swallowed or inhaled. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling.

Do NOT breathe vapors or mist during brush, roll, and dip applications. Wear a NIOSH/MHSA approved mist/vapor respirator when spraying for continued or prolonged use of this product or for frequent use of this product.

In case of medical questions, emergencies, or accidents involving this product, call Chemtrec at 1-800-424-9300.

Application of this product may produce strong, lingering, unpleasant odor.

FIRST AID	
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> ▪ Take off contaminated clothing. ▪ Rinse skin immediately with plenty of water for 15 – 20 minutes. ▪ Call a Poison Control Center or doctor for further treatment advice.
IF INHALED:	<ul style="list-style-type: none"> ▪ Remove person to fresh air. ▪ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. ▪ Call a Poison Control Center or doctor for further treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> ▪ 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. ▪ Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> ▪ 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 by a Poison Control Center or doctor. ▪ Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
<p>In case of emergency, call Chemtrec toll free at 800-424-9300. Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms.

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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

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

Use only the application method specified for a particular use.

Copper Naphthenate Concentrate 8% must be diluted before use with solvents such as mineral spirits, diesel fuel, mineral oil, etc., or solvents meeting AWWA Standard P-9* to protect treated items against deterioration by stain, mold and decay fungi, moss, mildew, termites, wood-boring beetles and carpenter ants.

Copper Naphthenate Concentrate 8% may be used by formulators as an active ingredient source for ready-to-use pesticide products registered with the U.S. Environmental Protection Agency.

Products formulated or repackaged from this product must be labeled for "Exterior use Only" and must bear all the statements listed under the section entitled Precautionary Statements and the repackager(s) or formulator(s) telephone number.

Copper Naphthenate solutions may be applied to wood products such as lumber, posts, poles, siding, boats, piers, docks, boxes, roof shakes and shingles, porches, steps, fence pickets and rails, beverage cases; and for ornamental plantings landscape timbers, wooden seedling trays, plant and flower boxes. Wood treated with Copper Naphthenate Concentrate 8% is NOT suitable for food garden uses. Effective application rates vary according to severity of conditions to which the treated product is exposed. Wood to be treated should be thoroughly seasoned and free of bark. Do Not apply at sites on or near water or wetlands. Wood treated with Copper Naphthenate Concentrate 8% should not be used where it may come in contact with food, feed or potable water.

{ States may have more restrictive requirements regarding qualification of person using this product. Consult the structural pest control regulatory agency of your state prior to the use of this product. }

FOR TEXTILE TREATMENT

Copper Naphthenate solutions may be applied to terrestrial use cellulosic textiles and cordage products such as tents, awnings, tarpaulins, canvas products, ropes, and nets (except fishnets). However, Copper Naphthenate should not be used to treat textiles intended for uses resulting in repeated skin contact or contact with food or feed or potable water. Effective application results in 1% copper metal remaining in the treated product. The level of treatment is usually attained by dipping or soaking the product in a solution containing 2% copper metal made by mixing Copper Naphthenate Concentrate 8% with a solvent such as mineral spirits.

FOR TREATMENT BY SPRAYING, DIP, ROLLER, AND BRUSH

ABOVE GROUND CONTACT

For above ground exposure, brush, roller, spray or dip applications of solutions containing 1 or 2 percent copper metal are adequate for wood in non-critical applications. Dilute Copper Naphthenate Conc. 8% with 3.0-3.8 volumes of solvent (depending upon density of diluent) to obtain 2% copper metal or 7.5-8.0 volumes of solvent (depending upon density of diluent) to obtain 1% copper metal

COVERAGE: One gallon covers 100 - 300 sq. ft. depending upon the wood species porosity of the wood, and method of application.

FOR PRESSURE TREATMENT

ABOVE GROUND CONTACT

For wood used above ground in critical (structural) applications or under more severe exposure conditions where it is subject to extended periods of wetting, extended soaking or pressure treatment in accordance with AWPA Standards* with a solution containing 0.5 to 1.0 percent copper metal to a retention in the wood of .04 to .06 pounds copper metal per cubic foot is recommended.

GROUND CONTACT

For wood intended for ground contact, treat according to AWPA Standards* with a solution containing 0.75 to 1.0 percent copper metal to a retention in the wood of .04 to .10 pounds copper metal per cubic foot.

FOR REMEDIAL TREATMENTS

Copper Naphthenate solutions of 2% copper metal may be used for internal or external remedial treatment of standing wood poles, piling and other existing structures.

*American Wood-Preservers' Association

STORAGE AND DISPOSAL

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

STORAGE: Store at temperatures between 0⁰F and 120⁰F. Store in original container only. Keep container closed when not in use.

PESTICIDE DISPOSAL: Pesticide concentrate, solution, or rinsate that cannot be used or reprocessed should be disposed of according to procedures approved by Federal, State, or local authorities.

CONTAINER DISPOSAL: Open dumping is prohibited.

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

GENERAL: Consult federal, state or local disposal authorities for approved alternative procedures.

WARRANTY STATEMENT AND DISCLAIMER

Seller warrants to those persons lawfully acquiring title to this product that at the time of the first sale of this product by seller that this product conformed to its chemical description and was reasonably fit for the purposes stated on the label when used in accordance with Seller's directions under normal conditions of use and directions. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY, INCLUDING ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY, AND NO AGENT OF SELLER IS AUTHORIZED TO DO SO. In no event shall Seller's liability for any breach of warranty exceed the purchase price of the material on which a claim is made.