

2829-136

7-8-2003

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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

July 8, 2003

Valerie T. Phillip
Regulatory Specialist, CIS
Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399

Subject: Nytek 10
EPA Registration No. 2829-136
Application Date: May 1, 2003
EPA Received Date: May 8, 2003

Dear Ms. Phillip:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

Proposed Amendment

- Revise First Aid Statements per PR Notice 2001-1

Conditions

Revise the label as follows:

1. Revise the Precautionary Statements to include the statement "Wash thoroughly with soap and water after handling."
2. Since this product is sold in containers of 5 gallons or more include the following statement, Per PR Notice 93-10, on your larger product labeling:

CONCURRENCES

SYMBOL	7510c						
SURNAME	J. Gray						
DATE	7.8.03						

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, and other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit or 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.

- 3. Remove the statement "Do not contaminate water, food, or feed by storage or disposal." from the "Pesticide Disposal" section and place it directly following the heading "Storage and Disposal."
- 4. Add Pesticide Storage instructions to the Storage and Disposal text. Refer to PR Notice 83-3 for guidance.
- 5. The EPA Establishment Number must be listed on the label.

General Comments

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

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

Sincerely,



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

NYTEK 10

An Industrial Fungicide to Control Mold and Mildew



Lot Number ()



Avg. Gross: LB KG
Net: LB KG
Avg. Tare: LB KG

Product Code (91)

ACTIVE INGREDIENT:
Copper 8-Quinolinate 10.0%

INERT INGREDIENTS: 90.0%

Total: 100.0%

Contains petroleum distillates
This product contains the toxic inert ingredient nonyl phenol

KEEP OUT OF REACH OF CHILDREN
CAUTION
FOR COMMERCIAL USE ONLY

FIRST AID

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 min. Remove contact lenses, if present after first 5 min, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

IF ON SKIN:

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 min.
- Call a poison control center or doctor for advice.
- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth.
- Call a poison control center or doctor for advice.

IF INHALED:

- Call a poison control center or doctor for advice.
- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth.
- Call a poison control center or doctor for advice.

IF SWALLOWED:

- Call a poison control center or doctor for advice.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.
SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION
HARMFUL IF SWALLOWED
Avoid contact with eyes, skin or clothing. Wear safety goggles and rubber gloves when handling. Contains petroleum distillates.

ENVIRONMENTAL HAZARDS
This product is toxic to fish. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of waste.

PHYSICAL OR CHEMICAL HAZARDS
Do not use, pour, spill or store near heat or open flame.

STORAGE AND DISPOSAL
PESTICIDE DISPOSAL
Do not contaminate water, food or feed by storage or disposal. Pesticide wastes are toxic. Improper disposal of excess pesticides, spray mixture, or rinseate 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 or local procedures.

CONDITIONS OF SALE AND WARRANTY
Rohm and Haas warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. ROHM AND HAAS MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES, EITHER OF MERCHANTABILITY OR FITNESS, FOR A PARTICULAR USE. Handling, storage, and use of the product by Buyer or User are beyond the control of Rohm and Haas and Seller. Risks such as ineffectiveness or other unintended consequences resulting from, but not limited to, failure to follow directions will be assumed by the Buyer or User. IN NO CASE WILL ROHM AND HAAS OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE, OR USE OF THIS PRODUCT.

Date of Manufacture: location for date
EPA Reg. No. 2829-136
EPA Est. No. establishment number

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

A FUNGICIDE TO CONTROL WOOD DECAY

COMPOSITION: Solubilized copper 8-quinolinate in light solvent conforming to AWWA Specification P-8, and containing a minimum of 10% by weight of copper 8-quinolinate as active ingredient.

DESCRIPTION: NYTEK 10 is a formulation of copper 8-quinolinate designed for the treatment of lumber used above ground by dip or pressure process to control wood decay.

DIP TREATMENT: Dip treatment of wood in Nytek 10 includes the following representative wooden items: interior structural wood; wood items used or intended for use in packaging, transporting, or holding raw agricultural products; wooden decking for trucks, trailers, railroad cars, and patios; beverage cases; interior plywood and lumber walls and ceilings of vans and refrigerator van bodies; wood inside refrigerators; rail beams; ladders; interior holds of boats.

PRESSURE TREATMENT: Pressure treatment applications include the following representative wooden items: decking for trailers, trucks, railroad cars and patios; framing lumber in floors and walls of shower rooms; wood used around swimming pools, especially the roofs; wood subject to rainwater splashing; wood used for the construction of food processing establishments and warehouses.

PREPARATION OF TREATING SOLUTION:

- The NYTEK 10 is added to mineral spirits (Stoddard Solvent) in the ratio of 2.5% to 10% by weight, depending on the end use requirement.
- Mix the ingredients with a paddle or other simple means. No heating is necessary.

INSTRUCTIONS FOR TREATING WOOD:

- DIP TREATMENT:** Lumber and wooden containers should be totally submerged in the ready-to-use treating solution for a period of 5 seconds to 15 minutes, depending upon the absorption required. Harvesting and beverage containers are usually dipped for a period of 5 seconds, while most lumber is treated for 3 minutes. Treatment conforming to Military Specifications, MIL-R-10932E and MIL-STD-1223J, are dipped for 15 minutes in order to conform to the requirements. The treated wood should then be drained of excess solution and allowed to air dry until all solvent has evaporated, and the wood is free of all solvent odor.

2. PRESSURE TREATMENT: The American Wood Preservers' Association Specification C-29 requires a retention of not less than 0.20 lb per cu ft of solubilized copper 8-quinolinate (P-8) as NYTEK 10. This is equivalent to 0.02 lb per cu ft of copper 8-quinolinate as active ingredient.
Note: Solubilized copper 8-quinolinate by definition contains 10% by weight of active ingredient.

The Association of American Railroads Specification 17-2-9 requires a retention of 0.10 lb per cu ft of solubilized copper 8-quinolinate.
All lumber should be milled to correct width and thickness prior to treatment and if practical, it should also be trimmed to correct length.

HANDLING: Since both NYTEK 10 and the treating solution contain mineral spirits, proper precautions should be taken to insure adequate ventilation when handling. It should not be applied in the presence of heat or open flame. Smoking during application should not be permitted in the area. Suitable work clothing, gloves and safety glasses should be worn during the application.

MOLD AND MILDEW INHIBITOR FOR PAINTS AND ADHESIVES

COMPOSITION: Solubilized copper 8-quinolinate in aliphatic solvent.

CONCENTRATION: Contains a minimum of 10.0% by weight of copper 8-quinolinate.

NYTEK 10 is recommended for formulation into paints, protective coatings adhesives to produce products which are highly resistant to fungus growth.

PHYSICAL PROPERTIES:

Copper 8-quinolinate:	10.0% completely solubilized
Copper as metal:	1.80% min.
Basic Carrier:	2-ethylhexoic acid and mineral spirits
Flash point:	105°F
Appearance:	Greenish yellow liquid
pH:	5.8

DIRECTIONS FOR USE: It is recommended that levels of 0.15 to 1.0% by weight of NYTEK 10 be used for the protection of adhesives and glues, based on the weight of the finished product.

NYTEK 10 should be incorporated at levels of 5% to 10% based on the volume of paint. The median level of 7.5% is most generally used, and paints with this level of protection have been found to be completely free from mold after two years under conditions where ordinary paint becomes contaminated within 60 days.

ACCEPTED
with COMMENTS
EPA Letter Dated:

JUL 8 2003

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 2829-136