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3008-8

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17/4

NOV 03 1987

Mr. Gerald Daugherty
Osmose Wood Preserving Company, Inc.
980 Ellicott Street
Buffalo, NY 14209-2398

Dear Mr. Daugherty:

Subject: Amendment - Delete Aldrin - Update Labeling
Hollow Heart Concentrate
EPA Registration No. 3008-8
Your Applications Dated February 16 and August 17, 1987

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable since you have agreed in writing that:

1. You will submit the data listed below, conducted in accordance with the proposed test guidelines referred to below, no later than July 1988.

- a. Efficacy data demonstrating that this product is efficacious against termites.

We agree at least partially that ECAP data are not pertinent to determine the efficacy of your product when used as stated on the label. The difficulty is that probably no existing data are pertinent since this formulation is apparently new. However, we see no indication that this formulation has even been evaluated according to the existing laboratory test pertinent to wood-impregnation for termites. As stated on page 22 of "Analysis of Specialized Pesticide Problems, Invertebrate Control Agents - Efficacy Test Methods, Volume V: Stored Products and Premise Treatment" (EPA-540/10-77-003), a report by the American Institute of Biological Sciences to EPA in January 1977:

Protection of wood from attack by subterranean termites may also be provided by impregnation of the wood with the termite toxicant. Such treatments may be evaluated by a laboratory method developed by the American Wood Preservers Association

16148: I. L. Larocca: LR-3: KENCO: 10/28/87: 11/05/87: aw		CONCURRENCES					
SYMBOL							
SURNAME							
DATE							

Accordingly, we are requiring you to conduct a study using the methods stated in AWWA Standard H12-70 in order to support continued registration during the period when suitable testing methods designed to develop field data on the subject product and its particular method of application are being developed with the cooperation of USDA-Gulfport or other suitable testing facilities. We have enclosed a copy of Exhibit 12 from "Efficacy Test Methods, Volume V," pages 44 through 48, for guidance in the conduct of this test.

- b. You will submit/cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Relative to the claim for ants, it is presumed that carpenter ants are the target pests. Due to the difficulties in assessing the effectiveness of pesticide applications to carpenter ants in the absence of a standard method, I suggest you consult with our efficacy reviewers in Technical Support Section, Insecticide-Rodenticide Branch in advance of actual testing so that procedures and a protocol may be worked out in a manner which is most likely to meet product performance requirements for registration. They may be reached by telephone at (703) 557-26911 or 557-4425 for such consultation, during regular business hours. The due date for this test will be determined after a protocol has been accepted.
3. The Confidential Statement of Formula submitted with the subject letter is acceptable; however, please identify by EPA Registration Number the registrants for sodium dichromate and arsenic acid.
4. You will make the following label changes before you release the product for shipment bearing the amended labeling:
 - a. Revise the pesticide disposal statement to read: "Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility."
 - b. Delete the "Restricted Use Block." Since this product no longer contains aldrin, Restricted Use is not required. Replace this paragraph with the following user limitation: Recommended for Commercial/Industrial Use Only. This revision was brought to your attention in our September 30, 1981 letter.

BEST AVAILABLE COPY

-3-

5. Since this formulation without aldrin constitutes a new formulation, the product chemistry data outlined in Section 158.120 of Title 40 of the Code of Federal Regulations must be submitted. Refer to the enclosed data matrix for specific requirements. This information should be submitted within 15 months from the date of this letter.
6. You will submit five (5) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the labeling is enclosed for your records.

Sincerely yours,

George T. LaRocca
Product Manager (15)
Insecticide-Rodenticide Branch
Registration Division (TS-767C)

Enclosures

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS
and DOMESTIC ANIMALS

~~DANGER~~ WARNING

WARNING: May be fatal if swallowed. Harmful if inhaled or absorbed through the skin. Avoid contact with skin, eyes or clothing. Wash with soap and water after handling and before eating or smoking. Do not breathe spray mist. Wear clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not apply directly on lakes, streams or ponds. Do not contaminate water by cleaning of equipment, or disposal of wastes.

DIRECTIONS FOR USE

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

Stir before using. Dilute 1 gallon of this Concentrate with 1½ gallons of water. Stir well. Using air or mechanical pressure pump apply solution to interior cavity of wood structure through prepared opening. Apply one gallon (minimum per cu. ft. of wood treated) or to refusal.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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) and offer for recycling or reconditioning or dispose of in a sanitary landfill, or by other approved State and Local procedures.

RESTRICTED USE PESTICIDE

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's certification.

OSMOSE

TRADEMARK

HOLLOW HEART CONCENTRATE WOOD PRESERVING COMPOUND

FOR USE IN CONTROL OF FUNGUS DECAY AND WOOD BORING INSECTS, SUCH AS ANTS AND TERMITES, IN WOOD UTILITY POLES, PILING AND OTHER TIMBERS.

ACTIVE INGREDIENTS:

SODIUM FLUORIDE..... 10.90%
SODIUM DICHROMATE..... 4.80%
SODIUM ARSENATE..... 5.30%
21.00% 20.5%

INERT INGREDIENTS: 78.74% 79.5%
100.00%

CONTAINS ARSENIC

TOTAL ARSENIC AS 1.43
ELEMENTAL ARSENIC 1.00%
WATER SOLUBLE ARSENIC 1.43
AS ELEMENTAL ARSENIC 1.00%

KEEP OUT OF REACH OF CHILDREN WARNING

PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

IF INHALED: Remove victim to fresh air. Apply respiration if indicated.

IF ON SKIN: Remove contaminated clothing and wash affected areas thoroughly with soap and water.

IF IN EYES: Flush eyes with plenty of water. Call a physician immediately.

SEE SIDE PANEL FOR PRECAUTIONARY STATEMENTS

EPA Est. 3008-NY-1

EPA Reg. No. 3008-8

MANUFACTURED BY



Osmose Wood Preserving Co., Inc.
98½ Chicom Street
Buffalo, N. Y. 14209

NET CONTENTS
5 GALLONS

ACCEPTED
with COMMENTS
in EPA Letter Dated:

NOV - 3 1987

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
3008-8

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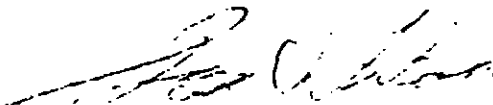
-3-

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21.00% 20.5%

INERT INGREDIENTS: 78.74 79.5%
100.00%

CONTAINER DISPOSAL

TOTAL ARSENIC AS 1.93
ELEMENTAL ARSENIC..... 1.00%
WATER SOLUBLE ARSENIC 1.93
AS ELEMENTAL ARSENIC..... 1.00%

KEEP OUT OF REACH OF CHILDREN WARNING

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EPA Est. 3008-NY-1

EPA Reg. No. 3008-8

MANUFACTURED BY



Osmose Wood Preserving Co.,
Inc.
980 Emerson Street
Buffalo, New York 14209

NET CONTENTS
5 GALLONS

ACCEPTED
WITH COMMENTS
in EPA Letter Dated:

NOV - 3 1987

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
3008-8

HH-A1-a039-702

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