

3008-84

8-17-2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 17, 2004

Teri Muchow
Regulatory Specialist
Osiose, Inc.
980 Ellicott Street
Buffalo, NY 14209

Subject: Notification Application Per PR Notice 98-10
FirePRO
EPA Registration No.3008-84
Application Dated August 4, 2004

Dear Ms. Muchow:

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

Proposed Notification:

- Minor label revision (add NIOSH/MSHA certified statement)

General Comment:

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,

A handwritten signature in cursive script, appearing to read "Lisa McKelvin".

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



	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 3008-84	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) FirePRO	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Osmose, Inc. 980 Ellicott Street Buffalo, NY 14209 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
Date Reviewed: 5/17/04
Reviewed By: [Signature]

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

Notification of addition of an advisory statement per PR Notice 98-10 and 95-2. 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. Added language: "NIOSH/MSHA certified respiratory protection (e.g. full- or half-face air purifying respirator with an N95 particulate filter or a disposal N95 particulate respirator) should be used if airborne levels are expected to exceed exposure limits (5 mg/m3)."

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 If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per 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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** Certification must be submitted*

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 Teri Muchw	Title Regulatory Specialist	Telephone No. (Include Area Code) 716-882-5905, x3255
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<p style="text-align: center;">Certification</p> <p>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.</p>	6. Date Application Received (Stamped) 	
2. Signature 	3. Title Regulatory Specialist	
4. Typed Name Teri Muchow	5. Date August 4, 2004	

NOTIFICATION
 Date Reviewed: 5/11/04
 Reviewed By: [Signature]

**PRECAUTIONARY STATEMENTS
 HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTION EQUIPMENT (PPE):

Applicators and other handlers must wear coveralls worn over long sleeved shirt and long pants, chemical-resistant footwear plus socks, goggles or face shield, and chemical-resistant gloves (such as barrier laminate, butyl rubber, neoprene rubber, nitrile rubber, polyvinyl chloride (PVC) and viton). When cleaning equipment a chemical-resistant apron is also required. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS:

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. User should remove personnel protective equipment immediately after handling this product. Wash outside of gloves before removing. As soon as possible wash thoroughly. NIOSH/MSHA certified respiratory protection (e.g., full- or half-face air purifying respirator with an N95 particulate filter or a disposal N95 particulate respirator) should be used if airborne levels are expected to exceed exposure limits (5 mg/m³).

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water or wetlands. Do not contaminate water by cleaning of equipment, or disposal of wastes. Apply this product only as specified on the label. 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 permit 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 local State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a cool, dry place.

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) then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by other procedures approved by State and Local authorities.

Osmose.

FirePRO®

ACTIVE INGREDIENT: (w/w)
 Sodium Tetraborate Pentahydrate.....45.00%
 Boric Acid.....25.00%
INERT INGREDIENTS: (w/w).....30.00%
TOTAL.....100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

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 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 eye. Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Call a poison control or doctor immediately for treatment advice. Have person sip a glass of water if able to do so. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
<ul style="list-style-type: none"> In case of an emergency call toll free at 1-800-424-9300. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. 	

NET CONTENTS: _____

EPA Reg. No. 3008-84

EPA Est. No. 3008-NY-1

Manufactured by: Osmose, Inc.
 980 Ellcott Street
 Buffalo, NY 14209
 USA

DIRECTIONS FOR USE:

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

Description: FirePRO® is an interior type A high temperature fire retardant, which requires dilution with water prior to use on wood products. In addition to fire retardant properties, FirePRO® affords protection against wood decay fungi (brown and white rot), wood boring insects, and termites, including Formosan termites.

Product Uses: For application to dimensional lumber, timbers, plywood, millwork, and other engineered and solid wood products that are used only in interior, above ground applications. Wood treated with FirePRO® is not permitted for applications where the material may be exposed to precipitation, direct wetting, or regular condensation. The treated wood should never be used in contact with the ground.

Wood Preparation: Machine, cut, glue, and sand wood as desired before treating. Wood must be clean and dry before treatment. Wood for pressure treatment should be kiln dried or air seasoned to a moisture content, of about 25% or less, that will permit adequate penetration of preservative during treatment.

Treatment: Contents are for use only in the pressure treatment of wood products utilizing water solutions and having concentrations ranging from 6 to 20 percent by weight. Pressure treatment results and procedures must adhere to those described in the current Osmose FirePRO® Treatment and Processing Manual and/or those described in the American Wood Preservers' Association (AWPA) Standards.

Finishing: Under normal temperature and humidity conditions, latex and oil-based paints, as well as water- and solvent-based stains, can be used with wood treated with FirePRO®. If prolonged exposure to high humidity conditions is expected, special surface preparation procedures including the use of an appropriate primer are recommended. Before application of any finish, the wood surface should be lightly sanded, cleaned and dry. For best results, always follow the coating manufacturer's label instructions.

*Osmose is a registered trademark of Osmose, Inc. FirePRO is a registered trademark of S-T-N Holdings, Inc.