

3008-89

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

APR 19 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Teri Muchow, Manager
Osmose, Inc.
980 Ellicott Street
Buffalo, NY 14209

Subject: NW 200-C
EPA Registration Number: 3008-89
Application Date: January 19, 2010
Receipt Date: January 19, 2010

Dear Ms. Muchow:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide (FIFRA), as amended, is acceptable with comments.

Proposed Amendment:

Amend label to propose alternative container handling language to that which is required by PR Notice 2007-4.

Label Comments:

Revise your label as follows:

- 1.) Revise the heading, "User Safety Recommendations" to be in compliance with PR Notice 2000-5, Mandatory Labeling, by stating "User Safety Requirements." Also, revise the statements with in this section to be in compliance by deleting the term, should, and stating "must."
- 2.) Revise the second statement in the second paragraph under the "Instructions for Treatment of Composite Wood Components" to be in compliance with Mandatory Labeling by deleting the term, should, and stating "must."
- 3.) According to PR Notice 83-3 and the Label Review Manual, all pesticide products require "Pesticide Storage" instructions. Revise the "Storage and Disposal" statement by adding the subheading and statement, "**Pesticide Storage:** Store in an area inaccessible to persons unfamiliar with its use."
- 4.) Since your container is returned to a supplier, you need to provide final rinsate instructions for the supplier. Revise the "Container Disposal" statement to read:

Container Disposal: Nonrefillable Container. Do not reuse or refill this container. Empty tote container must be returned to a tote collection agent.

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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Residue Removal: Cleaning container before final disposal is the responsibility of the person disposing of the container. To clean container before final disposal, fill container about 10 percent full with water; Agitate container vigorously; discard rinsate according to pesticide disposal instructions; repeat this rinsing procedure two more times. For additional container disposal information, contact product supplier.

General Comments:

A stamped accepted label 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 further questions concerning this letter, please contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Killian Swift by telephone at (703) 308-6346 or by email at swift.killian@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



Jacqueline McFarlane
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: Stamped Label

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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PRECAUTIONARY STATEMENT HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. Corrosive. Causes irreversible eye damage. Causes skin burns. Do not get in eyes or on clothing. Harmful if swallowed. Harmful if inhaled. Avoid breathing vapor or spray mist. Wash thoroughly after handling and before eating, drinking, using tobacco products or using the toilet. Do not eat, drink, or use tobacco products during those parts of the application process that may involve exposure to this product or its treatment solutions.

PERSONAL PROTECTION EQUIPMENT (PPE):

Mixers, loaders, applicators, and other handlers (including persons who enter pressure treatment cylinders) must wear: Coveralls worn over long-sleeved shirt and long pants, chemical-resistant footwear plus socks, chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene, and polyvinyl chloride, goggles and face shield, and a chemical-resistant apron when mixing, loading or cleaning equipment.

In addition, individuals who enter pressure-treatment cylinders must wear properly fitting, well-maintained, high efficiency respirators, MSHA/NIOSH approved for ammonia. If the level of ammonia in the plant is unknown, or exceeds the short-term exposure limit (STEL) of 35 ppm, or the 8-hour time weighted average of 25 ppm recommended by ACGIH, air monitoring programs, procedures and record retention must be conducted in accordance with OSHA standards.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

ENVIRONMENTAL HAZARDS:

This pesticide is toxic to fish and aquatic invertebrates and may contaminate water through runoff. This product has a potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. For terrestrial uses, do not apply directly to water, to areas where surface water is sent or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash-waters or rinsate. Certain water conditions including low pH (≤ 6.5), low dissolved organic carbon (DOC) levels (3.0 mg/L or lower), and "soft" waters (i.e. alkalinity less than 50 mg/L), increases the potential acute toxicity to non-target 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 local sewage treatment authority. For guidance, contact your State Water Board or Regional Office of the EPA.

NW 200-C

ACTIVE INGREDIENT:	BY WEIGHT
Copper ammonium carbonate*	24.1%
(CAS No. 33113-08-5)	
OTHER INGREDIENTS:	75.9%
TOTAL:	100.0%

*Metallic Copper Equivalent 8%

KEEP OUT OF REACH OF CHILDREN

DANGER

FIRST AID

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.

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 INHALED: Move 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.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Decontamination must proceed concurrently with whatever resuscitative and antidotal measures are necessary to preserve life. Wear rubber gloves while washing pesticide from skin and eyes of patient.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of an emergency, for additional information call CHEMTREC toll free at 1-800-424-9300.

SEE SIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS

EPA Reg. No.: 3008-89 EPA Est. No.: 3008-TN-1
3008-SC-1

Osmose®

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

NET Contents: _____ Gallons

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 19 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. **3008-89**

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

INSTRUCTIONS FOR PRESSURE-TREATING WOOD

NW 200-C is an end-use product that is intended to be used alone or with registered quaternary ammonium compounds or registered alkaline copper wood preservatives. NW 200-C can only be used in conjunction with a vacuum pressure-treating vessel for impregnating forest products such as lumber, millwork, poles and piles. A treatment solution of NW 200-C must be prepared prior to use. A closed-system must be used when preparing the use-solution and for delivery of the use-solution to the treatment vessel.

Do not use when brass, bronze, or copper can be contacted. Impregnation procedures must follow the applicable specifications of the American Wood Preserver's Association. Treated wood is provided protection against termites, ascomycetes, brown rot and white rot.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. Do not enter or allow others to enter the treated area until sprays have dried.

PREPARATION OF TREATMENT SOLUTION

When used alone, prepare a 0.05% to 3.33% active use-solution of NW 200-C in water. For example: To prepare 1000 gallons of a solution containing 0.33% copper metal, combine 964 gallons of water and 36 gallons of NW 200-C.

To treat with NW 200-C and Quaternary Ammonium Compound mix, prepare a 0.133% active copper use-solution of NW 200-C in water. For example: To prepare 1000 gallons of a solution containing 0.33% copper metal and 0.21% quaternary ammonium compound, combine 960 gallons of water, 4.4 gallons of commercial quaternary ammonium compound product containing 50% actives and 35.8 gallons of NW 200-C.

To treat with NW 200-C and Alkaline Copper Wood Preservative and quaternary ammonium compound, prepare a 0.133% to 3.33% active copper use solution of NW 200-C and the alkaline copper wood preservative in water together with the quaternary ammonium compound. For example: To prepare 1000 gallons of a solution containing 0.33% copper metal and 0.21% quaternary ammonium compound, combine 963 gallons of water, 14.6 gallons of a commercial alkaline copper wood preservative containing 9% copper metal, 4.4 gallons of a commercial quaternary ammonium compound product containing 50% actives and 18 gallons of NW 200-C.

INSTRUCTIONS FOR TREATMENT OF COMPOSITE WOOD COMPONENTS.

For treatment of composite wood components, NW 200-C can be applied either neat (10% active copper) or as a 1:1 dilution in water (5% active copper). The solution concentration and amount applied should result in a retention of copper in wood of 0.1 - 0.5 pounds per cubic foot (pcf). Note that the amount of treatment solution applied may vary depending on the moisture content of the composite wood component and the desired distribution of NW 200-C in wood.

Apply the treatment solution by spraying the composite wood component with a low-pressure sprayer. A moderately fine spray, not an aerosol or fog, generally provides the best coverage. Apply in a commercial spray booth, with adequate ventilation and scrubbers to ensure the ambient ammonia levels do not exceed the levels noted in the Precautionary Statements section.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. 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 Hazardous Waste representative at the nearest EPA Regional office for guidance.

CONTAINER HANDLING:
Tote Containers: Nonrefillable container. Do not reuse or refill this container. Empty tote container must be returned to a tote collection service. Contact product supplier for additional information.

JAN-2010