

3008-90

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

JAN 14 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject: ORD-X372
EPA Registration Number: 3008-90
Application Date: October 16, 2009
Receipt Date: October 16, 2009

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 last statement under "Pressure Treatment Instructions" to be in compliance with Mandatory Labeling by deleting the term, should, and stating "must."
- 3.) 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.

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.

CONCURRENCES

SYMBOL	SURNAME	DATE					

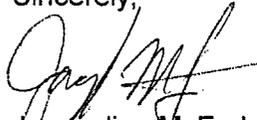
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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							

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

DANGER: Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed or inhaled. Do not get in eyes, on skin or clothing. Do not breathe vapor. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Harmful if absorbed through the skin.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long-pants
- Chemical-resistant gloves
- Chemical-resistant footwear plus socks
- Protective eyewear

Some materials that are chemical-resistant to this product are rubber, neoprene or nitrile. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Individuals who enter pressure treatment cylinders and other related equipment that are contaminated with the wood treatment solution (e.g., cylinders that are in operation or are not free of the treatment solution) must wear the following PPE: long-sleeved shirt and long-pants, chemical-resistant gloves, chemical resistant footwear plus socks, protective eyewear and a respirator with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

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.

Applicators must not eat or drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment formulation (e.g., manually opening/closing cylinder doors, moving trams out of cylinders, chemicals, handling freshly treated wood).

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 present 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.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

ORD-X372

Active Ingredients:

Copper Carbonate*..... 35.37%
(CAS No. 12069-69-1)

Didecyl dimethyl ammonium carbonate and Didecyl dimethyl ammonium bicarbonate 12.80%

Inert Ingredients: 51.83%
Total : 100.00%

*Metallic Copper Equivalent: 20.46%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

FIRST AID	
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, call CHEMTREC toll free at 800-424-9300.	
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 first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
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 swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a 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:	<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 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. Measures against circulatory shock, respiratory depression, and convulsion may be needed.	

SEE LEFT PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

ACCEPTED
EPA Registration No. 3008-90
EPA Establishment No. 3008-TN-1
EPA Letter Dated:

JAN 14 2010

Net Contents: _____

Manufactured by
Eli Lilly and Company, Inc. 980 Ellicott Street, Buffalo, NY 14209
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide,
registered under EPA Reg. No. 3008-90

ORD-X372 is a waterborne preservative used to protect treated wood articles from the destructive attack of fungi, mold and mildew. ORD-X372 is intended to treat wood used above ground and wood in contact with the ground, fresh water, or other situations favorable to deterioration. Examples are decking, deck joists, railings, spindles, trim and fascia, framing, flooring, sill plates, trellises, gazebos, fencing, fence pickets, privacy fence posts, structural lumber & timbers, and wood for interior construction.

DIRECTIONS FOR USE

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

Prepare a use-solution 0.05% to 4.0% active by mixing ORD-X372 with water. A closed-system must be used when preparing the use-solution and for delivery of the use-solution to the treatment vessel.

PRESSURE TREATMENT INSTRUCTIONS

Place the wood article to be treated into the pressure cylinder and seal unit. Treat the wooden articles using the pressure treatment procedures consistent with the equipment being used and standard treatment practices. Treatment conditions must be calibrated to yield a 0.15 pcf - 0.60 pcf active retention in the treated article. A final vacuum should be used during treatment process to remove any excess treatment solution from surface of treated wood article.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Do not store on side. Avoid creasing or impacting of side walls.

PESTICIDE DISPOSAL:

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these pesticides 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:

Plastic Container:

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

Metal Container:

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.

AUG-08

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