

3008-92

01-14-2010

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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
Osrose, Inc.
980 Ellicott Street
Buffalo, NY 14209

Subject: ORD-X370
EPA Registration Number: 3008-92
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 "Personal Protective Equipment (PPE)" statement to be in agreement with the Copper RED by including "coveralls" as protective clothing.
- 2.) 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 within this section to be in compliance by deleting the term, should, and stating "must."
- 3.) Revise the last statement in the second paragraph under the "Directions for Use" to be in compliance with Mandatory Labeling by deleting the term, should, and stating "must."
- 4.) 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."
- 5.) 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							

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

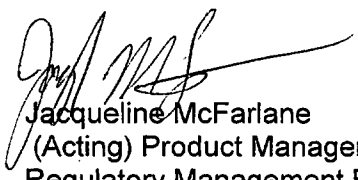
Residue Removal: Cleaning container before final disposal is the responsibility of the person disposing of the container. To clean container before final disposal, fill container about 10 percent full with water; Agitate container vigorously; discard rinsate according to pesticide disposal instructions; 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							

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

CAUTION: Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Mixers, loaders, applicators and other handlers must wear the following: long-sleeve shirt, long pants, shoes plus socks and chemical-resistant gloves.. Applicators and other handlers must wear eye protection and rubber gloves.

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. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. 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.

ORD-X370

ANTIMICROBIAL – WOOD PRESERVATIVE

Active Ingredients:
Copper Carbonate* 57.6 %
(CAS No. 12069-69-1)
Inert Ingredients..... 42.4 %
Total : 100.0 %

This Product Contains Sodium Nitrite.

*Metallic Copper Equivalent: 33.31%

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

SEE LEFT PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Registration No. 3008-92
EPA Establishment No. 3008-TN-1
 3008-SC-1

Net Contents: _____

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

ACCEPTED
with COMMENTS
EPA Letter Dated: _____

BATCH CODE: _____

JAN 14 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide,

3008-92

DIRECTIONS FOR USE

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

Use ORD-X370 to control all types of fungal decay of wood products - brown, white and soft rot and wood eating insects. ORD-X370 should be used to treat any wood product that will be exposed to conditions favorable to rot, decay or insect attack both above and in ground, or water. Types of products include lumber, timbers, landscape ties, fence boards, and posts, building poles and decks, docks, walkways, and wood shingles.

Tank mix ORD-X370 with quaternary ammonium or azole compounds approved for wood treatment. Apply the tank mix solution by pressure impregnation. Follow the mixing instructions mix charts as a guide for obtaining the desired solution concentration. The percent solution to be used should be based on the retention, in lbs., per cubic foot (pcf), specified by the purchaser and by the treating process used.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL:

Pesticide wastes are toxic. 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 HANDLING:

TOTES: 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.

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MIX CHART #1

Mixing Table for ORD-X370 + Quaternary Ammonium Compound Copper/Quat 2:1 Ratio

Solution Strength, % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine following Gallons of		
	CuO	Quat	ORD-X370	Quat (50%)	Water
0.30	0.200	0.100	2.76	2.09	995.2
0.35	0.233	0.117	3.22	2.44	994.3
0.40	0.267	0.133	3.68	2.78	993.5
0.45	0.300	0.150	4.15	3.13	992.7
0.50	0.333	0.167	4.61	3.48	991.9
0.55	0.367	0.183	5.07	3.83	991.1
0.60	0.400	0.200	5.53	4.18	990.3
0.65	0.433	0.217	6.00	4.53	989.5
0.70	0.467	0.233	6.46	4.88	988.7
0.75	0.500	0.250	6.93	5.23	987.8
0.80	0.533	0.267	7.39	5.58	987.0
0.85	0.567	0.283	7.85	5.93	986.2
0.90	0.600	0.300	8.32	6.29	985.4
0.95	0.633	0.317	8.78	6.64	984.6
1.00	0.667	0.333	9.25	6.99	983.8
1.10	0.733	0.367	10.18	7.69	982.1
1.20	0.800	0.400	11.11	8.40	980.5
1.30	0.867	0.433	12.05	9.10	978.8
1.40	0.933	0.467	12.98	9.81	977.2
1.50	1.000	0.500	13.92	10.52	975.6
1.60	1.067	0.533	14.86	11.23	973.9
1.70	1.133	0.567	15.80	11.94	972.3
1.80	1.200	0.600	16.74	12.65	970.6
1.90	1.267	0.633	17.68	13.36	969.0
2.00	1.333	0.667	18.62	14.07	967.3
2.10	1.400	0.700	19.57	14.78	965.6
2.20	1.467	0.733	20.51	15.50	964.0
2.30	1.533	0.767	21.46	16.21	962.3
2.40	1.600	0.800	22.41	16.93	960.7
2.50	1.667	0.833	23.36	17.65	959.0
2.60	1.733	0.867	24.31	18.37	957.3
2.70	1.800	0.900	25.26	19.08	955.7
2.80	1.867	0.933	26.21	19.80	954.0
2.90	1.933	0.967	27.17	20.53	952.3
3.00	2.000	1.000	28.12	21.25	950.6
3.10	2.067	1.033	29.08	21.97	948.9
3.20	2.133	1.067	30.04	22.70	947.3
3.30	2.200	1.100	31.00	23.42	945.6
3.40	2.267	1.133	31.96	24.15	943.9
3.50	2.333	1.167	32.92	24.87	942.2
3.60	2.400	1.200	33.89	25.60	940.5
3.70	2.467	1.233	34.85	26.33	938.8
3.80	2.533	1.267	35.82	27.06	937.1
3.90	2.600	1.300	36.78	27.79	935.4

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MIX CHART #2

Mixing Table for ORD-X370 + Quaternary Ammonium Compound Copper/Quat 1:1 Ratio

Solution Strength, % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine following Gallons of		
	CuO	Quat	ORD-X370	Quat (50%)	Water
0.30	0.15	0.15	2.07	3.13	994.8
0.35	0.18	0.18	2.42	3.65	993.9
0.40	0.20	0.20	2.76	4.17	993.1
0.45	0.23	0.23	3.11	4.70	992.2
0.50	0.25	0.25	3.45	5.22	991.3
0.55	0.28	0.28	3.80	5.74	990.5
0.60	0.30	0.30	4.15	6.27	989.6
0.65	0.33	0.33	4.49	6.79	988.7
0.70	0.35	0.35	4.84	7.31	987.8
0.75	0.38	0.38	5.19	7.84	987.0
0.80	0.40	0.40	5.53	8.36	986.1
0.85	0.43	0.43	5.88	8.89	985.2
0.90	0.45	0.45	6.23	9.41	984.4
0.95	0.48	0.48	6.58	9.94	983.5
1.00	0.50	0.50	6.92	10.46	982.6
1.10	0.55	0.55	7.62	11.51	980.9
1.20	0.60	0.60	8.32	12.57	979.1
1.30	0.65	0.65	9.01	13.62	977.4
1.40	0.70	0.70	9.71	14.68	975.6
1.50	0.75	0.75	10.41	15.73	973.9
1.60	0.80	0.80	11.11	16.79	972.1
1.70	0.85	0.85	11.81	17.85	970.3
1.80	0.90	0.90	12.51	18.90	968.6
1.90	0.95	0.95	13.21	19.96	966.8
2.00	1.00	1.00	13.91	21.03	965.1
2.10	1.05	1.05	14.62	22.09	963.3
2.20	1.10	1.10	15.32	23.15	961.5
2.30	1.15	1.15	16.02	24.21	959.8
2.40	1.20	1.20	16.73	25.28	958.0
2.50	1.25	1.25	17.43	26.35	956.2
2.60	1.30	1.30	18.14	27.41	954.4
2.70	1.35	1.35	18.85	28.48	952.7
2.80	1.40	1.40	19.56	29.55	950.9
2.90	1.45	1.45	20.26	30.62	949.1
3.00	1.50	1.50	20.97	31.69	947.3
3.10	1.55	1.55	21.68	32.76	945.6
3.20	1.60	1.60	22.39	33.84	943.8
3.30	1.65	1.65	23.10	34.91	942.0
3.40	1.70	1.70	23.81	35.99	940.2
3.50	1.75	1.75	24.53	37.06	938.4
3.60	1.80	1.80	25.24	38.14	936.6
3.70	1.85	1.85	25.95	39.22	934.8
3.80	1.90	1.90	26.67	40.30	933.0
3.90	1.95	1.95	27.38	41.38	931.2

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17**MIX CHART #3****Mixing Table for ORD-X370 + Azole Compound (MTZ)**

(EPA Reg. No. 3008-92 + 3008-97)

Liquid Strength, % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Liquid Combine following Gallons of		
	Cu	Tebuconazole	ORD-X370	MTZ	Water
0.160	0.154	0.0062	2.64	0.170	997.2
0.180	0.173	0.0070	2.97	0.192	996.8
0.200	0.192	0.0078	3.30	0.213	996.5
0.220	0.211	0.0086	3.63	0.235	996.1
0.240	0.231	0.0094	3.96	0.256	995.8
0.260	0.250	0.0101	4.29	0.277	995.4
0.280	0.269	0.0109	4.63	0.299	995.1
0.300	0.288	0.0117	4.96	0.320	994.7
0.320	0.308	0.0125	5.29	0.342	994.4
0.340	0.327	0.0133	5.62	0.363	994.0
0.360	0.346	0.0140	5.95	0.385	993.7
0.380	0.365	0.0148	6.28	0.406	993.3
0.400	0.384	0.0156	6.62	0.427	993.0
0.420	0.404	0.0164	6.95	0.449	992.6
0.440	0.423	0.0172	7.28	0.470	992.2
0.460	0.442	0.0179	7.62	0.492	991.9
0.480	0.461	0.0187	7.95	0.513	991.5
0.500	0.480	0.0195	8.28	0.535	991.2
0.520	0.500	0.0203	8.62	0.557	990.8
0.540	0.519	0.0211	8.95	0.578	990.5
0.560	0.538	0.0218	9.28	0.600	990.1
0.580	0.557	0.0226	9.62	0.621	989.8
0.600	0.577	0.0234	9.95	0.643	989.4
0.620	0.596	0.0242	10.28	0.664	989.1
0.640	0.615	0.0250	10.62	0.686	988.7
0.660	0.634	0.0257	10.95	0.708	988.3
0.680	0.653	0.0265	11.29	0.729	988.0
0.700	0.673	0.0273	11.62	0.751	987.6
0.720	0.692	0.0281	11.96	0.772	987.3
0.740	0.711	0.0289	12.29	0.794	986.9
0.760	0.730	0.0296	12.63	0.816	986.6
0.780	0.750	0.0304	12.97	0.838	986.2
0.800	0.769	0.0312	13.30	0.859	985.8
0.820	0.788	0.0320	13.64	0.881	985.5
0.840	0.807	0.0328	13.97	0.903	985.1
0.860	0.826	0.0335	14.31	0.924	984.8
0.880	0.846	0.0343	14.65	0.946	984.4
0.900	0.865	0.0351	14.98	0.968	984.0
0.920	0.884	0.0359	15.32	0.990	983.7
0.940	0.903	0.0367	15.66	1.011	983.3
0.960	0.923	0.0374	15.99	1.033	983.0
0.980	0.942	0.0382	16.33	1.055	982.6
1.000	0.961	0.0390	16.67	1.077	982.3
1.020	0.980	0.0398	17.01	1.099	981.9
1.040	0.999	0.0406	17.34	1.120	981.5
1.060	1.019	0.0413	17.68	1.142	981.2
1.080	1.038	0.0421	18.02	1.164	980.8
1.100	1.057	0.0429	18.36	1.186	980.5

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MIX CHART #4

Mixing Table for ORD-X370 + Azole Compound (STZ)

(EPA Reg. No. 3008-92 + 3008-98)

Liquid Strength, % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Liquid Combine following Gallons of		
	Cu	Tebuconazole	ORD-X370	Tebuconazole (5.6%)	Water
0.20	0.192	0.0078	3.30	1.396	995.3
0.25	0.240	0.0098	4.13	1.747	994.1
0.30	0.288	0.0117	4.96	2.097	992.9
0.35	0.336	0.0137	5.79	2.448	991.8
0.40	0.384	0.0156	6.62	2.800	990.6
0.45	0.432	0.0176	7.45	3.152	989.4
0.50	0.480	0.0195	8.28	3.504	988.2
0.55	0.529	0.0215	9.12	3.857	987.0
0.60	0.577	0.0234	9.95	4.210	985.8
0.65	0.625	0.0254	10.79	4.564	984.7
0.70	0.673	0.0273	11.62	4.918	983.5
0.75	0.721	0.0293	12.46	5.272	982.3
0.80	0.769	0.0312	13.30	5.627	981.1
0.85	0.817	0.0332	14.14	5.983	979.9
0.90	0.865	0.0351	14.98	6.339	978.7
0.95	0.913	0.0371	15.82	6.695	977.5
1.00	0.961	0.0390	16.67	7.052	976.3
1.05	1.009	0.0410	17.51	7.409	975.1
1.10	1.057	0.0429	18.36	7.767	973.9
1.15	1.105	0.0449	19.20	8.125	972.7
1.20	1.153	0.0468	20.05	8.484	971.5
1.25	1.201	0.0488	20.90	8.843	970.3
1.30	1.249	0.0507	21.75	9.202	969.0
1.35	1.297	0.0527	22.60	9.562	967.8
1.40	1.345	0.0546	23.45	9.923	966.6
1.45	1.393	0.0566	24.30	10.283	965.4
1.50	1.441	0.0585	25.16	10.645	964.2