

3008-96

11/05/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

NOV 5 2009

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

Subject: Notification in Accordance with PR Notice 98-10
Basic Copper Carbonate
EPA Registration No. 3008-96
Application Date: October 15, 2009
Receipt Date: October 16, 2009

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

- Label change due to PR Notice 2007-4

General Comments

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 concerning this letter, please contact Renae Whitaker by telephone at (703) 308-7003 or email address at: whitaker.renae@epa.gov during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

A handwritten signature in black ink, appearing to read "ShaRon Carlisle".

ShaRon Carlisle
(Acting) Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)



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<p>United States Environmental Protection Agency Washington, DC 20460</p>	<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 <p style="text-align: center;">3008-96</p>	2. EPA Product Manager <p style="text-align: center;">Sharon Carlisle (acting)</p>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <p style="text-align: center;">Basic Copper Carbonate</p>	PM# <p style="text-align: center;">34</p>	
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"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Notification of label change per PR Notice 2007-4.
 This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
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 checked="" 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 <p style="text-align: center;">Teri Muchow</p>	Title <p style="text-align: center;">Manager - Regulatory Administration</p>	Telephone No. (Include Area Code) <p style="text-align: center;">716-319-3255</p>
Certification 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.		6. Date Application Received (Stamped)
2. Signature 		
3. Title <p style="text-align: center;">Manager - Regulatory Administration</p>		
4. Typed Name <p style="text-align: center;">Teri Muchow</p>		5. Date <p style="text-align: center;">October 15, 2009</p>



980 Ellicott Street, Buffalo, NY 14209-2398 716-882-5905 Fax: 716-882-2834

TRANSMITTAL DOCUMENT

Name and Address of Submitter: Osmose, Inc.
 980 Ellicott Street
 Buffalo, NY 14209

Regulatory action in support of which this package is submitted: Notification of label change per PR Notice 2007-4.

EPA Reg. No./File Symbol: 3008-96

Product Name: Basic Copper Carbonate

Transmittal Date: October 15, 2009

Administrative Materials

----- Transmittal Document

EPA Form 8570-1 Application for Pesticide Registration/Amendment

----- Revised Label

Company Official: Teri Muchow

Company Name: Osmose, Inc.

Company Contact: Teri Muchow

Phone Number: 716-319-3255

Fax Number: 716-319-3130

Email Address: tmuchow@osmose.com

Basic Copper Carbonate

For Manufacturing Use Only

NOTIFICATION

Date Reviewed: 11/5/09
Reviewed By: R. Whitaker

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Active Ingredients:
 Copper Carbonate* 96.8 %
 (CAS No. 12069-69-1)
 Inert Ingredients: 3.2 %
 Total : 100.0 %

*Metallic Copper Equivalent: 55.6%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
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.
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.
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. 3008-96 EPA Establishment No. 3008-TN-1

Net Contents: _____ lbs.

Batch Number: _____

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

CAUTION. Harmful if swallowed. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with eye, skin or clothing. Avoid breathing dust. Wear goggles or face shield, dust mask and protective clothing while handling, mixing or loading. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. User should remove clothing/PPE immediately if pesticide gets inside. Wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates. 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 Eliminator 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 plant authority. For guidance contact your State Water Board or Regional Office of the EPA. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

Only for formulation into wood preservatives for (1) use in a pressure treatment plant or (2) remedial treatment of in-service poles, posts and other timbers. This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with US EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry place. Do not store where children or animals may gain access.

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: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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