

3008-97

1-17-2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

January 17, 2008

Teri Muchow  
Manager – Regulatory Administration  
**Osmose Inc.**  
980 Ellicott Street  
Buffalo, NY 14209-2398

Subject: Notification in Accordance with PR Notice 98-10  
**ORD-X300**  
EPA Registration Number 3008-97  
Application: December 28, 2007  
Receipt Date: December 31, 2007

Dear Ms. Muchow:

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

**Proposed Notification:**

- Change in precautionary statement per Agency's request

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**General Comment:**

Based on a review of the material submitted, the following comments apply.

The notification application is acceptable. A copy has been inserted in the file for future reference.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6422 or email address at: [heyward.adam@epa.gov](mailto:heyward.adam@epa.gov), or Renae Whitaker telephone at (703) 308-7003 or email address at: [whitaker.renae@epa.gov](mailto: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 cursive script, appearing to read "Adam Heyward".

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

A handwritten signature in cursive script, appearing to read "Renae Whitaker".

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Osmose.

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December 28, 2007

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
US Environmental Protection Agency  
Room S4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

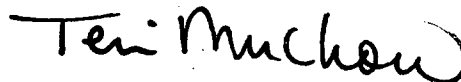
Re: ORD-X300  
EPA Reg. No. 3008-97

Dear Sir/Madam:

Enclosed is the notification of amended precautionary language for the product ORD-X300 (EPA Reg. No. 3008-97). This product label is being amended per the request of Adam Heyward, Product Manager 34. Enclosed is a copy of the letter from Mr. Heyward requesting the amendment with the instruction to submit the amended label by notification. Enclosed are three copies of the amended label with the new language both italicized and underlined.

If you have any questions regarding the enclosed, please contact me. I may be reached by phone at (716) 319-3255 or by email at [tmuchow@osmose.com](mailto:tmuchow@osmose.com).

Sincerely,



Teri Muchow  
Manager -  
Regulatory Administration



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States <b>Environmental Protection Agency</b> 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 <p style="text-align: center;">3008-97</p>	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <p style="text-align: center;">ORD-X300</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 change in precautionary statement per PR Notice 98-10 and letter from product manager dated Dec. 5, 2007. 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 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 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.

**Section - III**

<b>1. Material This Product Will Be Packaged In:</b>				<b>2. Type of Container</b>	
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	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

**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>
<b>Certification</b> 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 <p style="text-align: center;">(Stamped)</p>
2. Signature <p style="text-align: center;"><i>Teri Muchow</i></p>	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;">December 28, 2007</p>	



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

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OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

December 5, 2007

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

Subject: Product Name: ORD-X300  
EPA Registration Number: 3008-97

Dear Ms. Muchow:

It has come to the Agency's attention that instructions were not given in the notice of registration dated may 9, 2007 regarding revisions to the precautionary statement for subject product label. The precautionary statement must be revised to read as follows:

"Harmful if swallowed or inhaled. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using restroom. Remove and wash contaminated clothing before reuse."

You may amend your label by notification per PR Notice 98-10.

For detailed information and consideration, please refer to the enclosed acute toxicity review dated April 24, 2007.

Should you have any questions or comments concerning this letter, you may contact me by telephone at 703-308-6422 or by email at [heyward.adam@epa.gov](mailto:heyward.adam@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "A Heyward", written over a horizontal line.

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

Enclosure: Acute toxicity review.

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

**CAUTION:** Harmful if swallowed or inhaled. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using restroom. Remove and wash contaminated clothing before reuse.

**Personal Protective Equipment (PPE)**

Applicators and other handlers must wear eye protection and rubber gloves.

Protective clothing must be changed when it shows signs of contamination. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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).

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish. Do not contaminate water by cleaning of equipment or disposal of wash waters. 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 plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

**ORD-X300**

ANTIMICROBIAL - WOOD PRESERVATIVE

Active Ingredients:  
 Tebuconazole..... 33.95 %  
 Inert Ingredients..... 66.05 %  
 Total : 100.00 %

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a Poison Control Center immediately for treatment advice.</li> <li>• Have a person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a Poison Control Center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth.</li> <li>• Call a Poison Control Center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
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. 3008-97  
 EPA Establishment No. 3008-TN-1

Net Contents: \_\_\_\_\_

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

**DIRECTIONS FOR USE**

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

Use ORD-X300 to control all types of fungal decay of wood products - brown, white and soft rot and wood eating insects. ORD-X300 should be used to treat any wood product that will be exposed to conditions favorable to rot, decay both above and in ground. Types of products include lumber, timbers, landscape ties, fence boards, and posts, building poles, decks, docks, walkways, and wood shingles.

Tank mix ORD-X300 with EPA registered metal or organic fungicides and/or termiticides. Apply the tank mix solution by pressure impregnation. 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. A maximum retention of 0.10 pcf active is recommended.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** 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 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.

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