

# UNITED STATES ENTERONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

JAN 1 4 2010

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

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

Subject:

ORD-X400

EPA Registration Number: 3008-99 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 with in this section to be in compliance by deleting the term, should, and stating "must."
- 3.) Revise the "Environmental Hazards" statements to be in agreement with the Copper RED by adding the following statements:

This product has a potential for runoff for several months after application. Poorly draining soils with shallow water tables are more prone to product 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 (less than or equal to 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.

4.) F	4.) Revise the last statement in the second paragraph under the "Directions for Use" to be in								
com	compliance with Mandatory Labeling by deleting the compliance with the com								
SYMBOL									
SURNAME									
DATE					*********				
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- 5.) 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."
- 6.) 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.

## **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							<del>-</del>	
SURNAME								
DATE	***************************************				************			*************
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# 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 DESCRIPTIONS

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 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 wriging price to discharge. Do not discharge effluent containing this products do server systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

# **ORD-X400**

ANTIMICROBIAL - WOOD PRESERVATIVE

Active Ingredients:
Copper Carbonate\*.....48.0 %
(CAS No. 12069-69-1)
Inert Ingredients.......52.0 %
Total: 100.0 %

This Product Contains Sodium Nitrite.
\*Metallic Copper Equivalent: 28%

# KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRST AID
IF ON SKIN:	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF SWALLOWED:	<ul> <li>Call a poison control center or doctor 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>

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.

3008-99

EPA Establishment No.

☐ 3008-TN-1 ☐ 3008-SC-1

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

Manufactured by Osmose, Inc. 980 Ellicott Street Buffalo, NY 14209 ACCEPTEBATCH CODE: \_\_\_\_\_\_
With COMMENTS
EPA Letter Dated:

JAN 14 2010

OCT-2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 3008–99

# **DIRECTIONS FOR USE**

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

Use ORD-X400 to control all types of fungal decay of wood products - brown, white and soft rot and wood eating insects. ORD-X400 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-X400 with quaternary ammonium or azole compounds approved for wood treatment. Apply the tank mix solution by pressure impregnation. Follow the rightharmonian solution smix charts as a guide for obtaining the decode 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.

MIX CHART #1

Mixing Table for MicroPro 200C V3 + Quaternary Ammonium Compound
Copper/Quat 2:1 Ratio

0.1.6	Component Balance		To Mix 1000 Gallons Solution			
Solution Strength,	Actives Basis (%)		Combine following Gallons of			
% Active	CuO	Quat	MicroPro 200C V3	Quat	Water	
0.30	0.200	0.100	3.47	2.09	994.4	
0.35	0.233	0.117	4.05	2.44	993.5	
0.40	0.267	0.133	4.63	2.78	992.6	
0.45	0.300	0.150	5.21	3.13	991.7	
0.50	0.333	0.167	5.79	3.48	990.7	
0.55	0.367	0.183	6.37	3.83	989.8	
0.60	0.400	0.200	6.95	4.18	988.9	
0.65	0.433	0.217	7.53	4.53	987.9	
0.70	0.467	0.233	8.11	4.88	987.0	
0.75	0.500	0.250	8.69	5.23	986.1	
0.80	0.533	0.267	9.28	5.59	985.1	
0.85	0.567	0.283	9.86	5.94	984.2	
0.90	0.600	0.300	10.45	6.29	983.3	
0.95	0.633	0.317	11.03	6.64	982.3	
1.00	0.667	0.333	11.61	6.99	981.4	
1.10	0.733	0.367	12.79	7.70	979.5	
1.20	0.800	0.400	13.96	8.40	977.6	
1.30	0.867	0.433	15.13	9.11	975.8	
1.40	0.933	0.467	16.31	9.82	973.9	
1.50	1.000	0.500	17.49	10.53	972.0	
1.60	1.067	0.533	18.66	11.24	970.1	
1.70	1.133	0.567	19.85	11.95	968.2	
1.80	1.200	0.600	21.03	12.66	966.3	
1.90	1.267	0.633	22.21	13.37	964.4	
2.00	1.333	0.667	23.40	14.09	962.5	
2.10	1.400	0.700	24.59	14.80	960.6	
2.20	1.467	0.733	25.78	15.52	958.7	
2.30	1.533	0.767	26.97	16.24	956.8	
2.40	1.600	0.800	28.16	16.95	954.9	
2.50	1.667	0.833	29.36	17.67	953.0	
2.60	1.733	0.867	30.55	18.39	951.1	
2.70	1.800	0.900	31.75	19.12	949.1	
2.80	1.867	0.933	32.95	19.84	947.2	
2.90	1.933	0.967	34.15	20.56	945.3	
3.00	2.000	1.000	35.36	21.29	943.4	
3.10	2.067	1.033	36.56	22.01	941.4	
3.20	2.133	1.067	37.77	22.74	939.5	
3.30	2.200	1.100	38.98	23.47	937.6	
3.40	2.267	1.133	40.19	24.20	935.6	
3.50	2.333	1.167	41.41	24.93	933.7	
3.60	2.400	1.200	42.62	25.66	931.7	
3.70	2.467	1.233	43.84	26.39	929.8	
3.80	2.533	1.267	45.05	27.12	927.8	
3.90	2.600	1.300	46.27	27.86	925.9	

5 6

# MIX CHART #2

Mixing Table for Micro Pro 200C V3 + Quaternary Ammonium Compound
Copper/Quat 1:1 Ratio

Copper/Quat 1:1 Ratio							
Solution	Compone	ent Balance	To Mix 1000 Gallons Solution				
Strength,	Actives Basis (%)		Combine following Gallons of				
% Active	CuO	Quat	MicroPro 200C V3	Quat	Water		
0.20%	0.100%	0.100%	1.73	2.08	996.2		
0.25%	0.125%	0.125%	2.16	2.61	995.2		
0.30%	0.150%	0.150%	2.60	3.13	994.3		
0.35%	0.175%	0.175%	3.03	3.65	993.3		
0.40%	0.200%	0.200%	3.47	4.17	992.4		
0.45%	0.225%	0.225%	3.90	4.70	991.4		
0.50%	0.250%	0.250%	4.34	5.22	990.4		
0.55%	0.275%	0.275%	4.77	5.74	989.5		
0.60%	0.300%	0.300%	5.20	6.27	988.5		
0.65%	0.325%	0.325%	5.64	6.79	987.6		
0.70%	0.350%	0.350%	6.08	7.32	986.6		
0.75%	0.375%	0.375%	6.51	7.84	985.6		
0.80%	0.400%	0.400%	6.95	8.36	984.7		
0.85%	0.425%	0.425%	7.38	8.89	983.7		
0.90%	0.450%	0.450%	7.82	9.42	982.8		
0.95%	0.475%	0.475%	8.26	9.94	981.8		
1.00%	0.500%	0.500%	8.69	10.47	980.8		
1.10%	0.550%	0.550%	9.57	11.52	978.9		
1.20%	0.600%	0.600%	10.44	12.57	977.0		
1.30%	0.650%	0.650%	11.32	13.63	975.1		
1.40%	0.700%	0.700%	12.20	14.68	973.1		
1.50%	0.750%	0.750%	13.07	15.74	971.2		
1.60%	0.800%	0.800%	13.95	16.80	969.2		
1.70%	0.850%	0.850%	14.83	17.86	967.3		
1.80%	0.900%	0.900%	15.71	18.92	965.4		
1.90%	0.950%	0.950%	16.60	19.98	963.4		
2.00%	1.000%	1.000%	17.48	21.04	961.5		
2.10%	1.050%	1.050%	18.36	22.11	959.5		
2.20%	1.100%	1.100%	19.25	23.17	957.6		
2.30%	1.150%	1.150%	20.13	24.24	955.6		
2.40%	1.200%	1.200%	21.02	25.31	953.7		
2.50%	1.250%	1.250%	21.91	26.38	951.7		
2.60%	1.300%	1.300%	22.79	27.45	949.8		
2.70%	1.350%	1.350%	23.68	28.52	947.8		
2.80%	1.400%	1.400%	24.57	29.59	945.8		
2.90%	1.450%	1.450%	25.46	30.66	943.9		
3.00%	1.500%	1.500%	26.36	31.74	941.9		
3.10%	1.550%	1.550%	27.25	32.81	939.9		
3.20%	1.600%	1.600%	28.14	33.89	938.0		
3.30%	1.650%	1.650%	29.04	34.96	936.0		
3.40%	1.700%	1.700%	29.93	36.04	934.0		
3.50%	1.750%	1.750%	30.83	37.12	932.0		
3.60%	1.800%	1.800%	31.73	38.20	930.1		
3.70%	1.850%	1.850%	32.63	39.29	928.1		
3.80%	1.900%	1.900%	33.53	40.37	926.1		
3.90%	1.950%	1.950%	34.43	41.45	924.1		

6

# MIX CHART #3

Mixing Table for MicroPro 200C V3 + Azole Compound (ORD-X300)
(EPA Reg. No. 3008-99 + 3008-97)

<del></del>		(EPA Reg.	No. 3008-99 + 3008-97			
Liquid		Balance Actives	To Mix 1000 Gallons Liquid			
Strength,	Ba	sis (%)	Combin	e following Gallon	s of	
% Active	Cu	Tebuconazole	MicroPro 200C V3	ORD-X300	Water	
0.160%	0.154%	0.0062%	3.33	0.170	996.5	
0.180%	0.173%	0.0070%	3.75	0.192	996.1	
0.200%	0.192%	0.0078%	4.17	0.213	995.6	
0.220%	0.211%	0.0086%	4.58	0.235	995.2	
0.240%	0.231%	0.0094%	5.00	0.256	994.7	
0.260%	0.250%	0.0101%	5.42	0.277	994.3	
0.280%	0.269%	0.0109%	5.84	0.299	993.9	
0.300%	0.288%	0.0117%	6.26	0.320	993.4	
0.320%	0.308%	0.0125%	6.68	0.342	993.0	
0.340%	0.327%	0.0133%	7.10	0.363	992.5	
0.360%	0.346%	0.0140%	7.52	0.385	992.1	
0.380%	0.365%	0.0148%	7.94	0.406	991.7	
0.400%	0.384%	0.0156%	8.36	0.428	991.2	
0.420%	0.404%	0.0164%	8.78	0.449	990.8	
0.440%	0.423%	0.0172%	9.20	0.471	990.3	
0.460%	0.442%	0.0179%	9.62	0.492	989.9	
0.480%	0.461%	0.0187%	10.04	0.514	989.4	
0.500%	0.480%	0.0195%	10.46	0.535	989.0	
0.520%	0.500%	0.0203%	10.88	0.557	988.6	
0.540%	0.519%	0.0211%	11.30	0.578	988.1	
0.560%	0.538%	0.0218%	11.72	0.600	987.7	
0.580%	0.557%	0.0226%	12.15	0.622	987.2	
0.600%	0.577%	0.0234%	12.57	0.643	986.8	
0.620%	0.596%	0.0242%	12.99	0.665	986.3	
0.640%	0.615%	0.0250%	13.41	0.686	985.9	
0.660%	0.634%	0.0257%	13.84	0.708	985.5	
0.680%	0.653%	0.0265%	14.26	0.730	985.0	
0.700%	0.673%	0.0273%	14.68	0.751	984.6	
0.720%	0.692%	0.0281%	15.11	0.773	984.1	
0.740%	0.711%	0.0289%	15.53	0.795	983.7	
0.760%	0.730%	0.0296%	15.95	0.817	983.2	
0.780%	0.750%	0.0304%	16.38	0.838	982.8	
0.800%	0.769%	0.0312%	16.80	0.860	982.3	
0.820%	0.788%	0.0320%	17.23	0.882	981.9	
0.840%	0.807%	0.0328%	17.65	0.903	981.4	
0.860%	0.826%	0.0335%	18.08	0.925	981.0	
0.880%	0.846%	0.0343%	18.50	0.947	980.5	
0.900%	0.865%	0.0351%	18.93	0.969	980.1	
0.920%	0.884%	0.0359%	19.36	0.991	979.7	
0.940%	0.903%	0.0367%	19.78	1.012	979.2	
0.960%	0.923%	0.0374%	20.21	1.034	978.8	
0.980%	0.942%	0.0382%	20.64	1.056	978.3	
1.000%	0.961%	0.0390%	21.06	1.078	977.9	
1.020%	0.980%	0.0398%	21.49	1.100	977.4	
1.040%	0.999%	0.0406%	21.92	1.122	977.0	
1.060%	1.019%	0.0413%	22.35	1.144	976.5	
1.080%	1.038%	0.0421%	22.77	1.165	976.1	
1.100%	1.057%	0.0429%	23.20	1.187	975.6	