

3008-101

06/06/2012

1/4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUN - 6 2012

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

Subject ORD-X170
 EPA Registration No 3008-101
 Notification Date May11, 2012
 EPA Receipt Date May 14, 2012

Dear Ms Muchow,

This letter acknowledges receipt of your notification submitted under the provisions of FIFRA section 3(c)9 and PR Notice 98-10

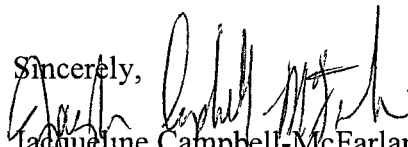
Proposed Notification

- Label revisions per PR Notice 2007-4 adding container handling instructions for plastic containers 5 gallons or less in size

General Comments

Based on a review of the submitted materials, your notification to revise your label to comply with PR Notice 2007-4 is acceptable. A copy of this letter has been made a part of the record on file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Lorena Rivas by telephone at (703) 305-5027 or by e-mail at rivas.lorena@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 Campbell-McFarlane
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES						
SYMBOL	7510P					
SURNAME	Rivas					
DATE	6/5/12					



United States Environmental Protection Agency Washington DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1 Company/Product Number 3008-101	2 EPA Product Manager Jacqueline McFarlane	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) ORD X170	PM# 34	
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 Adding container handling instructions for plastic containers 5 gallons or less in size 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Metal bulk tank truck <input checked="" type="checkbox"/> Plastic tote, drum, pail <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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container Not for retail sale		5 Location of Label Directions <input checked="" type="checkbox"/> on container	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other Pressure Sensitive Vinyl		

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)			
Name Teri Muchow	Title Manager - Regulatory Administration	Telephone No (Include Area Code) 770-233-4214	
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 <i>Teri Muchow</i>		3 Title Manager - Regulatory Administration	
4 Typed Name Teri Muchow		5 Date May 11, 2012	

ORD-X170

ANTIMICROBIAL - WOOD PRESERVATIVE

Active Ingredients	
Copper Carbonate* (CAS No 12069-69-1)	57 60 %
Tebuconazole	1 32 %
Inert Ingredients	41 08 %
Total	100 00 %

*Metallic Copper Equivalent 33 31%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF ON SKIN	<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 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 the first 5 minutes then continue rinsing • 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 101
 EPA Establishment No 3008 TN 1
 3008 SC 1

Manufactured by
 Osmose Inc
 980 Ellicott Street
 Buffalo NY 14209

Net Contents _____

Batch Code _____

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION Causes moderate eye irritation 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 sleeved shirt long pants shoes plus socks eye protection and rubber gloves

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

USER SAFETY REQUIREMENTS

Users must wash hands before eating drinking chewing gum using tobacco or using the toilet Users must remove clothing/PPE immediately if pesticide gets inside Then wash thoroughly and put on clean clothing Users must 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

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 and aquatic invertebrates and may contaminate water through runoff This product has the 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 organisms 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

DIRECTIONS FOR USE

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

Use ORD X170 to control all types of fungal decay of wood products brown white and soft rot and wood eating insects ORD X170 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

Dilute ORD X170 with water Apply the tank mix solution by vacuum pressure impregnation with solutions having concentrations ranging from 0.05% - 3.0% active ingredients by weight The percent solution to be used must 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 STORAGE Store unused product in original containers in a cool dry well ventilated area

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 this container to hold materials other than pesticides or dilute pesticides (rinsate) After emptying and cleaning it may be allowable to temporarily hold rinsate or other pesticide related materials in the container Contact your state regulatory agency to determine allowable practices in your state 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

Containers 5 gallons or less

Nonrefillable container Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate) After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide related materials in the container Contact your state regulatory agency to determine allowable practices in your state Triple rinse container (or equivalent) promptly after emptying Triple Rinse as follows Empty remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip Fill the container 1/4 full with water and recap Shake for 10 seconds Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal Drain for 10 seconds after the flow begins to drip Repeat this procedure two more times Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration