



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

APR - 8 2011

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Teri Muchow
Osmose, Inc.
980 Ellicott Street
Buffalo, NY 14209-2398

Subject: Sustain 25
EPA Registration Number: 3008-108
Application Date: March 10, 2011
Application Receipt: March 15, 2011

Dear Ms. Muchow:

This acknowledges receipt of your notification, submitted under the provisions of FIFRA section 3(c) 9.

Proposed Notification:

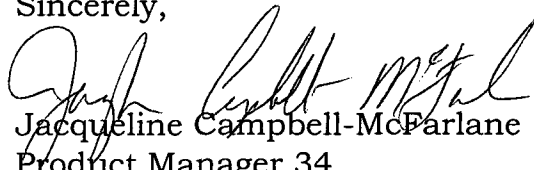
Label revisions per PR Notice 2007-4.

General Comment:

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 permanent record for 3008-108.

If you have questions concerning this letter, then please contact me at 703-308-6416 or by email at campbell-mcfaarlane.jacqueline@epa.gov or Killian Swift at 703-308-6346 or by email at swift.killian@epa.gov. When you are submitting information or data in response to this letter, send a copy of this letter to accompany the submission in order to facilitate processing.

Sincerely,


Jacqueline Campbell-McFarlane
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3008-108	2. EPA Product Manager Jacqueline Campbell-McFarlane	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SUSTAIN 25 ANTIMICROBIAL	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.
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

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	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
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 type="checkbox"/>	
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) 770-233-4244
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 March 10, 2011	

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.

USER SAFETY REQUIREMENTS

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. Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Personal Protective Equipment (PPE)

- Mixers, loaders, applicators and other handlers must wear the following:
- Long-sleeved shirt
 - Long pants
 - Shoes plus socks
 - Eye protection such as goggles, face shield, or safety glasses
 - 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. Wash the outside of gloves before removing.

NOTE: Applicators must not eat, drink, or use tobacco products during those parts of the application process where exposure to the wood treatment formulation may occur (e.g., manually operating cylinder doors, handling freshly treated wood, etc.).

Environmental Hazards

This product is toxic to fish and aquatic invertebrates and may contaminate water through runoff. Do not contaminate water by cleaning of equipment or disposal of wash waters or rinsate. 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.

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), increase the potential acute toxicity to aquatic organisms.

Batch No.: _____

Net Contents: _____

Sustain™ 25

Antimicrobial

For use as a Wood and Burlap Preservative

ACTIVE INGREDIENT:

Copper Carbonate, CAS # 12069-69-1*43.5%

OTHER INGREDIENTS:**56.5%

TOTAL100.0%

*METALLIC COPPER EQUIVALENT – 25.0 %
 (** THIS PRODUCT CONTAINS SODIUM NITRITE)

KEEP OUT OF REACH OF CHILDREN
CAUTION

FIRST AID	
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 five minutes, and 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 person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person. • Do not induce vomiting unless told to do so by a Poison Control Center or doctor.
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 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.
HOT LINE NUMBER	
For medical emergencies involving this product, call toll free 1-888-324-7598. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

Osmose, Inc.
 980 Ellicott Street
 Buffalo, NY 14209

EPA Reg. No. 3008-108
 EPA Est. No. ☐ 3008-TN-001
 ☐ 3008-SC-001

NOTIFICATION
 Date Reviewed: 4/11/11
 Reviewed By: [Signature]

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during use. For any requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.

General Information

Sustain™ 25 is for use to control fungal decay of wood products including lumber, timbers, landscape ties, fence posts, building and utility poles, land, freshwater and marine piling, seawalls, decking and wood shingles. Sustain™ 25 may also be used to treat burlap for agricultural, horticultural, nursery and military uses. Sustain™ 25 is effective against brown, white, and soft rot, and wood eating insects.

Application Instructions

Burlap Treatment

Sustain™ 25 is a copper-based midewicide specifically formulated to impart fungus resistance on burlap for agricultural, horticultural, and nursery uses. Sustain™ 25 may also be used on burlap in accordance with Military Specification MIL-F-46032A. The operational procedure to obtain a treated product that will pass the product specifications requires the use of a treating tank that is not constructed of or contains any brass or bronze materials. Dilute the concentrated Sustain™ 25 1:5 with water in the treatment tank and immerse the burlap to be treated. Keep the burlap submerged in the tank until the burlap has obtained an analysis of 1.5% to 2.0% metallic copper measured on a dry basis.

Wood Treatment

Use Sustain™ 25 to treat any type of wood to be used above ground, in ground, or in water that will be exposed to conditions favorable to rot, decay or insect attack.

Tank mix Sustain™ 25 with quaternary ammonium compounds or azole compounds approved for wood treatment. Apply the tank mix solution by pressure impregnation. Follow the instructions in the Mixing Tables as a guide for obtaining the desired solution concentration. The percent solution to be used should be based on the retention in pounds per cubic foot (PCF) as 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 only in a cool, well-ventilated location out of the reach of children and animals.

Pesticide Disposal: Pesticides wastes are acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes 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. Contact product supplier for additional information.

Residue removal: Cleaning container before final disposal is the responsibility of the person disposing of the container. To clean portainer 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.

March 2011

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Mixing Table for Sustain™ 25 Wood Preservative and 50% Didecyl Dimethyl Ammonium Carbonate (2-Component System)

Solution Strength % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine Following Gallons of		
	CuO	DDACarbonate	Sustain™ 25	DDACarbonate (50%)	Water
0.60%	0.400%	0.200%	8.2	4.16	987.7
0.65%	0.433%	0.217%	8.8	4.51	988.7
0.70%	0.467%	0.233%	9.5	4.86	989.6
0.75%	0.500%	0.250%	10.2	5.21	990.6
0.80%	0.533%	0.267%	10.9	5.55	991.5
0.85%	0.567%	0.283%	11.6	5.90	992.5
0.90%	0.600%	0.300%	12.3	6.25	993.5
0.95%	0.633%	0.317%	12.9	6.60	994.5
1.00%	0.667%	0.333%	13.6	6.95	995.4
1.10%	0.733%	0.367%	15.0	7.66	997.3
1.20%	0.800%	0.400%	16.4	8.36	999.3
1.30%	0.867%	0.433%	17.8	9.06	1001.2
1.40%	0.933%	0.467%	19.1	9.77	1003.1
1.50%	1.000%	0.500%	20.5	10.47	1005.0
1.60%	1.067%	0.533%	21.9	11.18	1006.9
1.70%	1.133%	0.567%	23.3	11.89	1008.8
1.80%	1.200%	0.600%	24.7	12.59	1010.7
1.90%	1.267%	0.633%	26.1	13.30	1012.6
2.00%	1.333%	0.667%	27.5	14.01	1014.5
2.10%	1.400%	0.700%	28.9	14.73	1016.4
2.20%	1.467%	0.733%	30.3	15.44	1018.3
2.30%	1.533%	0.767%	31.7	16.15	1020.2
2.40%	1.600%	0.800%	33.1	16.87	1022.1
2.50%	1.667%	0.833%	34.5	17.59	1024.0
2.60%	1.733%	0.867%	35.9	18.30	1025.9
2.70%	1.800%	0.900%	37.3	19.02	1027.8
2.80%	1.867%	0.933%	38.7	19.74	1029.7
2.90%	1.933%	0.967%	40.1	20.46	1031.6
3.00%	2.000%	1.000%	41.5	21.18	1033.5
3.10%	2.067%	1.033%	42.9	21.91	1035.4
3.20%	2.133%	1.067%	44.4	22.63	1037.3
3.30%	2.200%	1.100%	45.8	23.36	1039.2
3.40%	2.267%	1.133%	47.2	24.08	1041.1
3.50%	2.333%	1.167%	48.6	24.81	1043.0
3.60%	2.400%	1.200%	50.1	25.54	1044.9
3.70%	2.467%	1.233%	51.5	26.27	1046.8
3.80%	2.533%	1.267%	52.9	27.00	1048.7
3.90%	2.600%	1.300%	54.4	27.73	1050.6

Mixing Table for Sustain 25 + Tebuconazole

Liquid Strength, % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Liquid Combine following Gallons of		
	Cu	Tebuconazole	Sustain™ 25	Tebuconazole (33.95%)	Water
0.10	0.096	0.0039	2.49	0.106	997.4
0.15	0.144	0.0059	3.73	0.159	996.1
0.20	0.192	0.0078	4.98	0.213	994.8
0.25	0.240	0.0098	6.23	0.266	993.5
0.30	0.288	0.0117	7.48	0.319	992.2
0.35	0.336	0.0137	8.73	0.373	990.9
0.40	0.384	0.0156	9.98	0.426	989.6
0.45	0.432	0.0176	11.24	0.480	988.3
0.50	0.480	0.0195	12.50	0.534	987.0
0.55	0.529	0.0215	13.76	0.587	985.7
0.60	0.577	0.0234	15.02	0.641	984.3
0.65	0.625	0.0254	16.28	0.695	983.0
0.70	0.673	0.0273	17.54	0.749	981.7
0.75	0.721	0.0293	18.81	0.803	980.4
0.80	0.769	0.0312	20.08	0.857	979.1
0.85	0.817	0.0332	21.35	0.911	977.7
0.90	0.865	0.0351	22.62	0.966	976.4
0.95	0.913	0.0371	23.89	1.020	975.1
1.00	0.961	0.0390	25.17	1.074	973.8
1.05	1.009	0.0410	26.44	1.129	972.4
1.10	1.057	0.0429	27.72	1.184	971.1
1.15	1.105	0.0449	29.00	1.238	969.8
1.20	1.153	0.0468	30.28	1.293	968.4
1.25	1.201	0.0488	31.57	1.348	967.1
1.30	1.249	0.0507	32.85	1.403	965.7
1.35	1.297	0.0527	34.14	1.458	964.4
1.40	1.345	0.0546	35.43	1.513	963.1
1.45	1.393	0.0566	36.72	1.568	961.7
1.50	1.441	0.0585	38.01	1.623	960.4