

3008-109

04-08-2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

APR - 8 2011

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject: **Sustain® 25T**
EPA Registration No. 3008-109
Application Date: March 10, 2011
Receipt Date: March 15, 2011

Dear Ms. Muchow:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 2007-4.

Proposed Notification:
Updating container disposal statements

General Comment:

Based on a review of the material submitted, the container disposal statements are acceptable.

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 Glen McLeod by telephone at (703) 347-0181 or by e-mail at mcleod.glen@epa.gov during the hours of 8:00am to 4:00pm EST. 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
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3008-109	2. EPA Product Manager Jacqueline Campbell-McFarlane	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SUSTAIN 25T	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	
* Certification must be submitted				<input checked="" type="checkbox"/> Plastic	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> 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 Paper glued 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. (Includes 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	



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: 3008-109
Product Name: Sustain 25T
Transmittal Date: March 10, 2011

Administrative Materials

----- Transmittal Document
EPA Form 8570-1 Application for Pesticide Registration/Amendment
----- Three (3) copies of revised label.

Company Official: Teri Muchow
Company Name: Osmose, Inc.
Company Contact: Teri Muchow
Phone Number: 770-233-4244
Fax Number: 770-229-5225
Email Address: tmuchow@osmose.com

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

CAUTION: Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

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.

PERSONAL PROTECTIVE EQUIPMENT

Mixers, loaders, applicators and other handlers must wear:

- 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.

Sustain[®] 25'

FOR PRESSURE-TREATING WOOD PR

ACTIVE INGREDIENT:

Copper Carbonate, CAS # 12069-69-1* 43%
 Tebuconazole 1.0%

[Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol], CAS # 80443-41-0; 107534-96-3, 55%

OTHER INGREDIENTS: 30.0%
 TOTAL: 100.0%

(*Metallic Copper Equivalent 25.0%)

**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 for 15-20 minutes. • Remove contact lenses, if present, after then continue rinsing. • Call a Poison Control Center to doctor for further advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a Poison Control Center or doctor for 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 your local poison control center for instructions on artificial respiration, preferably mouth-to-mouth if you are trained. • Call a poison control center or doctor for further 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 further advice.

HOT LINE NUMBER

For medical emergencies involving this product, call toll free 1-800-451-7237 (the product container or label with you when calling a poison control center for treatment).

NOTE TO PHYSICIAN

"Probable mucosal damage may contraindicate the use of gas" (partially obscured)

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

EPA Reg. No. []
 EPA Est. No. []

Net Weight: _____

NOTIFICATION
 Date Reviewed: 4/2/11
 Reviewed By: [Signature]

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EMENTS
ESTIC ANIMALS

ly with soap and water after
im, using tobacco, or using

EMENTS

aking, chewing gum, using
clothing/PPE immediately if
and put on clean clothing.
dling this product. As soon
ean clothing.

QUIPMENT

ers must wear:

r safety glasses

maintaining PPE. If no such
k and hot water. Keep and
Discard clothing and other
or heavily contaminated with
Wash the outside of gloves

se tobacco products during
re exposure to the wood
ly operating cylinder doors,

ARDS

brates and may contaminate
by cleaning of equipment or
arge effluent containing this
s, oceans, or other waters
s of a National Pollutant
and the permitting authority
Do not discharge effluent
out previously notifying the
guidance contact your State

, low dissolved organic
ft" waters (i.e. alkalinity less
ity to aquatic organisms.

Sustain[®] 25T

FOR PRESSURE-TREATING WOOD PRODUCTS

ACTIVE INGREDIENT:

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

Tebuconazole 1.0%

[Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-
1H-1,2,4-triazole-1-ethanol], CAS # 80443-41-0; 107534-96-3.

OTHER INGREDIENTS: 55.5%

TOTAL: 100.0%

(*Metallic Copper Equivalent 25.0%)

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 to 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."	

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

EPA Reg. No. 3008-109
EPA Est. No. 3008-TN-001
 3008-SC-001

Net Weight: _____

NOTIFICATION
Date Reviewed: 7/27/11
Reviewed By: D. M. [Signature]

GENERAL INFORMATION

Pressure-treating wood products with Sustain™ 25T provides protection against termites, ascomycetes, white rot, brown rot and dry rot.

DIRECTIONS FOR USE

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

Sustain® 25T is only for use in pressure-treating wood products. Apply using vacuum pressure impregnation with water solutions having concentrations ranging from 0.1% - 3.0% active ingredients by weight. Impregnation procedures must adhere to the current specifications of Osmose, Inc. or the American Wood Protection Association.

The processes used to apply Sustain® 25T formulations must leave no visible surface deposits on the wood. Visible surface deposits indicate a surface residue or crystallization on the treated wood. Small, isolated or infrequent spots of chemical on otherwise clean wood are permitted.

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: This product ships in bulk or in a refillable mini-bulk containers.

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.

Batch Number: _____

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