

3008-119

12/23/2014

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Antimicrobials Division (7510P)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:

3008-119

Date of Issuance:

12/23/2014

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

FIM 3

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Antimicrobials Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A). You must comply with the following conditions:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.

Signature of Approving Official:

Velma Noble, Product Manager (31)  
Regulatory Management Branch I  
Antimicrobials Division (7510P)

Date:

12/23/2014

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2. Be aware that proposed data requirements have been identified in a Work Plan for DDAC. For more information on these proposed data requirements, you may contact the Team Leader for PM Team 36: [http://www.epa.gov/oppad001/contacts\\_ad.htm](http://www.epa.gov/oppad001/contacts_ad.htm).
3. Make the following label changes before you release the product for shipment:
  - Revise the EPA Registration Number to read, "EPA Reg. No. 3008-119"
4. Submit one copy of the final printed label for the record before you release the product for shipment.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSFs:

- Basic CSF dated February 21, 2014
- Alternate CSF #2 dated February 21, 2014

If you have any questions concerning this letter, please contact Emilia Oiguenblik at (703) 347-0199 or Velma Noble at (703) 308-6233.

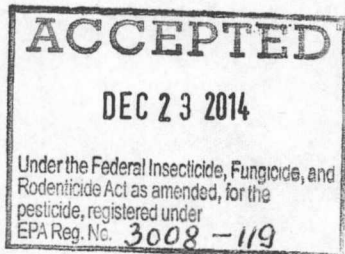
Sincerely,

Velma Noble  
Product Manager (31)  
Regulatory Management Branch I  
Antimicrobials Division (7510P)

Attachment: Stamped label

### FIM 3

Active Ingredients:  
 Didecyl dimethyl ammonium carbonate and Didecyl  
 dimethyl ammonium bicarbonate .....25.25%  
 Tebuconazole..... 2.40%  
 Inert Ingredients..... 72.23%  
 Total : 100.00%  
 Contains 8.1 lbs. of product per gallon



**KEEP OUT OF REACH OF CHILDREN  
 DANGER**

<b>FIRST AID</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
If in eyes:	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing:	<ul style="list-style-type: none"> <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 style="list-style-type: none"> <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>
If inhaled:	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>NOTE TO PHYSICIAN</b>	
Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression, and convulsion may be needed.	

SEE LEFT PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Registration No.: 3008-xx  
 EPA Establishment No.:  3008-NY-001       3008-TN-001       3008-SC-001

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

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

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

Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed or inhaled. Do not get in eyes, on skin or clothing. Do not breathe vapor. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Harmful if absorbed through the skin.

**Personal Protective Equipment (PPE)**

- Applicators and other handlers must wear:
- Wear chemical resistant (i.e. rubber, nitrile, neoprene, Tyvek, etc.) body protection appropriate for task – apron or complete suit.
  - Wear chemical resistant (rubber, neoprene or nitrile) gloves for routine industrial use. Use double gloves for spill response.
  - Chemical-resistant footwear plus socks
  - Wear chemical splash goggles and a face shield when there is a potential for eye contact (splashes, sprays, mists).

Individuals who enter pressure treatment cylinders and other related equipment that are contaminated with the wood treatment solution (e.g., cylinders that are in operation or are not free of the treatment solution) must wear the following PPE: long-sleeved shirt and long-pants, chemical-resistant gloves, chemical resistant footwear plus socks, protective eyewear and a respirator with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

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 and aquatic invertebrates. 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.

## PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

FIM 3 is a waterborne preservative used to protect treated wood articles from the destructive attack of fungi, mold and mildew. FIM 3 is intended to treat wood used above ground. Examples are fencing, decking boards, joists, beams, and turned, profiled and appearance grade products, including, but not limited to profiled hand rails, railings, spindles, trim and fascia, siding, shakes and shingles, lattice and trellises.

## DIRECTIONS FOR USE

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

FIM 3 is an end-use product. Prepare a use-solution 0.2% - 2% active by mixing FIM 3 with water. A closed-system must be used when preparing the use-solution and for delivery of the use-solution to the treatment vessel.

## PRESSURE TREATMENT INSTRUCTIONS

Place the wood article to be treated into the pressure cylinder and seal unit. Treat the wooden articles using the pressure treatment procedures consistent with the equipment being used and standard treatment practices. Treatment conditions must be calibrated to yield a target retention of 0.06 to 0.1 lbs/ft<sup>3</sup> active retention in the treated article. A final vacuum should be used during treatment process to remove any excess treatment solution from surface of treated wood article.

FIM 3 cannot be used to treat wood intended for water immersion. Treated wood must be marked accordingly. In addition, FIM 3 is not approved for treating wooden articles that are used or intended for use in the packaging of food or feed.

## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Do not store on side. Avoid creasing or impacting of side walls.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. 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:** (Containers over 5 gallons) Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying.

(Plastic and Metal Containers) Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. If rinsate cannot be used, follow pesticide disposal instructions. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state and federal regulations. DO NOT cut or weld metal containers.

**Tote Container:** 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