

8177-73

11-02-2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

NOV - 2 2011

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Georgia Anastasiou
Agent for The Valspar Corporation
Lewis & Harrison
122 C St. NW Suite 740
Washington, D.C. 20001

Subject: **CABOT PRESERVATIVE WOOD FINISH**
EPA Registration No. 8177-73
Application Date: October 04, 2011
Receipt Date: October 06, 2011

Dear Ms. Anastasiou:

This acknowledges receipt of your Notification submitted under the provision of PR Notice 98-10, and FIFRA section 3(c) 9.

Proposed Notification:

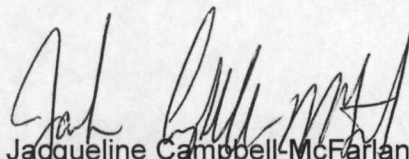
Registrant is adding marketing language to label.

General Comment:

Based upon a review of the material submitted, the label language changes are acceptable. A copy of the accepted label has been inserted in your 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 Glen McLeod by telephone at (703) 347-0181 or by e-mail at mcleod.glen@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)



States
Environmental Protection Agency
 Washington, DC 20460

- Registra**
 Amendment
 Other: NOTIFICATION

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 8177-73	2. EPA Product Manager Jacqueline Campbell-McFarlane	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cabot Preservative Wood Finish	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) The Valspar Corporation PO Box 1461 Minneapolis, MN 55440 <u>PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW</u>	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

Amendment - Explain below. Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ "Me Too" Application
 Notification - Explain below. Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
Notification to add marketing language.
Please read cover letter for details.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On Label On labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph Other _____
 Paper glued
 Stenciled

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name Georgia Anastasiou, Lewis & Harrison 122 C St. NW Suite 740, Washington DC 20001	Title Agent for The Valspar Corporation	Telephone No. (Include Area Code) (202) 393-3903 x19
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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.

2. Signature <i>Georgia Anastasiou</i>	3. Title Agent for The Valspar Corporation	6. Date Application Received (Stamped)
4. Typed Name Georgia Anastasiou	5. Date October 4, 2011	

LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001
telephone 202.393.3903
fax 202.393.3906

October 4, 2011

VIA COURIER SERVICE

Document Processing Desk [NOTIF]
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington VA 22202

**ATTENTION: Jacqueline Campbell-McFarlane
Product Manager # 34**

**SUBJECT: The Valspar Corporation
Cabot Preservative Wood Finish (EPA Reg. No. 8177-73)
Notification per PR Notice 98-10**

Dear Ms. Campbell-McFarlane:

On behalf of The Valspar Corporation, I am submitting a notification for the product **Cabot Preservative Wood Finish (EPA Reg. No. 8177-73)**. The purpose of this submission is to add marketing language to the label for the clear tint. Please note the marketing language I am proposing is a reiteration of language that is currently approved.

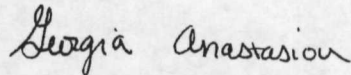
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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.

Enclosed please find the following documents in support of this submission:

- 1) Application for Pesticide Notification;
- 2) One (1) copy of the label with changes highlighted; and,
- 3) Two (2) copies of the revised label.

If you have any questions, please contact me by phone at 202-393-3903 ext. 19, by fax at 202-393-3906 or by email at georgia@lewisharrison.com.

Sincerely,



Georgia Anastasiou
Agent for,
The Valspar Corporation

cc: Michael Kacner (Valspar)

NOTE TO REVIEWER: The underlined language is used to provide additional detail particular to each formula. Language in [] is considered optional or interchangeable.

[Back Panel]

CLEAR SOLUTION®

GENERAL INFORMATION:

~~Clear Solution is formulated with a blend of resin and oil to provide a natural finish for bare wood. Easy to apply, Clear Solution slightly darkens wood when first applied leaving a flat, translucent toned finish, which weathers with time to a natural wood hue. For use on new or reconditioned exterior wood only, including decks, siding, shingles, shakes, trim and on log homes.~~

WOOD TONED PRESERVATIVE WOOD FINISH

GENERAL INFORMATION:

Cabot Preservative Wood Finish penetrates deep into wood to provide long lasting protection. This lightly toned stain is fortified with wood preservative to kill and resist mildew, mold and fungus growth. Wood Tone slightly darkens wood when first applied leaving a flat, translucent-toned finish, which weathers with time to a natural wood hue. For use on new or reconditioned exterior wood only, including decks, siding, shingles, shakes, trim and on log homes. For exterior above grade application only.

AUSTRALIAN TIMBER OIL®

GENERAL INFORMATION:

Cabot Australian Timber Oil® is a unique blend of oils originally formulated to protect dense Australian tallowwood, cambara and merbau from extreme exposures. It is a proven translucent oil treatment that is specially formulated for decks and outdoor furniture. Penetrates deep into woods to accentuate natural wood depth and patina. Containing a precise blend of superb-grade linseed oil for maximum penetration, long-oil alkyds for durability and pure Tung oil for color depth and water repellency, it delivers three-way oil protection. In addition, complex translucent iron-oxide pigments are added to ensure a lasting U.V.-absorbing surface rich with color and dimension.

Cabot Australian Timber Oil® preservative wood finish is a unique blend of oils originally formulated to protect dense Australian tallowwood, cambara and merbau from extreme exposures. This translucent oil treatment has been fortified with wood preservative to kill and resist mildew, mold and fungus growth. Specially formulated for decks and outdoor furniture it penetrates deep into wood to accentuate natural depth and patina. Containing a precise blend of superb-grade linseed oil for maximum penetration, long-oil alkyds for durability and pure Tung oil for color depth and water repellency, it delivers three-way oil protection. In addition, complex translucent iron-oxide pigments are added to ensure a lasting U.V.-absorbing surface rich with color and dimension.

SEMI-TRANSPARENT

GENERAL INFORMATION:

Cabot Preservative Wood Finish is a deep penetrating wood preservative that beautifies and provides complete protection for your wood. Long term water repellent; minimizes water damage such as splitting and warping. Inhibits mildew, mold, and fungus growth on wood that can lead to rot and decay. Pigmented for a semi-transparent finish that will aid in retaining the wood's color and block UV damage. When properly applied, won't crack, peel, or blister. For

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use on exterior wood decks, siding, fences, and especially effective on rough-sawn surfaces. For exterior above grade application only.

Cabot Preservative Wood Finish penetrates deep into wood to provide long lasting protection. This Semi-Transparent stain is fortified with wood preservative to kill and resist mildew, mold and fungus growth. Durable and water repellent it is excellent for all exterior applications such as; decks, siding, fences, trim and especially rough-sawn siding. For exterior above grade application only.

Cabot Preservative Wood Finish provides a coating that will kill and resist mildew, mold and fungus growth. This Semi-Transparent stain is formulated with the finest pigments and water repellents to penetrate deep into wood and provide beauty and long lasting protection. Excellent for all exterior applications such as; decks, siding, fences, trim and especially rough-sawn siding. For exterior above grade application only.

SEMI-SOLID

GENERAL INFORMATION:

Cabot Semi-Solid® Finishes are richly pigmented, deep penetrating oil based finishes that provide long lasting beauty and wood protection. These unique finishes provide greater hiding power than semi-transparent finishes, yet their attractive flat finish highlights the natural beauty of the wood's texture. Cabot Semi-Solid Finishes can be used on most types of smooth and rough exterior wood, including siding, shingles, fences, log homes and roofs. They provide excellent results on weathered wood and well-seasoned lumber. Not for use on decks.

Cabot Preservative Wood Finish penetrates deep into wood to provide long lasting protection. This Semi-Solid stain is fortified with wood preservative to kill and resist mildew, mold and fungus growth. This unique finish provides greater hiding power than semi-transparent finishes, yet the attractive flat finish highlights the natural beauty of the wood's texture. Extremely tough and scuff-resistant use this on all exterior applications such as; decks, siding, fences, trim and rough-sawn siding. For exterior above grade application only.

CLEAR

GENERAL INFORMATION:

Cabot Preservative Wood Finish is formulated with a blend of resin and oil to provide a natural finish for bare wood. This Finish is fortified with wood preservative to kill and resist mildew, mold and fungus growth. Easy to apply, it slightly darkens wood when first applied leaving a natural wood-toned finish. For use on new or reconditioned exterior wood only, including decks, siding, shingles, shakes, trim and on log homes. For exterior above-grade application only.

DECKING FINISH

GENERAL INFORMATION:

Cabot Decking Finish has an alkyd resin base that provides an extremely tough and scuff-resistant finish. Use this extremely durable finish on all types of wood decking and fencing.

NOTE TO REVIEWER: The un-lined language is used to provide additional detail particular to each formula. Language in [] is considered optional or interchangeable.

OVT® SOLID COLOR OIL FINISH

GENERAL INFORMATION:

Cabot Solid Color Oil Finish contains a blend of tough alkyd resin and linseed oil and offers tremendous hiding power, yet resists cracking, peeling and blistering. For use on most types of smooth and tough exterior wood, including siding, shingles, shakes and trim. Not for use on decks.

SOLID COLOR OIL DECKING FINISH

GENERAL INFORMATION:

Cabot Solid Color Decking Finish combines maximum color and U.V. protection with a tough alkyd resin. The results are a completely opaque finish that imparts lasting beauty and is formulated to withstand foot traffic and wear. For use on exterior wood decks, railings and outdoor furniture.



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DIRECTIONS FOR USE:

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Apply this product only as specified on the label.

Application Instructions:

CLEAR SOLUTION® - WOOD TONED and CLEAR

Stir product thoroughly before using. Apply only with a natural bristle brush or pad to horizontal surfaces. Apply with natural bristle brush or professional spray equipment on vertical surfaces. Start at one edge and follow through to the end of the boards to avoid lap marks.

AUSTRALIAN TIMBER OIL®

Stir thoroughly before and occasionally while using. Intermix containers of the same color. Optimal results are achieved by using a pure lambswool applicator. Apply to small sections at a time (2-3 boards) to avoid lap marks. One coat is recommended.

SEMI-TRANSPARENT

Shake before and stir thoroughly during use. Intermix all containers of the same color. Apply with a natural bristle brush or professional spray equipment. When spraying, always back-brush immediately to ensure uniformity. Start at one edge and follow through to a logical break. One coat is recommended.

SEMI-SOLID

Shake before and stir thoroughly during use. Intermix all containers of the same color. Apply with natural bristle brush or professional spray equipment. When spraying, always back-brush immediately to ensure uniformity. Start at one edge and follow through to a logical break. One coat is recommended.

DECKING FINISH

Stir thoroughly before and occasionally during use. Intermix all containers of the same color. This product must be applied evenly and only with a brush. Apply finish to small sections at a time. To avoid lap marks, start at one edge and follow through to the end of the boards. One coat is recommended.

OVT® SOLID COLOR OIL FINISH

Shake before and stir thoroughly during use. Intermix all containers of the same color. Apply with a high-quality natural bristle brush or professional spray equipment. When spraying, always back-brush immediately to ensure uniformity. Start at one edge and follow through to a logical break. A one-coat application is recommended.

SOLID COLOR OIL DECKING FINISH

Stir thoroughly before and during use. Intermix all containers of the same color. Apply with natural bristle brush, professional spray equipment or roller. When spraying or rolling, always back-brush immediately to ensure uniformity. A one-coat application is generally sufficient to provide protection and longevity. The application of a second coat will yield maximum coverage and performance, particularly when using dark colors. Apply second coat within 48 hours of first coat.

Type of Finish: [Clear]
[Pigmented]

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Where to Use:

CLEAR

For use only above ground on new or reconditioned exterior wood including decks, siding, shingles, shakes, trim and on log homes. Wood treated with Cabot Preservative Wood Finish may be top coated with paint.

CLEAR SOLUTION[®] and WOOD TONED

For use only aboveground on new or reconditioned exterior wood, including decks, siding, shingles, shakes, trim and on log homes.

AUSTRALIAN TIMBER OIL[®]

For decks, railings, stairs and outdoor furniture.

SEMI-TRANSPARENT

For use on exterior wood decks, siding, fences, shingles, shakes and roofs.

SEMI-SOLID

For use on [most types of] smooth and rough exterior wood, including decks, siding, shingles, fences, log homes and roofs.

DECKING FINISH

For use on all types of wood decking and fencing.

OVT[®] SOLID COLOR OIL FINISH

For use on most types of smooth and rough exterior wood, including siding, shingles, shakes and trim.

SOLID COLOR OIL DECKING FINISH

For use on exterior wood decks, railings and outdoor furniture.

Coverage:

CLEAR SOLUTION[®] and WOOD TONED

On smooth surfaces, approximately 400-600 sq.ft. (37.2-55.7m²) per gallon; on rough surfaces, 200-300 sq.ft. (18.6-27.9m²) per gallon.

AUSTRALIAN TIMBER OIL[®]

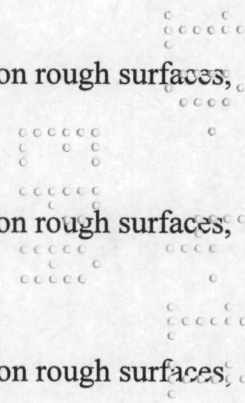
On smooth surfaces, approximately 400-600 sq.ft. (37.2-55.7m²) per gallon; on rough surfaces, 250-350 sq.ft. (23.2-32.5m²) per gallon.

SEMI-TRANSPARENT, OVT[®] SOLID COLOR OIL FINISH and CLEAR

On smooth surfaces, approximately 450-650 sq.ft. (41.8-60.4m²) per gallon; on rough surfaces, 200-300 sq.ft. (18.6-27.9m²) per gallon.

DECKING FINISH and SEMI-SOLID

Covers approximately 400-500sq.ft. (37.2-46.4m²) per gallon.



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SOLID COLOR OIL DECKING FINISH

On smooth surfaces, approximately 400-500 sq.ft. (37.2-46.4m²) per gallon; on rough surfaces, 250-350 sq.ft. (23.2-32.5m²) per gallon.

Drying Time:

CLEAR SOLUTION[®], AUSTRALIAN TIMBER OIL[®], WOOD TONED and CLEAR

Approximately 24 hours depending on temperature and humidity.

SEMI-TRANSPARENT SEMI-SOLID, OVT[®] SOLID COLOR OIL FINISH and DECKING FINISH

Approximately 24-48 hours depending on temperature and humidity.

SOLID COLOR OIL DECKING FINISH

Approximately 8 hours depending on temperature and humidity.

Cleanup: Clean equipment with mineral spirits.

Surface Preparation: Be sure surface is free of all dirt, mildew stains and loose wood fibers. Surfaces must be sound and absolutely dry (moisture content below 15%). Finish must be able to penetrate wood surface. Prepare unpainted weathered wood with Cabot Problem-Solver[®] Wood Cleaner or Wood Brightener. Previously stained surfaces must be stripped with Cabot Wood Strippers.

GENERAL PRECAUTIONS AND RESTRICTIONS:

DO NOT apply this product in a way that will contact any person or pet.

DO NOT USE on interior surfaces.

DO NOT USE on wood used for food, feed or potable water contact.

DO NOT apply in direct sunlight or on days when air or surface temperatures are below 50°F (10°C).

DO NOT use where dairy and farm animals may come into contact with the treated wood.

Cover desirable plants and shrubs to avoid possible injury.

DO NOT THIN

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid contact with eyes. Wear protective clothing, chemical-resistant gloves and protective eyewear (goggles, face shield, or safety glasses) when handling. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

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USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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.
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 eye. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.

In case of emergency call toll free 1-888-345-5732.

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

Warning: This product contains chemicals known to the State of California to cause cancer.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish. Do not apply directly to water or 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 washwater or rinsate.

PHYSICAL AND CHEMICAL HAZARDS: DO NOT USE, POUR SPILL OR STORE NEAR HEAT OR OPEN FLAME. PROTECT FROM FREEZING.

HAZARD NOTICE --- SPONTANEOUS COMBUSTION: RAGS, STEEL WOOL OR WASTE SOAKED WITH THIS PRODUCT MAY SPONTANEOUSLY CATCH FIRE IF IMPROPERLY DISCARDED, IMMEDIATELY AFTER EACH USE, PLACE RAGS, STEEL WOOL OR WASTE IN A SEALED WATER-FILLED METAL CONTAINER.

This product contains less than 350 g/l VOC (2.9 lb/gal VOS)

