

9630-5

7-22-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

July 22, 2003

Laura J. Sydro  
Manager, EH&S  
OMG Americas, Inc.  
2301 Scranton Road  
Cleveland, OH 44113

Subject: M-GARD S120  
EPA Registration No. 9630-5  
Application Date: May 19, 2003  
EPA Received Date: June 12, 2003

Dear Ms. Sydro:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

**Proposed Amendment**

- Update First Aid Statements per PR Notice 2001-1

**Conditions**

Revise the label as follows:

1. Revise the Precautionary Statements to read:

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

Causes substantial but temporary eye injury and skin irritation. Harmful if swallowed or absorbed through skin or inhaled. Do not get in eyes, on skin or on clothing. Wear

**CONCURRENCES**

|         |             |  |  |  |  |  |  |
|---------|-------------|--|--|--|--|--|--|
| SYMBOL  | 7510c       |  |  |  |  |  |  |
| SURNAME | [Signature] |  |  |  |  |  |  |
| DATE    | 7-22-03     |  |  |  |  |  |  |

goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not breathe vapors or mist during brush, roll, spray and dip application. Wear a NIOSH/MHSA-approved mist/vapor respirator when spraying for continued or prolonged use of this product or for frequent use of this product. In case of medical questions, emergencies, or accidents involving this product, call 1-800-390-4444.

- 2. Refer to EPA letter dated June 12, 1991 and revise the If Swallowed section to read:

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have 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.

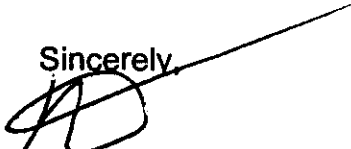
- 3. Revise the Environmental Hazards Statement by moving the statement "This product is toxic to fish." and placing it before the statement "Do not discharge effluent containing this product..."
- 4. Revise the Storage and Disposal Statement by deleting the word "PROHIBITIONS" from the statement "PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal." In addition, move the statement "Do not contaminate water, food, or feed by storage or disposal." and place it immediately following the heading "STORAGE AND DISPOSAL."

**General Comments**

Please note that it is the Agency's policy not to review or stamp additional brand name labeling. All changes must be made on the basic product labeling. Once accepted, the changes may be added to the additional brand name labeling. The additional brand name label (M-GARD S122) submitted under the amended application dated, May 19, 2003, will be placed in your registration file unreviewed.

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely  


Adam Heyward  
Product Manager 34  
Regulatory Management Branch II  
Antimicrobials Division (7510 C)

# M-GARD S120

## WOOD PRESERVATIVE

OMG CODE: 00704

LOT NUMBER:

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

## WARNING

Harmful if swallowed. Avoid contact with skin, eyes, or clothing. In case of contact, immediately flush eyes or skin with plenty of water. Use only with adequate ventilation. Avoid breathing of vapor.

Do not breathe vapors or mist during brush, roll, spray and dip application. Wear a NIOSH/MHSA-approved mist/vapor respirator when spraying for continued or prolonged use of this product or for frequent use of this product. In case of medical questions, emergencies, or accidents involving this product, call 1-800-390-4444.

### ENVIRONMENTAL HAZARDS EFFLUENT DISCHARGE STATEMENT

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.

This product is toxic to fish. Do not contaminate water when disposing of equipment washwaters. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark.

### PHYSICAL OR CHEMICAL HAZARDS

Apply this product only as specified on the label. Do not use, pour, spill or store near heat or open flame. Use only with adequate ventilation. Close container after use.

### STORAGE AND DISPOSAL

**STORAGE:** Store at temperatures between 0 F and 100F. If product has been spilled or is leaking, remove the source of the spill or leak. Recover free liquid. Spread absorbant, then pick up and place in containers. Then, where applicable, wash area with detergent and water. Store product in original container only. Keep container closed when not in use.

**CONTAINER DISPOSAL:** Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by procedures approved by state and local authorities.

**PESTICIDE DISPOSAL:** Pesticide, spray mixture or rinsate that cannot be used or chemically reprocessed should be disposed of according to procedures approved by federal, state or local authorities.

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



OMG AMERICAS, INC.  
TWO MILE RUN ROAD  
FRANKLIN, PA 16323  
VENANGO COUNTY  
814-432-2125

INGREDIENTS:  
ACTIVE INGREDIENT:  
Copper Naphthenate.....77.00%  
(Copper, as metal, 8%)  
INERT INGREDIENTS.....23.00%  
TOTAL.....100.00%

CONTAINS PETROLEUM DISTILLATES

PRODUCT WT/GAL. 8.3 LBS.  
FOR USE ONLY IN THE MANUFACTURING  
OF OTHER FUNGICIDES

KEEP OUT OF REACH OF CHILDREN

## WARNING

### FIRST AID

**IF IN EYES:** 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:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do 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.

**IF ON SKIN OR CLOTHING:** 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 INHALED:** 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-390-4444 for emergency medical treatment information.

### NOTE TO PHYSICIAN

Contains petroleum distillate- vomiting may cause aspiration pneumonia.

## DIRECTIONS FOR USE

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

## FOR EXTERIOR USE ONLY

Labeling for products formulated from this product must conform to that which is currently registered with the U.S. Environmental Protection Agency. Any variation from federally registered labeling for products containing M-GARD S120 must be supported by data and registered by the formulator.

Products formulated or repackaged from this product must be labeled "For Exterior Use Only," and bear all the statements listed under section entitled Precautionary Statements. The following statements must also be added to the Precautionary Statements of products formulated or repackaged from this product:

Application of this product may produce a strong, lingering, unpleasant odor.

In case of medical questions, emergencies or accidents involving this product, call (insert the telephone number of the formulator or repackager. Do not use the 1-800-390-4444 telephone number for OMG listed on the Precautionary Statements for M-GARD S120).

For general information, questions or comments about this product, call OMG AMERICAS, INC. at 1-814-432-2125.

**ACCEPTED**  
with **COMMENTS**  
EPA Letter Dated:

Ship To:

JUL 22 2003

EPA Reg. No. 9630-5  
EPA Est. No. 9630-PA-01

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide,  
registered under EPA Reg. No. 9630-5