

10324-91

07/10/2009

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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

JUL 10 2009

Ms. Elizabeth Tannehill
Mason Chemical Company
721 W. Algonquin Road
Arlington Heights, IL 60005

Subject: Maquat WP
EPA Registration No.10324-91
Amendment Date: April 3, 2009
EPA Receipt Date: April 13, 2009

Dear Ms. Tannehill,

The following amendment submitted in connection with registration under FIFRA, as amended, is acceptable with the conditions listed below.

Proposed Amendment

Response to Agency letter dated March 23, 2009

Conditions

Revise the label as follows:

1. Revise the Environmental Hazards section on page 1 to be in agreement with the DDAC RED by adding the following statement "This pesticide is toxic to fish and aquatic invertebrates."
2. Revise the statement under the "Storage and Disposal" section on page 1 by repeating the statement in English.
3. The container rule no longer separates "Storage and Disposal" by container size; it is distinguished by use pattern such as residential, industrial, institutional, or commercial. Therefore, delete the "Container Disposal" statements for institutional products in containers 1 gallon or less.
4. The Container Disposal statement must be updated to be in agreement with the Container Rule outlined in PR Notice 2007-4 by stating:

| CONCURRENCES | | | | | | | |
|--------------|--|--|--|--|--|--|--|
| SYMBOL | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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(5 gallons or less)

Nonrefillable Container. Do not refill or reuse container. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Drain for 10 seconds after flow begins to drip. Fill container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.

(5 gallons or more)

Nonrefillable Container. Do not refill or reuse container. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill container 1/4 full with water. 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 the application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.

General Comments

The proposed amendment to add organisms and directions to the label will be acceptable when the above deficiencies are addressed, and five copies of the revised label are submitted for review.

Should you have any questions or comments concerning this letter, please contact Velma Noble at (703) 308-6233

Sincerely,



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

Enclosure: Stamped Label

| CONCURRENCES | | | | | | | |
|--------------|--|--|--|--|--|--|--|
| SYMBOL | | | | | | | |
| SURNAME | | | | | | | |
| DATE | | | | | | | |



MASON CHEMICAL COMPANY

"The Quaternary Specialists"

721 W. Algonquin Road | Arlington Heights, IL 60005 | 847-290-1621 or 800-362-1855

E.P.A. Reg. No. 10324-91

E.P.A. Est. No. 10324-IL-1

MAQUAT® WP

Net Contents:

Batch No:

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

DANGER, Keep Out of Reach of Children. Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Avoid breathing spray mist. Do not get into eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves and protective clothing (chemical resistant gloves, long sleeved shirt, long pants, socks and shoes) when handling. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

(If container is 5 gallons or larger the following statement must appear on the label.)

ENVIRONMENTAL HAZARD

This pesticide is toxic to fish. 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 into 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 OR CHEMICAL HAZARDS

Do not mix with oxidizers, anionic soaps and detergents.
Do not use or store near heat or open flame.

(If the container is greater than one gallon use the following storage and disposal statements.)

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. Do not reuse empty container. Keep this product under locked storage sufficient to make it inaccessible to children or persons unfamiliar with its proper use.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture 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 DISPOSAL (Larger than 1 gal.): Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. In addition, plastic containers may be disposed of by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(If container is one gallon or less use the following storage and disposal statements.)

STORAGE AND DISPOSAL

Store in original container in areas inaccessible to small children. Do not store on side. Avoid creasing or impacting of side walls. Do not reuse empty container. Wrap and discard in trash (or recycle).

PELIGRO: SI NO PUEDE LEER EN INGLES, PREGUNTE A SU SUPERVISOR SOBRE LAS INSTRUCCIONES DE USO APROPIADAS ANTES DE TRABAJAR CON ESTE PRODUCTO.

A Wood Treatment Preservative

ACTIVE INGREDIENTS:

Didecyl Dimethyl Ammonium Chloride 50.0%

INERT INGREDIENTS: 50.0%

TOTAL 100.00%

Contains 7.4 lbs of product per gallon

KEEP OUT OF REACH OF CHILDREN

DANGER PELIGRO

See left (back) (side) (right) panel (of label) (below) for additional precautionary statements and first aid statements.

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: 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: 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: 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.

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.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

(Note to Reviewer: This information has been verified per DOT regulations. It is NOT required to be on the label but is being requested by a customer.)

TRANSPORTATION INFORMATION

DOT Hazard Class: 8, Corrosive
DOT Proper Shipping Name: Disinfectant, Liquid, Corrosive (Quaternary Ammonium Compound), 8, UN1903, PGII
in EPA Letter Dated:

JUL 10 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 10324-91

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This product is a concentrated biocide for use as a wood preservative. When used as directed, this product will protect treated wood articles from the destructive attack of fungi, mold, mildew and both Reticulitermes and Formosan species of termites. Treatment can be done by pressure, double vacuum, dip, brush and/or spray, although dip, brush and spray can not be used for protection against termites. Wood articles that will be protected by these treatments would include millwork, construction timbers, decking, wood shingles, posts and other articles to be used in above ground applications. (10324-136)

OR

This product will protect treated wood articles from the destructive attack of fungi, mold or mildew. Treatment can be done by pressure or double vacuum. Wood articles that will be protected by these treatments would include millwork, construction timbers, decking, wood shingles, posts and other articles to be used in above ground applications. (This statement is not for use in California.)

Treatment can be done by brush or spray for wood shingle applications, and by pressure, double vacuum or dip method for other wood products. Wood articles that will be protected by these treatments would include millwork, construction timbers, decking, wood shingles, and posts.

DIRECTIONS FOR USE

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

This product can be used in combination with other EPA registered organic and inorganic wood preservatives or it can be used alone.

MAQUAT WP

Dilute this product in either water or mineral spirits (or Sentry GoldSeal™) to produce a 0.5% to 3.0% active quaternary ammonium compound solution.

| Percent Active Quat Solution | Ounces of this product per gallon |
|------------------------------|-----------------------------------|
| 0.5 | 1.28 |
| 1.0 | 2.56 |
| 1.5 | 3.85 |
| 2.0 | 5.12 |
| 2.5 | 6.40 |
| 3.0 | 7.68 |

To find the ounces of this product per gallon for other dilutions take the percent active desired and divide by 0.3906.

MAQUAT WP AND COPPER COMPOUNDS

Mix this product with water and either (ACQ-C2, EPA Reg. No 10465-36 or ACQ-C, EPA Reg. No. 10465-33) (NW 100-C, EPA Reg. No. 3008-87 or NW 200-C, EPA Reg. No. 10465-33-3008). Refer to the product labels for (ACQ-C and ACQ-C2) (NW 100-C and NW 200-C) for precise mixing instructions. This product is only for use in combination with copper compounds in pressure treatment applications.

MAQUAT WP AND BORATES

Mix this product and either (Disodium Octaborate Tetrahydrate) Wood Bor, EPA Reg. No. 3008-61, Envirotech Insecticide, EPA No. 65705-1, Timbersaver, EPA Reg. No. 71916-1, TimberSaver PT, EPA Reg. No. 71916-1-10465, Tim-Bor, EPA Reg. No. 1624-39, or Cellu-Treat DOT Wood Preservative, EPA Reg. No. 64405-8 in water. Refer to the product labels for precise mixing. This product is only for use in combination with the above borates in pressure treatment or dip treatment applications.

Mix this product and Lum-Bor, EPA Reg. No. 19713-286 in water. Refer to the product label for precise mixing instructions. This product is only to be used in combination with the above borate in brush or spray applications.

Mix this product and BORA-CARE, EPA Reg. No. 64405-1, Bor-Ram, EPA Reg. No. 72304-10 or Borathor Max PT, EPA Reg. No. 81824-11, in water. Refer to the product label for precise mixing instructions. This product is only to be used in combination with the above borate in dip treatment applications.

MAQUAT WP AND PROPICONAZOLE

Mix this product with Woodlife P, EPA Reg. No. 1409-65 and dilute with either water, mineral spirits or other light organic solvent to produce a 0.5 to 3.0% quaternary ammonium compound solution. Follow the instructions on the Woodlife P label for the appropriate concentration of propiconazole. PLEASE NOTE THAT THIS FORMULATION CAN ONLY BE USED FOR DIP TREATMENT.

PRESSURE TREATMENT

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 such as to produce a 0.1 to 0.6 lb./cu. foot retention in the treatment article. Such treated wood is to be used for above ground uses only.

DOUBLE VACUUM

Stack the wooden articles to be treated in the treatment vessel so that the preservative solution will have access to all sides of the articles. Seal the vessel. Reduce the pressure within the vessel to -10 inches for 5 minutes. Cover all the articles with preservative solution. Allow the pressure to return to atmospheric conditions and discharge the preservative solution. Reduce the pressure to -20 inches and maintain for 20 minutes. Allow the pressure to return to atmospheric and remove treated wood articles. Treatment conditions must be used as to produce a 0.1 to 0.6 lbs/cu.ft retention of DDAC in the treated article. Wood treated to this retention for above ground use only.

DIP TREATMENT

Stack the wood to be treated on a suitable holder and convey the stack into the treating solution making sure the stack is completely immersed. Dip times range from 30 seconds (individual pieces) up to 30 minutes (bundled wooden articles). Use a concentration of 0.5 to 3.0% active quaternary ammonium compound. The concentration is customized to the degree of sap stain protection desired, which is determined by an independent test on the intended species of wood.

PERSONAL PROTECTION EQUIPMENT FOR PRESSURE TREATMENT, DOUBLE VACUUM AND DIP TREATMENT

Applicators must wear gloves, which are chemical-resistant (such as nitrile or butyl) in all situations where dermal contact is expected (i.e. handling freshly treated wood and manually opening cylinder doors). 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 all treatment solution) must wear coveralls over a long sleeved shirt and long pants, socks, chemical-resistant footwear, and protective eyewear. Federal, State and local confined space entry procedures must be taken.

Applicators must not eat, drink or use tobacco products during those parts of the applications process that may expose them to the wood treatment formulation (e.g. manually opening/closing cylinder doors, moving trams out of cylinders, mixing chemicals, handling freshly treated wood).

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Wash thoroughly after skin contact and before eating, drinking, use of tobacco products or using restrooms.

Protective clothing must be changed when it shows signs of contamination. Applicators must leave protective clothing and work shoes or boots and equipment at the plant. Worn out protective clothing and work shoes or boots must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

BRUSH OR SPRAY

A 0.5% to 3.0% active solution with water (or Sentry GoldSeal™) is applied by brush or spray for use on wood shingles or shake roofs and siding on existing homes by commercial applicators, and on interior construction products and surfaces such as lumber, concrete, sheetrock, wallboard, block and steel. Use low-pressure equipment for spray applications. A moderately fine spray, not an aerosol or fog provides the best coverage at practical product concentrations. Apply only to point of runoff. To make a 0.5% to 3.0% active solution, use the following table:

| Percent Active Quat Solution | Ounces of this product per gallon |
|------------------------------|-----------------------------------|
| 0.5 | 1.28 |
| 1.0 | 2.56 |
| 1.5 | 3.85 |
| 2.0 | 5.12 |
| 2.5 | 6.40 |
| 3.0 | 7.68 |

To find the ounces of this product per gallon for other dilutions take the percent active desired and divide by 0.3906.

PERSONAL PROTECTION EQUIPMENT FOR BRUSH AND SPRAY APPLICATIONS

Applicators must wear gloves, which are chemical-resistant (such as nitrile or butyl). Applicators must also wear coveralls over a long sleeved shirt and long pants, socks, chemical-resistant footwear, and protective eyewear. Applicator must not eat, drink, or use tobacco during the application process. Use with adequate ventilation, mist or vapor generated by spraying this product may be harmful if inhaled. Wash thoroughly after skin contact, and before eating, drinking, use of tobacco products or using restrooms. Protective clothing must be changed when it shows signs of contamination. Brush/Spray treatment may require frequent changing. Discard clothing and other absorbent materials that have been drenched or heavily contaminated. Do not reuse them.

Follow manufacturers instructions for cleaning/maintaining protective equipment. If no such instructions exist for washables, use detergent and hot water. Keep and wash protective equipment separate from other laundry.

Worn out protective clothing and work shoes or boots must be disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

S/S