

10324-91

11-08-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

NOV -8 2010

SUBJECT: Maquat WP
EPA Registration Number: 10324-91
Application Date: November 05, 2010
Receipt Date: November 05, 2010

Dear Ms. Tannehill:

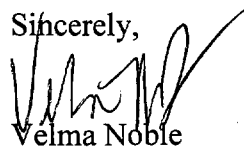
This letter acknowledges receipt of the notification identified above submitted under provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended and PR Notice 98-10 is acceptable.

- Label change per Container Rule.

General Comments

Should 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)

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 10324-91	2. EPA Product Manager Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Maquat WP	PM# 31	
5. Name and Address of Applicant (Include ZIP Code) Mason Chemical Company 721 W. Algonquin Rd. Arlington Heights, IL 60005 <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.)

We are changing the storage and disposal statements on our label per 40CFR156.
 This notification is consistent with the provisions of PR Notice 95-2 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 95-2 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.
 We feel this is a Notification and requires no fee payment. We understand the EPA will contact us with payment information, if needed, upon receipt of application.
 Contact Information: Elizabeth (Liz) Tannehill, liz@maquat.com voice number 847-290-1621 fax number 847-290-1625

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			
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	Metal <input checked="" type="checkbox"/> Plastic <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 checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 qt., 1 gal., 5 gal., 55 gal. drums, totes		5. Location of Label Directions <input checked="" type="checkbox"/> On Label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

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

Name Elizabeth Tannehill	Title Regulatory Manager	Telephone No. (Include Area Code) 847-290-1621
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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 	3. Title Regulatory Manager	6. Date Application Received (Stamped)
4. Typed Name Elizabeth Tannehill	5. Date 11/19/09	

10324-136

November 19, 2009

Velma Noble
Document Processing Desk (Notif)
Office of Pesticide Programs (7510P), PM31
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Dr.
Arlington, VA 22202

Subject: Maquat® WP (10324-91) & Maquat® WP-80% (10324-136)
Notification

Dear Velma,

This is a Notification for a label change per the Container Rule (40CFR 156) and does not require a fee.

Enclosed are the following items:

1. **Application/Notification form** – for Maquat® WP (10324-91) & Maquat® WP-80% (10324-136)
2. **One (1) copy of all labels** – for Maquat® WP (10324-91) & Maquat® WP-80% (10324-136)

We are addressing the new Container Standard labeling at this time. After a conference call and follow-up email with Jacqueline McFarlane, we believe we now have the correct language on these labels to comply with the current Container Rule.

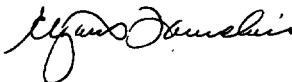
These products are used with different kinds of containers. Therefore, we have included all applicable language on these labels in order to give our distributors/supplemental registrants a choice in the language they will need for their container. We are asking that you accept all of the container language we are proposing at this time.

These are the ONLY changes/additions being made at this time.

If you have any questions or need any further information, please do not hesitate to contact me at (800) 362-1855 or liz@maquat.com. Your prompt attention to this matter is most appreciated.

Very truly yours,

MASON CHEMICAL COMPANY



Elizabeth Tannehill

Enclosures



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.) OK

ENVIRONMENTAL HAZARD

This pesticide is toxic to fish and aquatic invertebrates. 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.

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

DANGER: IF YOU CANNOT READ ENGLISH, ASK YOUR SUPERVISOR TO EXPLAIN THE APPROPRIATE DIRECTIONS FOR USE BEFORE WORKING WITH THIS PRODUCT.

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 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, PGI1

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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.

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(Note to reviewer: The title and first statement of this section must appear on every label, followed by the appropriate Storage and Disposal section.)

STORAGE AND DISPOSAL

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

(FOR USE ON NON-REFILLABLE CONTAINERS WITH WITH

INSTITUTIONAL/COMMERCIAL/INDUSTRIAL NON-PUBLIC HEALTH USES ONLY)

PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. Do not reuse empty container. If a leaky container must be contained within another, mark the outer container to identify the contents. Store pesticides away from food, pet food, feed, seed, fertilizers, and veterinary supplies. 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 HANDLING DISPOSAL: Non-refillable container. Do not reuse this container to hold materials other than pesticides or diluted pesticides (rinsate). Offer for recycling if available or culture and dispose 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.

RESIDUE REMOVAL INSTRUCTIONS (For containers less than 5 gallons): Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

RESIDUE REMOVAL INSTRUCTIONS (For containers greater than 5 gallons): Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty 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 for later use or disposal. Repeat this procedure two more times.

BATCH CODE: (Can be placed on container or label)

(FOR USE ON REFILLABLE CONTAINERS – 5 gallon and 55 gallon containers)

PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. If a leaky container must be contained within another, mark the outer container to identify the contents. Store pesticides away from food, pet food, feed, seed, fertilizers, and veterinary supplies. 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 HANDLING DISPOSAL: Triple rinse (or equivalent). Refill this container with this product only. Do not reuse this container for any other purpose.

RESIDUE REMOVAL INSTRUCTIONS (For containers greater than 5 gallons with Industrial/Commercial Non-public Health Uses): Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Empty 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.

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