

October 30, 2003

Ms. Wendy A. McCombie
Lewis and Harrison,
Consultants in Government Affairs
122 C Street, N.W., Suite 740
Washington, D.C 20001

Subject: **Chemical Specialties, Inc.**
ACQ-C (EPA Reg. No. 10465-33)
Letter Dated August 5, 2003
Application to Amend Product Label

Dear Ms. McCombie:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with comments.

Proposed Amendment

- Correct the figures in the "Directions for Use" section of the label for ACQ Type A Solution and ACQ Type B Solution, to reflect the correct use rates for ACQ-C.

Label Comments

- Instead of "Hazards to Humans to Domestic Animals", revise the precautionary statements to read as follows:

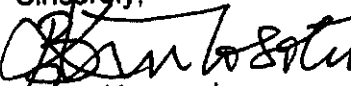
**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

General Comments

A stamped copy of the accepted label is enclosed. Please submit a copy of the revised final printed label to the Agency before distributing or selling this product.

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6422 or Bonaventure Akinlosotu at (703) 605-0653.

Sincerely,

for 

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

Enclosure

CONCURRENCES							
SYMBOL	7510C						
SURNAME	<i>Adam Heyward</i>						
DATE	10/30/03						

PRECAUTIONARY STATEMENTS

Hazards to Humans to Domestic Animals

Danger. Corrosive. Causes irreversible eye damage. May be fatal if swallowed. Do not get in eyes or on clothing. Wear goggles or face shield. Applicators must wear gloves impervious to this product and its treatment solutions. Wash thoroughly after handling and before eating, drinking, using tobacco products or using the toilet. Do not eat, drink, or use tobacco products during those parts of the application process that may involve exposure to this product or its treatment solutions.

Remove clothing immediately if pesticide gets inside. Then thoroughly wash and put on clean clothing. Remove protective clothing after handling this product or its treatment solutions. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing. Applicators must leave protective clothing and workshoes or boots and equipment at the treatment plant. Keep and wash protective clothing separately from other laundry.

Individuals who enter pressure-treatment cylinders and other related equipment that are contaminated with this product or its treatment solutions (e.g. cylinders that are in operation or are not free of the treatment solution) must wear protective clothing including coveralls, jacket, gloves and boots. In addition, individuals who enter pressure treatment-cylinders must wear properly fitting, well-maintained, high-efficiency respirators, MSHA/NIOSH approved for ammonia. If the level of ammonia in the plant is unknown, or exceeds the short-term exposure limit (STEL) of 35 ppm, or the 8-hour time-weighted average of 25 ppm recommended by ACGIH, air-monitoring programs, procedures and record retention must be conducted in accordance with OSHA standards.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Do not contaminate water by cleaning of equipment or disposal of wastes. 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.

ACQ-C

ACTIVE INGREDIENT	BY WEIGHT
Copper ammonium carbonate*	24.1%
Other Ingredients	75.9%
TOTAL	100.0%

*Metallic Copper equivalent.....8%
Contains 0.784 lbs. copper per gallon.

**KEEP OUT OF REACH OF CHILDREN
DANGER**

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 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 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. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Note to Physician: Possible mucosal damage may contraindicate the use of gastric lavage.

**SEE SIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS**

CHEMICAL SPECIALITIES, INC.
200 E. Woodlawn Road, Suite 250
Charlotte, NC 28217
email: productinfo@chemspec.com

In Case of Emergency, Phone: 704-522-0825
EPA Reg. No. 10465-33
EPA Est. No. 10465-NC-1
EPA Est. No. 10465-GA-1
EPA Est. No. 10465-TX-1

Net Contents: _____ Gallons

**ACCEPTED
with COMMENTS
EPA Letter Dated:**

OCT 30 2003

DIRECTIONS FOR USE

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

FOR TREATMENT OF BURLAP

ACQ-C is a copper-based mildewcide specifically formulated to impart fungus resistance on burlap in accordance with Military Specifications MIL-F-46032A. The operational procedure to obtain a treated product that will pass the product specifications requires the use of a treating tank that is not constructed of or does not contain any brass or bronze materials. Dilute ACQ-C 1:1 with water in the treatment tank and immerse the burlap to be treated. Keep the burlap submerged in the tank until the burlap has obtained an analysis of 1.5% to 2.0% metallic copper measured on a dry basis.

**INSTRUCTIONS FOR PRESSURE-
TREATING WOOD**

ACQ-C can only be used in conjunction with a vacuum pressure-treating vessel for impregnating forest products such as lumber, millwork, poles and piles. A treatment solution of ACQ-C must be prepared prior to use. Do not use when brass, bronze, or copper can be contacted. Impregnation procedures must follow the applicable specifications of the American Wood Preserver's Association. Treated wood is provided protection against termites, ascomycetes, brown rot and white rot.

Preparation of Treatment Solution

Use ACQ-C to make a 10% Ammoniacal Copper Quat (ACQ) Type A or Type B Solution.

ACQ Type A Solution: To 1000 gallons of ACQ-C solution, add 258 gallons of a 50% active quaternary ammonium compound (Quat) product approved for wood preservation. The resulting treatment solution is 1258 gallons and contains 8.33% CuO and 8.33% Quat.

ACQ Type B Solution: To 1000 gallons of ACQ-C solution, add 129 gallons of a 50% active quaternary ammonium compound (Quat) product approved for wood preservation. The resulting treatment solution is 1129 gallons and contains 8.33% CuO and 4.54% Quat.

POST A COPY OF THIS LABEL IN WORK AREA

**Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.**

10465-33

Handwritten initials: 'e', 'a', 'w'

INSTRUCTIONS FOR TREATMENT OF COMPOSITE WOOD COMPONENTS

For treatment of composite wood components, ACQ-C can be applied either neat (10% active copper) or as a 1:1 dilution in water (5% active copper). The solution concentration and amount applied should result in a retention of copper in wood of 0.1-0.5 pounds per cubic foot (pcf). Note that the amount of treatment solution applied may vary depending on the moisture content of the composite wood component and the desired distribution of ACQ-C in wood.

Apply the treatment solution by spraying the composite wood component with a low-pressure sprayer. A moderately fine spray, not an aerosol or fog, generally provides the best coverage. Apply in a commercial spray booth, with adequate ventilation and scrubbers to ensure the ambient ammonia levels do not exceed the levels noted in the Precautionary Statements section.

STORAGE AND DISPOSAL

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

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of the Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal:

Plastic: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or if allowed by state and local authorities, by burning. If burned stay out of smoke.

Metal: 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.

CONDITIONS OF SALE AND WARRANTY

Seller warrants that its product conforms in its standard specifications set forth on this label. SELLER MAKES NO OTHER REPRESENTATIONS OR WARRANTIES OF ANY KIND, AS TO THE MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE OR ANY OTHER MATTER WITH RESPECT TO THE PRODUCT, WHETHER USED ALONE OR IN COMBINATION WITH ANY OTHER MATERIAL. BUYER ASSUMES ALL RISKS TO PERSONS OR PROPERTY ARISING OUT OF THE USE OR HANDLING AND ACCEPTS THE PRODUCT SUBJECT TO THE CONDITIONS SET FORTH ON THIS LABEL. BECAUSE TIME, GEOGRAPHICAL LOCATION, RATE OF APPLICATION, AND OTHER CONDITIONS ARE BEYOND THE SELLER'S LIABILITY FOR ANY LOSS OR DAMAGES ARISING OUT OF ANY CASE CAUSE INCLUDING STORAGE, HANDLING AND USE OF THIS PRODUCT SHALL IN NO EVENT EXCEED THE PURCHASE PRICE OF THE PRODUCT IN RESPECT TO WHICH SUCH CAUSE ARISES OR AT SELLER'S OPTION THE REPLACEMENT OF SUCH PRODUCT AND IN NO EVENT SHALL SELLER BE LIABLE FOR INCIDENTAL, SPECIAL, CONSEQUENTIAL OR PUNITIVE DAMAGES RESULTING FROM ANY CAUSE. No claim for any cause whatsoever shall be allowed unless Buyer gives Seller prompt written notice thereof. Failure to commence action with respect to such claim within a year from date of delivery of ACQ-C for which a claim is alleged, shall constitute a waiver by Buyer of any such claim.

**ACCEPTED
with COMMENTS
EPA Letter Dated:**

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Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 10465-33~~

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