

10465-39

5/19/2003

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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

May 19 2003

Ana Rodriguez-Koster
Agent for Chemical Specialties, Inc.
Lewis & Harrison
122 C Street, NW
#740
Washington, DC 20001

Subject: ACQ-2102
EPA Registration No. 10465-39
Application Date: April 18, 2003
EPA Received Date: April 21, 2003

Dear Ms. Rodriguez-Koster:

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

Proposed Amendment

- Update First Aid Statements per PR Notice 2001-1

General Comments

Add pesticide storage instructions to the Storage and Disposal paragraph of the label.
Refer to PR Notice 83-3 for detailed information.

CONCURRENCES

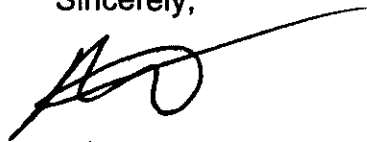
MBOL	7510c						
IRNAME	Shay						
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A stamped copy of the labeling accepted with comments is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Heyward', with a long horizontal flourish extending to the right.

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

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

DANGER CORROSIVE. Causes skin burns and irreversible eye damage. May be fatal if inhaled. Harmful if swallowed. Do not get in eyes, on skin, or on clothing. Wear protective goggles or face shield, protective clothing and rubber gloves. Do not breathe vapors. Wear a mask or pesticide respirator approved by the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Individuals who enter pressure treatment cylinders and spray treatment booths/compartments contaminated with wood treatment solution (e.g. cylinders that are in operation or are not free of the treatment solution) must wear properly fitting, well-maintained, high-efficiency respirators, MSHA/NIOSH-approved for ammonia. If level of ammonia in the plant is unknown or exceeds 35 ppm (STEL) or 25 ppm (ACGIH) of air averaged over an 8-hour work period, air monitoring programs, procedures and record retention and submission must be conducted in accordance with OSHA standards.

ENVIRONMENTAL HAZARDS

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 washwaters. 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 authority. For guidance, contact your State Water Board or Regional Office of the EPA.

EPA Reg. No 10465-39 EPA Est. No. 10465-NC-1

Manufactured by
Chemical Specialties, Inc.
One Woodlawn Green
Charlotte, NC 28217

In case of emergency, phone 704-455-5181

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 10465-39

ACQ 2102

Wood Preservative Concentrate

ACTIVE INGREDIENTS

Copper as elemental*	7.4%
n-Alkyl (67% C ₁₂ , 25% C ₁₄ , 7% C ₁₆ , 1% C ₁₈) dimethyl benzyl ammonium chloride	4.6%
Inert ingredients	88.0%
TOTAL:	100.0%

*from mixed copper ethanolamine complexes,
expressed as copper oxide equivalent 9.2%

**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.
IF INHALED: Move person to fresh air. If person in son 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.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Net Contents: _____

DIRECTIONS FOR USE

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

GENERAL INFORMATION

ACQ 2102 is a formulation of copper oxide as elemental copper (from copper ethanolamine complexes) and alkyl dimethyl benzyl ammonium chloride for the formulation of ammoniacal copper quat (ACQ) wood preservative solutions.

The contents are for use in vacuum-pressure or spray application treatment systems for wood products. Wood products should only be treated with water dilutions ranging from 0.5% to 10% active ingredient(s) by weight. Impregnation procedures must rigidly adhere to applicable specifications of the American Wood Preservers' Association. Treated wood is provided protection against termites and wood decay fungi.

Note: Do not use in contact with brass, bronze or copper.

SPECIFIC USE INSTRUCTIONS

for ACQ2102 Solutions:

Refer to mixing instructions in the attached Technical Bulletin

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 Federal law. If these wastes cannot be disposed of 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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by other procedures approved of by state and local authorities.

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SAFE HANDLING PROCEDURES

Do not attempt to use without implementing the necessary safety equipment. Applications must wear gloves impervious to wood treatment solutions in all situations where dermal contact is expected (i.e., handling freshly treated wood, manually opening cylinder doors, etc.)

Individuals who enter treatment cylinders and spray treatment booths/compartments contaminated with wood treatment solutions must wear protective clothing, (including overalls, jacket, gloves, and boots), impervious to wood treatment solutions. In addition, individuals who enter treatment cylinders must wear properly fitting, well-maintained, high efficiency respirators that are MSHA/NIOSH-approved for ammonia are unknown or exceed 35 ppm (STEL) or 25 ppm (ACGIH) or air averaged over an 8-hour work period, air monitoring programs, procedures, and record retention and submission must be conducted in accordance with OSHA Standards.

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

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

Protective clothing must be replaced when it shows signs of significant contamination. Application must leave all protective clothing, work shoes or boots, and equipment at the treatment plant. Worn out or severely contaminated protective clothing must be disposed of in a manner approved for pesticide disposal and in accordance with state and federal regulations.

Refer to the ACQ 2102 Material Safety Data Sheet for additional health and safety information.

CONDITIONS OF SALE AND WARRANTY

Seller warrants that this product conforms to the 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 THIS 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 SELLER'S CONTROL, SELLER'S LIABILITY FOR ANY LOSS OR DAMAGES ARISING OUT OF ANY 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 THE 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 one year from the date of delivery of ACQ for which a claim is alleged, shall constitute a waiver by Buyer of any such claim.

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