


11435-6

1/25/2006

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<p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Antimicrobials Division (7510C) 1200 Pennsylvania Avenue NW Washington, D.C. 20460</p>  <p>NOTICE OF PESTICIDE: <u> x </u> Registration <u> </u> Reregistration</p> <p>(under FIFRA, as amended)</p>	<p>EPA Reg. Number: 11435-6</p>	<p>Date of Issuance: January 25, 2006</p>
	<p>Term of Issuance: Conditional</p>	
	<p>Name of Pesticide Product: Everlast CQ</p>	
<p>Name and Address of Registrant (include ZIP Code): CP Chemicals 65 Challenger Rd, 3rd Floor Ridgefield Park, NJ 07660</p>		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none">1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.2. The following data must be submitted and/or referenced for the active ingredient "Didecyl dimethyl ammonium carbonate and didecyl dimethyl ammonium bicarbonate" to the Agency by September 14, 2006.		
<p>Signature of Approving Official:</p> <p>Adam Heyward Product Manager Team-34 Regulatory Management Branch II Antimicrobials Division (7510C)</p>	<p>Date:</p> <p>January 25, 2006</p>	

- a) Surface Residue Wipe data using methodology consistent with CCA treated wood;
- b) Water Column and Aquatic Sediment Monitoring of Docks treated with Didecyl dimethyl ammonium carbonate and didecyl dimethyl ammonium bicarbonate;
- c) 850.1300 – Aquatic Invertebrate Life-Cycle with Freshwater Species;
- d) 850.440 – Vascular Aquatic Plant Toxicity Dose-Response;
- e) 850.5400 – Algal Toxicity Dose Response using three (3) species;
- f) 21-Day Dermal Toxicity study on end-use formulation.

3. The required data listed in comment number two (2) above must be submitted and/or referenced and found to be acceptable in order for the EPA to change the "Terms of Issuance" of this registration. If any of the submitted data are found not to be acceptable, this registration will automatically expire on January 14, 2007.

4. Make the following changes listed below before you release the product for shipment:

- a) Add the phrase "EPA Registration Number 11435-6".
- b) Delete the term "insects." The term insect is too broad. All pests must be specified on the label.
- c) Add the heading "PRESSURE TREATMENT INSTRUCTIONS" above the instructions for Wood Treatment.

5. Make the changes on the Confidential Statement of Formula as requested in the EPA/AD Product Science Branch chemistry review (recommendations section) dated January 6, 2006. See enclosed DER.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Sincerely,

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

Enclosure: (Stamped Labeling, Product Chemistry DER)

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Everlast CQ

For the control of wood damaging fungi and insects

ACTIVE INGREDIENT:

Copper Carbonate* 36.7 %

Didecyldimethylammonium carbonate and didecyldimethylammonium
bicarbonate 12.8 %

OTHER INGREDIENTS: 50.5 %

TOTAL 100.0 %

*METALLIC COPPER EQUIVALENT - 20.46 %

KEEP OUT OF REACH OF CHILDREN

DANGER

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

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 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 use of gastric lavage. Measures against circulatory shock, respiratory depression, and convulsion may be needed.

Have the container or label with you when calling a poison control center or doctor, or going for treatment.

CP Chemicals
Ridgefield Park, NJ 07660

EPA REG. NO. 11435-XX

ACCEPTED EPA EST. NOS. 35896-SC-01
with COMMENTS
EPA Letter Dated:

Net Contents: JAN 25 2006

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 11435-6

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35896-SC-01

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

DANGER. Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Do not get in eyes, on skin, or on clothing. Do not breathe vapor. Wear appropriate protective clothing and equipment (see below). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: a long-sleeved shirt and long pants; chemical-resistant footwear plus socks; goggles or face shield; chemical resistant gloves made of any waterproof material. Chemical resistant gloves should be worn in all situations where dermal contact is expected (i.e. handling freshly treated wood, manual operation of treating cylinder hatches, etc.).

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Applicators and handlers should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove personal protective equipment immediately after handling this product. Wash outside of gloves before removing. As soon as possible wash thoroughly.

SAFE HANDLING PROCEDURES

Do not attempt to use without implementing the necessary safety equipment. Applicators 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 other related equipment contaminated with wood treatment solutions must wear protective eyewear (i.e. goggles) and protective clothing (including coveralls, 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 equipped with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C) or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH respirator with an organic vapor cartridge or canister with any R, P, or HE prefilter.

Applicators must not eat, drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment concentrate or solutions (i.e., manually opening/closing cylinder doors, shoving 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. Applicator 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.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public 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.

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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Use Everlast CQ only for the pressure treatment of wood and wood products for protection against fungal decay, mold, and mildew. Everlast CQ wood preservative should be used to treat any wood product that will be exposed to conditions favorable to rot or decay both above ground and in ground, or in fresh water. Types of products include lumber, timbers, landscape ties, fence posts, building and utility poles, decking, joists, trim and fascia, and wood for interior construction.

Prepare a treating solution of Everlast CQ by diluting with water to a concentration of 0.05 to 4.0 percent active ingredients. Dilution of Everlast CQ and delivery of the diluted solution to the treating cylinder must be performed in a closed system. Adjust the final concentration of the treating solution so as to yield a preservative retention of 0.15 to 0.60 pounds per cubic foot. Impregnation procedures must adhere to the current standards of the American Wood Preservers' Association. A final vacuum step should be used to remove excess treating solution from the surface of the wood before removal from the treating cylinder.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry, well-ventilated area. Keep from freezing. Do not store containers on their side. Protect containers from physical damage.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill. If allowed by state and local authorities, plastic containers may be disposed of by burning. If burned, stay out of smoke.

WARRANTY STATEMENT

CP CHEMICALS warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth on the label when used according to directions under normal use conditions. THERE ARE NO OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING A WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE. This warranty does not extend to the handling or use of this product contrary to label instructions or under abnormal conditions or under conditions nor reasonably foreseeable to seller and buyer assumes all risk of any such use.

CP CHEMICALS
Ridgefield Park, NJ 07660

