

26883-10

2/2/2010

1 of 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



Office of Pesticide Programs

American Chemet Corporation
P.O. Box 437
Deerfield, IL 60015

FEB - 2 2010

AGENT: Steptoe & Johnson
1330 Connecticut Avenue, N.W.
Washington, D. C. 20036-1795

Attention: Juli Mann

Subject: High Performance Chem Copp
EPA Registration No. 26883-10
Notification Dated January 11, 2010

This will acknowledge receipt of your notification to update the container handling statement per PR Notice 2007-4 and to make other minor changes to the product label, submitted under the provisions of FIFRA Section 3(c)(9).

Proposed Notification:

Revise label per PR Notice 2007-4 and additional minor changes

General Comments:

Based on a review of the submitted material, the following comments apply:

The Notification dated January 11, 2010 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)

6084

EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
------------	---	---	-----------------------

Application for Pesticide – Section I

1. Company/Product Number 26883-10	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) High Performance Chem Copp	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) American Chemet Corporation P.O. Box 437 Deerfield, IL 60015 <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"/> Resubmission in response to Agency letter dated ____ <input checked="" type="checkbox"/> Notification – Explain Below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated ____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other – Explain Below.
---	---

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
Notification of label changes to incorporate revised container disposal statements per PR Notice 2007-4 and additional minor label revisions per PR Notice 98-10.
 This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR §§ 152.46, 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling of the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 152.46, 156.10, 156.140, 156.144, 156.146, and 156.156, 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.
FORWARD CORRESPONDENCE for this action to: Juli Mann, Steptoe & Johnson LLP, 1330 Connecticut Ave., NW, Washington, D.C. 20036.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) ____
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per Container		If "Yes" Packaging wgt. No. per Container	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other ____ <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application..)		
Name Juli Mann	Title Paralegal Specialist, Steptoe & Johnson	Telephone No. (Include Area Code) (202) 429-3095
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		6. Date Application Received (Stamped)
2. Signature 	3. Title Paralegal Specialist, Steptoe & Johnson LLP, Agent for American Chemet	
4. Typed Name Juli Mann	5. Date January 11, 2010	

WRITER'S DIRECT DIAL
202.429.3095

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
steptoe.com

January 11, 2010

Marshall Swindell (PM 33)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Via HAND DELIVERY

Re: **High Performance Chem Copp (EPA Reg. No. 26883-10)**
Notification of Label Changes per PR Notices 2007-4 and 98-10

Dear Marshall:

On behalf of our client, American Chemet Corp., enclosed please find a notification for **High Performance Chem Copp** to update the container handling statements per PR Notice 2007-4 and make the following changes per PR Notice 98-10:

- Deletion of non-FIFRA label element: ingredient and CAS Number identification chart from the right-hand column of the label;
- Replace "bag" with "package" in two sentences in the Container Handling paragraph. Use of the word "package" is consistent with the DOT/UN transportation code and is recognizable by people handling the container.

This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 98-10.

Enclosed is EPA Form 8570-1, with the required certification statement, along with one copy of the proposed label. Please let me know if you have any questions or need anything further.

Correspondence for this matter should be sent to me at the Washington, D.C. address identified above. If you require any further information please contact me at (202) 429-3095. Thank you for your attention to this matter.

Sincerely,


Juli Mann
Paralegal Specialist

American Chemet Corporation

HIGH PERFORMANCE CHEM COPP

FOR FORMULATING USE ONLY AS AN ANTIFOULING INGREDIENT IN ANTIFOULING COATINGS, AS A FUNGICIDE IN WOOD PRESERVING, AND AS AN ALGAEICIDE/MILDWEICIDE IN ROOFING MATERIALS

ACTIVE INGREDIENT: Cuprous Oxide..... 93.0% *
INERT INGREDIENTS:..... 7.0%
TOTAL..... 100.0%

* Metallic copper equivalent: 88%

**KEEP OUT OF REACH OF CHILDREN
WARNING**

FIRST AID

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 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 eyes 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 eyes. Call a poison control center or doctor for treatment advice.

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.

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING: Causes eye irritation. Harmful if swallowed. Avoid inhalation. May cause skin irritation, nausea, chills or diarrhea. Avoid contact with eyes, skin, or clothing. Use respiratory devices approved by MSHA or NIOSH. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

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 to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal wastes.

[Lot/Batch number: _____]

Note to EPA Reviewer: "Lot/batch number" may appear elsewhere on container.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. This product is for formulating use only as an antifouling ingredient in antifouling coatings, as a fungicide in wood preserving, and as an algaeicide/mildewcide in roofing materials. Formulators are responsible for providing data for supporting their pesticidal product registrations.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry place. If spilled, clean up with vacuum or conventional tools. Avoid dusting.

PESTICIDE DISPOSAL: Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty package into formulating equipment. Then offer for recycling if available or dispose of empty package in a sanitary landfill or by incineration if allowed by state and local authorities. If burned, stay out of smoke.

N.P.C.A. – H.M.I.S. HAZARD RATING	
HEALTH	1
FLAMMABILITY	1
REACTIVITY	1
MAXIMUM PERSONAL PROTECTION	E

Manufactured by:
AMERICAN CHEMET CORPORATION
EAST HELENA, MONTANA USA 59635
EPA ESTABLISHMENT NO. 26883MT01
EPA REGISTRATION NO: 26883-10
NET WEIGHT: _____ lbs.

Edit date: 1/11/10. Notification to update container handling statements.

4084