

26883-22

12/17/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Juli Mann
c/o Chemet LD
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

DEC 17 2009

Subject: Chemet LD
EPA Registration Number 26883-22
Your Notification Dated December 3rd, 2009
EPA Received Date December 3rd, 2009

The notification referred to above, submitted in connection with the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to delete ingredient and CAS number identification chart, use of the word, "package", from the product labeling and update the container handling statements as per PR Notice 2007-4, is acceptable.

The notification has been made part of the file.

If you have any questions concerning this letter, please contact Karen M. Leavy-Munk at (703)-308-6237.

Sincerely,

Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobial Division (7510P)

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 2054
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Application for Pesticide - Section I

1. Company/Product Number 26883-22	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemet LD	PM# 31	
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"/> 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.)
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 or 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	(Stamp area with decorative dots)
4. Typed Name Juli Mann	5. Date December 3, 2009	

STEPTOE & JOHNSON L.P.
ATTORNEYS AT LAW

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WRITER'S DIRECT DIAL
202.429.3095

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

December 3, 2009

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

Attention: Marshall Swindell (PM 33)

Re: **Chemet LD (EPA Reg. No. 26883-22)**
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 **Chemet LD** 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;
- Use of the word "package" in two sentences in the Container Handling paragraph.

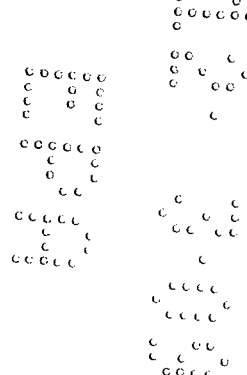
This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 98-10.

Enclosed is EPA Form 8570-1, with the required certification statement, along with two copies of the proposed label (one with changes highlighted and one clean). 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
Juli Mann
Paralegal Specialist



American Chemet Corporation

Chemet LD

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

ACTIVE INGREDIENT: Cuprous Oxide..... 75.0% *
INERT INGREDIENTS:..... 25.0%
TOTAL... 100%

* Metallic copper equivalent: 71%

KEEP OUT OF REACH OF CHILDREN WARNING

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 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.

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.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear such as safety glasses or goggles. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

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 algaecide/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 bag package into formulating equipment. Then offer for recycling if available or dispose of empty bags 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

INGREDIENTS	CAS No.
Cuprous Oxide	1317-39-1
Borosilicate Glass	65997-17-3
Cupric Oxide	1317-38-0
Metallic Copper	7440-50-8

Manufactured by:
AMERICAN CHEMET CORPORATION
EAST HELENA, MONTANA USA 59635
EPA ESTABLISHMENT NO. 26883MT01
EPA REGISTRATION NO: 26883-22
NET WEIGHT: See Packaging.

Edit date: 12/3/09. Notification to update container handling statements.

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