

35896-21

11-21-2003

1/4



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

November 21, 2003

Ronald L. Miller  
Director of Registrations  
Phibro-Tech, Inc.  
2395 Cains Mill Road  
P.O. Box 1979  
Sumter, S.C. 29154

Subject: **Cupric Oxide Technical**  
EPA Registration No. 35896-21  
Your Application Dated September 9, 2003

Dear Mr. Miller:

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

Proposed Label Amendment

Response to PR Notice 2001-1

Label Comment:

Revise Storage and Disposal statement to read:

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** (You must provide storage text)

**Pesticide Disposal:** Pesticide wastes are...Office for guidance.

**Container Disposal:** Triple rinse...local procedures. Do not reuse empty container.

General Comments

A stamped copy of the accepted labeling is enclosed. Submit three (3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

**CONCURRENCES**

| SYMBOL  |       |       |       |       |       |       |       |       |
|---------|-------|-------|-------|-------|-------|-------|-------|-------|
|         | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| SURNAME | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| DATE    | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |

2/4

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6422 or Renae Whitaker at (703) 308-7003.

Sincerely,

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

Enclosure

CONCURRENCES

| SYMBOL  |       |       |       |       |       |       |       |       |
|---------|-------|-------|-------|-------|-------|-------|-------|-------|
| SURNAME | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| DATE    | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |

# PHIBRO-TECH, INC.

## CUPRIC OXIDE TECHNICAL

### ACTIVE INGREDIENT:

|                         |        |
|-------------------------|--------|
| Cupric Oxide*.....      | 97.6%  |
| Other Ingredients:..... | 2.4%   |
| Total                   | 100.0% |

\*(Metallic Copper Equivalent .... 78%)

NET WEIGHT \_\_\_\_\_ LBS.

KEEP OUT OF REACH OF CHILDREN

### CAUTION

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 SWALLOWED:

Call a poison control center or doctor immediately for treatment advice. Have a 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.

#### 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 eye open and rise 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 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.

EPA Reg. No. 35896-21

EPA Est Nos: 35896-SC-01  
11435-CA-01

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

Harmful if swallowed or absorbed through skin. May cause skin sensitization in certain individuals. Do not get in eyes or inhale dust. Wear goggles or face shield and dust mask while handling, mixing or loading. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

NOV 21 2003

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide,  
registered under EPA Reg. No. 35896-21

3/4

4/4

### ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. 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 apply where runoff is likely to occur. Do not contaminate water when disposing of equipment washwaters.

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.

### STORAGE AND DISPOSAL

**Storage:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

**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 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, or by other approved state and local procedures.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For use only in formulating wood preservative and roofing materials formulations. It is the responsibility for formulators using this product to register all formulations made from it with the EPA as a fungicide/mildicide

### WARRANTY STATEMENT

PHIBRO-TECH, INC. 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.

PHIBRO-TECH, INC.  
Fort Lee, New Jersey