

43813-23

10/16/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OCT 16 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

William R. Goodwine
Janssen PMP, a Division of Janssen Pharmaceutica
1125 Trenton-Harbourton Road
Titusville, NJ 08560-0200

Subject: **EVIPOL 380 SL**
EPA Registration No.: 43813-23
Application Date: September 14, 2009
Receipt Date: September 16, 2009

Dear Mr. Goodwine:

This acknowledges receipt of the notification identified above submitted under the provision section 3 (c) 9 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10.

Proposed Notification:

Revised Precautionary Statements:

- Update Container Language as per PR Notice 2007-4

General Comment:

A copy of this accepted notification has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, you may contact Stacey Grigsby by telephone at (703) 305-6440 or by e-mail at grigsby.stacey@epa.gov during the hours of 8:00am to 4:00pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

ShaRon Carlisle
(Acting) Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



United States
Environmental Protection Agency
 Washington, DC 20480

<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 43813-23		2. EPA Product Manager ShaRon Carlisle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVIPOI 360 SL		PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Janssen PMP, a Division of Janssen Pharmaceutica, N.V. 1125 Trenton-Harbourton Road Titusville, NJ 08560-0200 <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 change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 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 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."

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) <u>HDPE</u>	
* Certification must be submitted		If "Yes" Unit Packaging wgt. _____	No. per container _____	If "Yes" Package wgt _____	No. per container _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55 Gallons (208 L)		5. Location of Label Directions <input type="checkbox"/> On Label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name William R. Goodwine	Title Senior Director, Regulatory Affairs & Product Development	Telephone No. (Include Area Code) (609) 730-2607
Certification 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 <i>William R. Goodwine</i>	3. Title Senior Director, Regulatory Affairs & Product Development	
4. Typed Name William R. Goodwine	5. Date September 14, 2009	

EVIPOL® 360 SL

Wood Preservative

FOR INDUSTRIAL & COMMERCIAL USE ONLY

ACTIVE INGREDIENT: (w/w)

Cyproconazole: 6.08%
Didecyldimethyl ammonium chloride (DDAC) 31.60%

INERT INGREDIENTS: (w/w)

62.32%

TOTAL:

100.00%

Contains 7.97 lbs. product per gallon

KEEP OUT OF REACH OF CHILDREN

NOTIFICATION
Date Reviewed: 12/16/09
Reviewed By: [Signature]

NOTIFICATION
Date Reviewed: 12/16/09
Reviewed By: [Signature]

DANGER

POISON

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 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 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.
HOT LINE NUMBER: Chem Trec: (800) 424-9300	
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.	

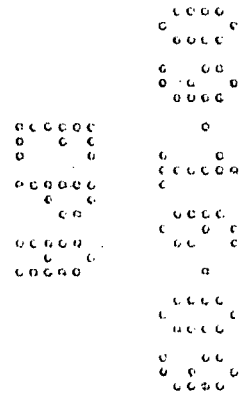
NET CONTENTS: 55 gallons (208 liters)

EPA REG. NO. 43813-23

EPA EST. NO.

JANSSEN PMP

a Division of Janssen Pharmaceutica NV
1125 Trenton-Harbourton Rd.
Titusville, NJ 08560-0200



DIRECTIONS FOR USE: It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Description: EVIPOL 360 SL is a wood preservative concentrate which requires dilution with water prior to use on wood products to protect against decay (brown and white rot) and staining fungi (blue stain).

Product Uses: For application to millwork, shingles and shakes, siding, plywood, structural lumber and timbers and composites that are used in above ground applications only. Do not use on wood that will come in contact with food.

Wood Preparation: Machine, cut, glue, and sand wood as desired before treating. Do not use over previously finished or stained wood without stripping off old finish. Wood must be clean and dry before treatment. Wood for pressure treatment should be kiln dried or air seasoned to a moisture content, of about 25% or less, that will permit adequate penetration of preservative during treatment.

Treatment: Apply by immersion, roller coater, flood, spray, brush or pressure treatment processes (double vacuum, full-cell or modified full-cell). For non-pressure application methods, dilute EVIPOL 360 SL 1:40 with water to give a treating solution concentration of 2.5%. Wood products to be treated by the bundle-dipping process should be completely immersed for three (3) minutes. Individual wood pieces treated by immersion, roller-coater or flood shall be treated for not less than fifteen (15) seconds. Coverage for brush and spray application is approximately 150 square feet per gallon of treating solution, but varies by the species and condition of the wood. Pressure treatment should be performed according to the methods described in the American Wood Preservers' Association (AWPA) Standards. An uptake of 0.062 pounds per cubic foot (1 kg/m3) of EVIPOL 360 SL is recommended. All treated wood must be held on the drip pad until drippage has stopped. Any surface, cut after first treatment, should be retreated using the 2.5% EVIPOL 360 SL solution concentration recommended for non-pressure application.

Finishing: Before glazing, staining, painting, varnishing, or application of water repellents, treated wood should be completely dry and odor-free. For non-pressure applications, allow 4-8 hours drying time under average temperature and humidity conditions; treated wood can be heat dried for plant production. Pressure treated wood requires drying after treatment to a moisture content suitable for the type of coating to be applied.

Clean-up: Use water to remove wet EVIPOL 360 SL wood preservative from all surfaces, brushes and rollers.

NOTICE OF WARRANTY

Janssen PMP, a Division of Janssen Pharmaceutica NV warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with the directions under normal use conditions. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Janssen PMP. To the extent permitted by law, Janssen PMP disclaims any liability for consequential, special or indirect damages resulting from the use, handling, application, storage or disposal of this product or for damages in the nature of penalties, and the buyer and user waive any right that they may have to such damages. **To the extent consistent with applicable law, Janssen PMP makes no warranties of merchantability or of fitness for a particular purpose or any other express or implied warranty except as stated above.**

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