43813-23

10/16/2009

UNIT STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OCT 1 6 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 <u>grigsby.stacey@epa.gov</u> 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.

ShaRon &arlisle (Acting) Product Manager (34) Regulatory Management Branch II

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EVIPOL® 360 SL

Wood Preservative

FOR INDUSTRIAL & COMMERCIAL USE ONLY

ACTIVE INGREDIENT: (w/w)

(

Cyproconazole: Didecyldimethyl ammonium chloride (DDAC) INERT INGREDIENTS: (w/w) TOTAL:

6.08% 31.60% 62.32% 100.00%

Contains 7.97 lbs. product per gallon

KEEP OUT OF REACH OF CHILDREN

5

NOTIFICATION Date Reviewed: Pleviewed By

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-Veviewed By:

NOTIFICATIO

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 | -Take off contaminated clothing. | | | | |
| 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 produ | uct 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 | 0 6 6 6 0 6 6 |
| 1125 Trenton-Harbourton Rd. | 0 0 |
| Titusville, NJ 08560-0200 | 000000 0 0 00 |
| | 00000. 6000 |
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PRECAUTIONARY STATEMENT HAZARDS TO HUMANS & DOMESTIC ANIMALS

DANGER

PRECAUTIONARY STATEMENTS

Fatal if inhaled. Corrosive. Causes irreversible eye damage or skin burns. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Do not breath spray mist. Wear goggles or face shield. For handling activities, use or wear one of the following NIOSH-approved respirators: (1) a non-powered cartridge respirator equipped with an N-, R- or P-series air-purifying (NIOSH prefix TC-84A), OR (2) a powered cartridge respirator equipped with a high efficiency particulate air (HEPA) filter (MSHA/NIOSH approval number prefix TC-21C). Wear protective clothing and rubber gloves. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water or wetlands. Do not contaminate water by cleaning of equipment, or disposal of wastes. Apply this product only as specified on the label. 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 permit 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 local State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a cool, dry place.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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:

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows:

[For containers > 5 gallons in size] - Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by_{c} is other procedures approved by State and Local authorities.

 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, storage⁴, 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 applicable⁴ 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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