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46923-4

1 of 10 File



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

FEB 23 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Joel L. Goldschmidt
OLD BRIDGE CHEMICAL CO.
P. O. Box 175
Old Bridge, NJ 08857

Subject: Label Amendment Submission of 08/02/93 in Response to PR Notice 93-7
EPA Reg. No. 46923-4
COPPER SULFATE

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.



Recycled/Recyclable
Printed with Soy/Canola ink on paper that
contains at least 50% recycled fiber



Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling as amended

AND

- WITHIN one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001



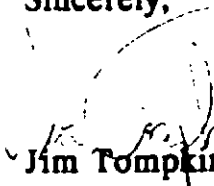
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Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,


Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Joel L. Goldschmidt
OLD BRIDGE CHEMICAL CO.
P.O. BOX 175
OLD BRIDGE NJ 08857

Comment for: EPA Reg No. 46923-4
COPPER SULFATE

The following specific comments pertain to your WPS
labeling submission concerning the product
cited above:

Add the following statement to the "Personal Protective
Equipment" section of your label: "Discard clothing and
other absorbent materials that have been drenched or heavily
contaminated with this product's concentrate. Do not reuse
them." The exact location of this statement is shown in
Section A on Part 1 of the Product Worksheet in Supplement
Three-A to PR Notice 93-7.

Add the following User Safety Recommendation to the label in
the location shown in Section A on Part I of the Product
Worksheet in Supplement Three-A to PR Notice 93-7: "Remove
PPE immediately after handling this product. Wash the
outside of gloves before removing. As soon as possible, wash
thoroughly and change into clean clothing."

The glove requirement for "applicators and other handlers"
in the "Personal Protective Equipment" section on your
proposed labeling is missing or incorrect. Remove the
incorrect requirement (if any) and add "Waterproof gloves."
The exact location is shown in Sections A and B on Part I of
the Product Worksheet in Supplement Three-A to PR Notice
93-7.

Insert the following statement above the Agricultural Use
Requirements box: "Do not apply this product in a way that
will contact workers or other persons, either directly or
through drift. Only protected handlers may be in the area
during application. For any requirements specific to your
State or Tribe, consult the agency responsible for pesticide
regulation." The exact location is shown in Section F on
Part 2 of the Product Worksheet in Supplement Three-A to PR
Notice 93-7.



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OLD BRIDGE CHEMICAL CO.
EPA Reg. Number: 46923-4
COPPER SULFATE
Application date: 08/02/93
Original Submission

The following statement on your proposed label is not required for this product: "Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas." Delete it from the Agricultural Use Requirements box.

You must retain from your original label any statements about entry restrictions that apply to the non-agricultural uses on your product. Create a Non-Agricultural Use Requirements box in the Directions For Use section of your labeling and add the statements: "The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses." Then add to the box the statements that are in brackets [] on your original label. Please refer to the instructions for creating a Non-Agricultural Use Requirements box starting on page 45 of Supplement Three to PR Notice 93-7 (Main Labeling Guidance).

Correct the typographical errors circled on your proposed label.



ACTIVE INGREDIENT:
COPPER SULFATE PENTAHYDRATE 99.0%
INERT INGREDIENTS: 1.0%
COPPER AS METALLIC NOT LESS THAN 25.2%

KEEP OUT OF REACH OF CHILDREN

DANGER/PELIGRO

COPPER SULFATE

ACCEPTED
with COMMENTS
in EPA Letter Dated

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

46923-4

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Danger: Causes severe eye and skin irritation. Harmful if absorbed through the skin or inhaled. May cause skin sensitization reactions in certain individuals. Avoid contact with the skin, eyes or clothing. Avoid breathing dust.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

Long-sleeved shirt and long pants

Shoes plus socks

Protective eyewear

Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C)

→ add water proof gloves

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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ENVIRONMENTALLY HAZARDOUS SUBSTANCES

Solid, NOS, 9, UN 3077 PG III, RQ

CAS No. 1344-73-6

EPA Reg. No. 46923-2

EPA Est No. 46923-NJ-01

Net Weight 50 lbs.

Manufactured by
Old Bridge Chemicals, Inc.
P.O. Box 194
Old Bridge, New Jersey 08857

This pesticide is hazardous to fish and aquatic organisms. Do not apply directly to water except as directed under the specific instructions section. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites. Direct application of copper sulfate to water may cause a significant reduction in populations of aquatic invertebrates, plants and fish. Do not treat more than one-half of lake or pond at one time in order to avoid depletion of oxygen levels due to decaying vegetation. Allow one to two weeks between treatments for oxygen levels to recover.

Trout and other species of fish may be killed at application rates recommended on this label, especially in soft or acidic waters. However, fish toxicity generally decreases when the hardness of water increases. Do not contaminate water by cleaning of equipment or disposal of wastes. Consult your State Fish and Game Agency before applying this product to public or private waters. Permits may be required before treating such waters.

DIRECTIONS FOR USE

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

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

Coveralls
Waterproof gloves
Shoes plus socks
Protective eyewear

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~~Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.~~

This bulletin contains supplemental directions for use which appear on the package of this product. This labeling must be in the possession of the user at the time of pesticide application. Refer to the primary label for Precautionary Statements, and Storage and Disposal Directions.

DIRECTIONS FOR USE

It is a violation of Federal laws to use this product in a manner inconsistent with its labeling. If this product is intended to be applied by chemigation, follow these directions:

Apply this product only through a sprinkler including center pivot, lateral move, end tow, side (wheel) roll, traveler, big gun, solid set, or hand move; flood (basin); furrow, border; or drip (trickle) irrigation system. Do not apply this product through any other type of irrigation system.

Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from nonuniform distribution of treated water.

If you have questions about calibration, contact State Extension Service specialists, equipment manufacturers or other experts.

Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label prescribed safety devices for public water systems are in place.

A person knowledgeable about the chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

POSTING OF AREAS TO BE CHEMIGATED

Posting of areas to be chemigated is required when 1) any part of a treated area is within 300 feet of sensitive areas such as residential areas, labor camps, businesses, day care centers, hospitals, in-patient clinics, nursing homes or any public areas such as schools, parks, playgrounds, or other public facilities not including public roads, or 2) when the chemigated area is open to the public such as a golf course or retail greenhouse.

Posting must conform to the following requirements: Treated areas shall be posted with signs at all usual points of entry and along likely routes of approach from the listed sensitive areas. When there are no usual points of entry, signs must be posted in the corners of the treated areas and in any other locations affording maximum visibility to sensitive areas. The printed side of each sign shall face away from the treated area and toward the sensitive area. The signs shall be printed in English. Signs must be posted prior to application and must remain posted until foliage has dried and soil surface water has disappeared. Signs may remain in place indefinitely as long as they are composed of materials to prevent deterioration and maintain legibility for the duration of the posting period.

All words shall consist of letters at least 2 1/2 inches tall, and all letters and the symbol shall be of a color which contrasts sharply with their immediate background. At the top of the sign shall be the words KEEP OUT, followed by an octagonal stop sign symbol at least 6 inches in diameter containing the word STOP. Below the symbol shall be the words PESTICIDES IN IRRIGATION WATER. A small-scale example of an acceptable sign follows.



This sign is in addition to any sign posted to comply with the Worker Protection Standard.

PUBLIC WATER SYSTEMS

A public water system is a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A chemigation system connected to a public water system must contain a functional, reduced-pressure zone and a backflow preventer (RPZ), or the functional equivalent, in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops or, in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump), effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. Do not apply when wind speed favors drift beyond the area intended for treatment. If you prefer to make a Copper Sulfate Solution, mix 2.75 pounds of crystals to one gallon of water to make a 25 percent Copper Sulfate Solution. Slowly add crystals to water while agitating until all crystals are dissolved. Use one gallon of solution for every 2.5 pounds of Copper Sulfate (crystals equivalent) desired. Follow directions on the package regarding application.

SPRINKLER CHEMIGATION

If the product is to be applied via a sprinkler system, the system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.

The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.

The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock, to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.

The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.

Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump), effectively designed and constructed of materials compatible with pesticides and capable of being fitted with a system interlock.

Do not apply product when wind speed favors drift beyond the area intended for treatment. If you prefer to make a Copper Sulfate Solution, mix 2.75 pounds of crystals to 1 gallon of water to make a 25 percent Copper Sulfate Solution. Slowly add crystals to water while agitating until all crystals are dissolved. Use one gallon of solution for every 2.5 pounds of Copper Sulfate (crystals equivalent) desired. Follow directions on the package regarding application.

When mixing a Bordeaux mixture keep the agitator running in the spray tank until spraying is completed. Apply the Copper Sulfate Bordeaux Mixture continuously for the duration of the water application. If this is impractical, apply this product at the end of the application cycle. Follow directions on the primary label covering the crop to be treated.

FLOOD (BASIN), FURROW AND BORDER CHEMIGATION

Systems using a gravity flow pesticide dispensing system must meter the pesticide into the water at the head of the field and downstream of a hydraulic discontinuity, such as a drop structure or weir box, to decrease potential for water source contamination from backflow if water flow stops. A system utilizing a pressurized water and pesticide injection system must meet the following requirements: The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when water pressure decreases to the point where pesticide distribution is adversely affected. The system must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. If you prefer to make a Copper Sulfate Solution, mix 2.75 pounds of crystals per gallon of water to make a 25 percent Copper Sulfate Solution. Slowly add the crystals to the water while agitating until all crystals have dissolved. Use one gallon for every 2.5 pounds of Copper Sulfate (crystals equivalent) desired. Apply Copper Sulfate continuously for the duration of the water application. If this is impractical, apply this product at the end of the application cycle. Follow directions on the primary label covering the specific crop to be treated.



Manufactured by

OLD BRIDGE CHEMICALS, INC.

P.O. Box 194, Old Bridge, New Jersey 08857

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