

47870-1

10-16-2006

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

<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 ABERCO /47870-1	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ABERCO/Propylene Oxide	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) ABERCO Inc. 9430-Lanhan-Severn Road Seabrook, MD 20706 <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 checked="" 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.

**NOTIFICATION**

OCT 16 2006

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Deletion of Birdseed as a product use site.  
Notification of the Revised Directions for Use  
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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:					
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		2. Type of Container <input checked="" 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" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 55 gallon drum -		5. Location of Label Directions <input type="checkbox"/> On side of drum	
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 Dr. Matthew Brooks		Title Director, Ag-Chem Consulting		Telephone No. (Include Area Code) 703-266-0128	
<b>Certification</b> 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  <b>(Stamped)</b>
2. Signature 			3. Title Director, Ag-Chem Consulting		
4. Typed Name Matthew Brooks			5. Date September 25, 2006		

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Certified Mail

September 14, 2006

Morris Warren  
ABERCO, Inc.  
9430 Lanham Severn Road  
Seabrook, MD 20706

Post-It® Fax Note	7671	Date	9-15-06	# of Pages	▶
To	H. Estreich	From	Maria Loman		
Co./Dept	HR/IT	Co.	PARP/ED		
Phone #		Phone #			
Fax #		Fax #			

Re: Voluntary Cancellation of Use of Propylene Oxide on Bird Seed

Dear Mr. Warren:

In a letter dated January 26, 2006 EPA received a request from ABERCO, Inc. to voluntarily terminate bird seed use from the following propylene oxide (PPO) registrations: Propylene Oxide (47870-1), Propylene Oxide Technical (47870-2), and Propoxide 892 (47870-3).

ABERCO, Inc. also requested that EPA waive the 180-day comment period, for a 30-day comment period on the proposed deletion of bird seed from the PPO labels. The Notice of Receipt of Request to Terminate Bird Seed Uses on Pesticide Registrations was published in the Federal Register on March 22, 2006, and the comment period closed on April 21, 2006. EPA did not receive any public comment in response to the Notice. As a result the use of PPO on bird seed is canceled with this letter.

The Notice also included EPA's policy on existing stocks. Existing stocks are currently registered U.S. pesticide products that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. EPA will permit ABERCO, Inc. to sell and distribute existing stocks for one year from the date of this letter. Persons other than the registrant may sell, distribute, and use the product until their stocks have been depleted, provided that any sale, distribution, and use complies with EPA-approved label and labeling of the product.

Thank you for your cooperation. Please contact me if you have questions, (703) 308-0122.

Sincerely,

Andrea Carone  
Chemical Review Manager  
Special Review and Reregistration Division

**Copy of Revised Label**



**Ag-Chem Consulting**  
Pesticide Science and Registration

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# PROPYLENE OXIDE

NOTIFICATION  
OCT 16 2006

### ACTIVE INGREDIENT

Propylene Oxide.....100%

This product contains 6.92 lbs of active ingredient per gallon

**KEEP OUT OF REACH OF CHILDREN**

## DANGER

### FIRST AID

**IF SWALLOWED:** Call 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 instructed to do so by doctor or poison control center. Do not give anything by mouth to an unconscious person.

**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.

**IF INHALED:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.

**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.

**HOTLINE NUMBER:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

**NOTE TO PHYSICIAN:** Possible mucosal damage may contraindicate the use of gastric lavage.

### SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Manufactured by ABERCO, Inc. Seabrook, Maryland

Establishment No. 36736-SC-01

EPA Registration No. 47870-1

CA Registration No. 47870 00001 AA

Net Contents 366 lbs.

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**PRECAUTIONARY STATEMENTS****HAZARDOUS TO HUMANS  
& DOMESTIC ANIMALS  
DANGER**

**CORROSIVE:** Causes eye damage and skin burns. Harmful or fatal if swallowed,

**DO NOT GET IN EYES** Wear full face shield and vapor proof goggles when opening drums containing product. Avoid touching gloves or hands to eyes after handling until possible residues are washed off of hands. If liquid does get in eyes flush immediately with water for 15 minutes, see immediate medical attention.

**DO NOT GET ON SKIN OR CLOTHING:** Wear protective clothing, rubber gloves, and wash before re-use, Discard contaminated leather shoes. In the event of a splash or spill, or other event which contaminates the skin or clothing, immediately remove contaminated clothing and promptly wash contaminated skin with soap and water. Seek prompt medical attention.

**DO NOT BREATHE VAPORS OR FUMES.** If the concentration of propylene oxide in the workroom or area exceeds 20 ppm by volume, respirator protection is mandatory. For respiratory protection wear a self-contained breathing apparatus of a type jointly approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health or an ambient breathing apparatus.

**DRUMS MAY BE UNDER PRESSURE WHEN OPENED.** Relieve pressure by slowly opening the small bung in a safe, well-ventilated area, standing up-wind if outdoors and with the barrel between you and the nearest point of air exhaust if indoors. If a hissing sound is heard do not further open the small bung until the hissing sound stops. Continue opening small bung and waiting until any hissing stops. Only when small bung has been completely opened is the pressure to be considered as relieved. See CLOTHING AND EYE PROTECTION section for protective gear that must be worn.

**EMPTYING DRUMS**

Electrically ground drum. The proper procedure is to displace the contents with an inert gas. Care must be taken to see that no appreciable pressure is exerted on the drum. A pressure relief device set to several inches of water should be installed on the inert gas line. For details, read brochure "Propylene Oxide" available from this company.

**PHYSICAL OR CHEMICAL  
HAZARDS****EXTREMELY FLAMMABLE**

**Contents under pressure.** Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product is an extreme fire hazard. The flash point is -35°F tag open Cup and the flammable limits of vapor in air, in percent by

volume are 2.1 lower and 38.5 upper. Keep away from heat sparks, open flame and heated surfaces.

### IN CASE OF FIRE, SPILL OR LEAK

**FIRE:** Use carbon dioxide or dry chemical on small fires and "alcohol" foams on large fires. Water spray may be ineffective, but use water to keep exposed drums cool. In advanced or massive fire, firefighting should be done from a safe distance or a protected location. Wear self-contained breathing apparatus (SCBA) and full protective clothing.

**SPILL OR LEAK:** Evacuate immediate area of spill or leak. Use SCBA or combination air-supplied respirator / SCBA for entry into affected area to correct problem. Move leaking or damaged cylinders outdoors or to an isolated area, observing strict safety precautions. Work upwind if possible. Wash fumigant into soil or cover with soil or other absorbent material. Do not permit entry into spill by unprotected persons until concentration of propylene oxide is determined to be less than 20 ppm.

### DO NOT CONTAMINATE CONTENTS

Hazardous polymerization may occur. Do not allow foreign material to get into this drum, particularly acidic or alkaline materials.

### STORAGE AND DISPOSAL

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

**STORAGE:** Store in a well-ventilated, cool secure (under lock and key) area away from heat, flame, sparks, electrical equipment, or other ignition sources.

**DRUM DISPOSAL:** If used drum is filled with an inert gas, the best procedure is to replace bungs immediately after disconnecting drum and give drum to recycler. Otherwise, empty drum may contain explosive vapor and should be filled with water immediately after use. Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill or by other procedures approved by state and local authorities.

**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 according to label instructions, contact your State Pesticide Environmental Control Agency or the Hazardous Waste representative of the nearest EPA regional office for guidance.

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**When Using ARC Chemicals DOT 5P drum**

1. Keep the propylene oxide DOT 5P insulated drum away from heat, light, flames, fires, and spark producing devices. Propylene oxide is extremely flammable, and its vapors will explode if ignited. Store and use out-of-doors, if possible, or in an adequately ventilated area.
2. The propylene oxide DOT 5P drum is designed to discharge only liquid propylene oxide. If propylene oxide gas is required, use vaporizing equipment.
3. Use only sparkproof tools with the propylene oxide DOT 5P drum. Use only steel or stainless steel piping and connections when using propylene oxide with an inert gas. Never use rubber. Ground all equipment including this container to avoid static sparks. Only explosion-proof electrical equipment should be used where propylene oxide may be present.
4. Keep propylene oxide DOT 5P drum upright for discharge (see 2 above). Connect "Y" valve marked "VENT" through pressure regulator and check-valve to source of inert gas, such as nitrogen. The working pressure of this drum is 50 psi guage. Do not use compressed air. Do not apply heat to this container by any means.
5. Always install check-valve in line from the propylene oxide DOT 5P drum to processing equipment to prevent backflow into the drum. Then open valve marked "LIQUID" which is connected to an eductor tube for liquid discharge. This valve has left hand threads. Keep valves closed when not in use.
6. Observe all local laws, regulations, ordinances, and insurance regulations covering the storage and use of flammable material.
7. When empty, the propylene oxide DOT 5P drum should be returned to original shipping point with a nitrogen pressure of 50 psi guage at 70°F or equivalent ambient temperature. The DOT 5P drum is the property of: ARC Chemical Division, Balchem Corporation.

### DIRECTIONS FOR USE

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

This fumigant is a highly hazardous material and should only be used by individuals trained in its proper use. Before using, read and follow all label precautions and directions.

All persons working with this fumigant should be knowledgeable of the hazards of this chemical, and trained in the proper use of required respirator equipment and detector devices, emergency procedures, and use of this fumigant.

For non food use as an insecticidal fumigant for the control of stored product insects in cosmetic articles and ingredients, gums, ores, packaging, pigments, pharmaceutical materials, and discarded nut shells prior to disposal.

To aid in the control of microbiological spoilage and as an insecticidal fumigant for the control of stored products' insects. To reduce bacterial and mold contamination in processed spices, cocoa, cocoa beans, inshell and processed nutmeats (except peanuts).

Treated nutmeats must be allowed to off-gas for at least 28 days (with the off-gassing temperature no less than 25°C) unless it has been determined that propylene oxide residues are less than 300 ppm.

#### WHEN USED ALONE:

Add product in a vacuum to fumigator retort at not more than 2.4 ounces propylene oxide in vapor form per cubic foot of space in the retort. Temperature should not be in excess of 125° F. Exhaust the retort within 4 hours and air wash with four chamber volumes of air.

#### WHEN USED IN COMBINATION WITH AN INERT GAS SUCH AS CARBON DIOXIDE OR NITROGEN:

Propylene oxide, may be used in combination with carbon dioxide or nitrogen, which is added to the retort along with propylene oxide. This reduces the flammability of the gases in the retort and increases the efficiency of heat transfer to the items being treated. The approved mixture is 8% propylene oxide and 92% inert gas. This can be obtained by adding propylene oxide, in a vacuum, to the retort at not more than 0.2 ounces per cubic foot of space in the retort. Carbon dioxide or nitrogen may then be added to restore ambient pressure, taking care not to vent propylene oxide during addition to the inert gas. When this mixture is used, the treatment time may be extended to up to 48 hours. The temperature should not be in excess of 125° F. After treatment, exhaust the retort and air wash with four chamber volumes of air.



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## **PROTECTIVE CLOTHING AND RESPIRATOR USE, AND STORAGE OF TREATED COMMODITIES**

### **CLOTHING AND EYE PROTECTION**

When contact with liquid propylene oxide can occur, such as when opening drums or handling leaks or spills, the following protection must be worn: full body protection including solvent proof gloves, clothing, hat, apron, boots, and vaporproof goggles and full face mask if SCBA is not required. Don't re-use contaminated clothing until washed. Discard contaminated leather shoes.

### **RESPIRATORY PROTECTION**

If the concentration of propylene oxide in the working area, (working area includes all holding or storage areas for treated commodities in which Off-gassing may occur) as measured by a Dreger Multi Gas Detector Pump with Dreger tube #67 28 971-1A (or equivalent), or a Miran 101 Specific Vapor Analyzer (or equivalent- for additional information contact ABERCO), exceeds 20 ppm (4mg/cubic meter), use of a full-face self-contained breathing apparatus (SCBA) jointly approved by MSHA and NIOSH or an ambient air breathing apparatus is mandatory.

The use of an approved SCBA or ambient air breathing device is also required when the air level of propylene oxide is not known and/or may be elevated such as in emergency entrance, spills, and leaks.

### **AERATION AND RE-ENTRY**

After fumigation, treated areas must be aerated until the level of propylene oxide is below 20 ppm. Do not allow entry into the treated area by any person before this time unless provided with an MSHA/NIOSH approved SCBA.

### **PLACARDING**

The applicator must placard or post all entrances to the fumigated area with signs bearing:

1. The signal word 'DANGER' and the skull and cross-bones symbol.
2. The statement "Area under fumigation. DO NOT ENTER".
3. Date of fumigation.
4. Name of fumigant used.
5. Name, address, and telephone number of the applicator.

Do not remove a placard until the treated space is completely aerated. To determine whether aeration is complete, each fumigated site must be monitored and shown to contain less than 20 ppm propylene oxide inside. If less than 20 ppm propylene oxide is detected, the placard may be removed.

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**ENVIRONMENTAL HAZARDS**

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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.



**Ag-Chem Consulting**  
Pesticide Science and Registration  
12208 Quinque Lane, Clifton VA 20124  
(703) 266-0128 mwbrooks01@yahoo.com

**To:** Ms. Joyce Edwards  
U.S. Environmental Protection Agency  
**Registration Branch- Notifications**  
Registration Division OPP (7505C)  
One Potomac Yard  
2777 S. Crystal Dr.  
Arlington VA 22202

September 22, 2006

**From:** Dr. Matthew Brooks  
Director, Ag-Chem Consulting  
An Authorized Representative for ABERCO

**Subject: Propylene Oxide: EPA Registration number 47870-1  
Notification to Delete Product Use on Birdseed**

Dear Ms. Edwards:

Ag-Chem Consulting, on behalf of ABERCO, is deleting the use on birdseed for the above product. This deletion is consistent with the official cancellation of the use by the EPA (letter attached). A copy of the current stamped label and the revised label are enclosed.

If you have additional questions please feel free to contact me at 703-266-01228.

Sincerely,

Dr. Matthew Brooks  
Director, Ag-Chem Consulting  
An authorized representative of ABERCO