

51036-276

02/28/2006

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 28 2006

Jean Butler
MICRO FLO COMPANY, LLC
P.O. Box 772099
Memphis, TN 38117-2099

Subject: Copper Hydroxide 90%
EPA Registration No. 51036-276
Your Label Amendment application dated November 21, 2005

Dear Ms. Butler:

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided that you submit a revised final printed label as indicated below, within 45 days of the date of this letter.

1. The "First Aid" statement requires the position of "IF IN EYES" to be exchanged with "IF SWALLOWED". This correction is consistent with acute toxicity findings and previously accepted labels for the subject product.
2. The statement referring to "A Fungicide for Formulating Use" contains an ambiguous correlation denoted "+ = 57%" and "(+ Derived from copper hydroxide)" which requires correction. Alternatively this can be addressed by substituting an asterisk (*) for the summation symbol (+) followed by an appropriate explanation for the guidance as intended.
3. A "Pesticide Storage" statement must be included in the "Storage and Disposal" section on page 3 of the label.
4. Under the section "Conditions of Sale and Limited Warranty" revise the statement: "All such risks shall be assumed by the Buyer.", to read as follows or a variation thereof: "To the extent permitted by law, all such risks shall be assumed by the Buyer." As currently written the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding."

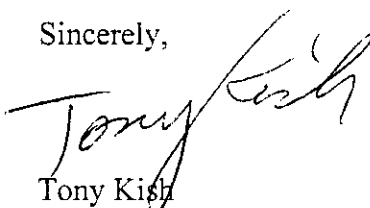
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Copper Hydroxide 90%
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If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release of the product for shipment constitutes acceptance of these conditions.

If you have any questions, please contact Bryant Crowe by phone at (703) 305-0025 or via email at crowe.bryant@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Kish", written over a horizontal line.

Tony Kish
Product Manager (22)
Fungicide Branch
Registration Division (7505C)

FEB 28 2006

COPPER HYDROXIDE 90%

Fungicide/Bactericide

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No. 51036

ACTIVE INGREDIENT:
Cupric Hydroxide*..... 90%
OTHER INGREDIENTS: 10%
TOTAL:..... 100%

Metallic copper equivalent.....57%

*CAS No. 20427-59-2

KEEP OUT OF REACH OF CHILDREN

DANGER

See [Side] [Back] Panel For Additional Precautions

FIRST AID	
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 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 the 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 to 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 9-1-1 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.

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	Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	
EMERGENCY TELEPHONE NUMBERS: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact:	
(800) 424-9300 CHEMTREC (transportation and spills)	
(800) 832-HELP (4357) (human health)	
(800) 345-4735 ASPCA (animal health)	

EPA Reg. No. 51036-276
AD 062496

EPA Est. No. 45002-MX-1

Manufactured For:
MICRO FLO COMPANY
P.O. BOX 772099
MEMPHIS, TN 38117

**PRECAUTIONARY STATEMENTS
DANGER**

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Corrosive. Causes irreversible eye damage. Harmful if swallowed, absorbed through skin or inhaled. May cause skin sensitization reactions in certain individuals. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Protective clothing, including goggles, should be worn. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and other aquatic organisms. 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.

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DIRECTIONS FOR USE

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

A FUNGICIDE FOR FORMULATING USE

This pesticide may be used for the formulation of a fungicide. Formulators using this product are responsible for obtaining EPA registration for their formulated products.

Also for non-pesticidal uses of copper hydroxide including, but not limited to:

- Non-pesticidal manufacturing and industrial uses
- Use as a fertilizer to correct copper deficiencies
- When this product is used as a fertilizer ingredient:
Guaranteed Analysis: Copper(Cu) + = 57%
(+Derived from copper hydroxide)

STORAGE AND DISPOSAL

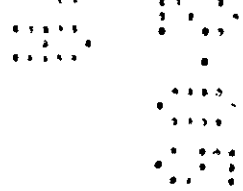
PROHIBITIONS: Do not contaminate water, food or feed by storage or disposal.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label directions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA regional Office for guidance.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE AND LIMITED WARRANTY

The Directions For Use of this product reflects the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of MICRO FLO COMPANY (MICRO FLO) or the SELLER. All such risks shall be assumed by the Buyer.



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MICRO FLO warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions For Use, subject to the inherent risks, referred to above.

MICRO FLO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT PERMITTED BY LAW, MICRO FLO AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. MICRO FLO and the SELLER offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of MICRO FLO.