

53883-186

2/28/2008

1048

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

**FEB 28 2008**



United States  
Environmental Protection  
Agency

Office of Pesticide Programs

Control Solutions, Inc.  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041

Attention: Joe Blake, Director  
Regulatory Affairs

Subject: Concorde P-40  
EPA Registration No. 53883-186  
Notification Dated January 29, 2008

This will acknowledge receipt of your notification to delete certain use directions on the product label, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification dated January 29, 2008 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

A handwritten signature in cursive script that reads "Martha L. Terry / For".

Marshall Swindell  
Product Manager (33)  
Regulatory Management Branch 1  
Antimicrobials Division (7510P)

2088

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

 Registration  
 Amendment  
 Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 53883 - 186	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Concorde P-40	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <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 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 to delete certain use directions. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 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 USC 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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input 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  
 Label  Container

4. Size(s) Retail Container \_\_\_\_\_

5. Location of Label Directions  
 on label

6. Manner in Which Label is Affixed to Product  
 Lithograph  Paper glued  Stenciled  Other \_\_\_\_\_

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Joe Blake	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 800-242-5562
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**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.

2. Signature

3. Title  
Director, Regulatory Affairs

4. Typed Name  
Joe Blake

5. Date  
01-29-08

6. Date Application Received  
(Stamped)

3028



January, 29 2008

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
US Environmental Protection Agency  
One Potomac Yard  
277 S. Crystal Drive  
Arlington, VA 22202

Attn: Marshall Swindell (33)

Re: Notification to delete certain use directions for:  
Concorde P-40 – EPA Reg. No. 53883-186

Dear Mr. Swindell:

Control Solutions, Inc. is submitting a Notification to delete certain directions for use on the above-mentioned registration. These deletions are necessary in order to register this product for sale in the state of California.

Please see marked copies attached.

Enclosed with this application are the following documents:

- Application for Registration (EPA Form 8570-1)
- Two copies of marked labeling showing changes
- Two copies of unmarked clean versions of labeling.

I appreciate your help with this request. Please contact me by phone at 800-242-5562 or by e-mail at [joe@controlsolutionsinc.com](mailto:joe@controlsolutionsinc.com) if you have any questions.

Sincerely,

Joe Blake  
Director, Regulatory Affairs

Enclosures



4028

Marked Copy

Formatted: Right

### Concorde® P- 40

BROAD SPECTRUM FUNGICIDE FOR CONTROL OF FUNGAL GROWTH

For Use in Aqueous Paints, Stains, Coatings, Adhesives and Wood Preservative Stains. For Industrial Use Only.

Deleted: , Caulks, Sealants, Grouts, Joint Compounds,

Also for use as a preventive for sap stain and surface mold growth on freshly cut wood and wood products, and to provide decay protection in composite wood products.

ACTIVE INGREDIENT:	
Chlorothalonil (tetrachloroisophthalonitrile) . . . . .	40.4%
OTHER INGREDIENTS . . . . .	59.6%
TOTAL . . . . .	100.0%

This product contains 4.17 lbs. of chlorothalonil per gallon.

EPA Reg. No. 53883 - 186

EPA Est. No. 37429-GA-1

Control Solutions, Inc.  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041

### KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact SafetyCall® International (866) 897-8050 for emergency medical treatment information.	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give any liquid to the person.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>NOTE TO PHYSICIAN:</b> This product may produce temporary irritation and side effects characterized by redness of the eyes, mild bronchial irritation and redness or rash on exposed skin areas. Persons having these reactions or an allergic reaction respond to treatment with antihistamines or steroid creams and/or systemic steroids.	

NET CONTENTS: \_\_\_\_\_



**PRECAUTIONARY STATEMENTS**  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS.

**CAUTION**

Harmful if inhaled. Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

**Note to User: Exposure to formulations containing chlorothalonil may produce temporary irritation and side effects characterized by redness of the eyes, mild bronchial irritation and redness or rash on exposed skin. Persons having these reactions or allergic symptoms should contact a physician.**

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

**USER SAFETY RECOMMENDATIONS**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- 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.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish and wildlife. **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 Environmental Protection Agency.

**WILDLIFE:** This pesticide is toxic to aquatic invertebrates and wildlife. Do not contaminate water when disposing of equipment washwater or rinsate.

**DIRECTIONS FOR USE**

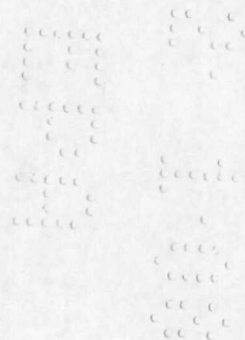
**It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.**

Observe all precautions listed under "Precautionary Statements" when handling and using this product.

The product must not be formulated into a product intended as a mildewcidal paint additive designed for direct sale to retail customers, e.g. in "pillow pack" or other small volume or one-use package.

This product must not be used to formulate products for use as in-container preservatives.

This product may only be formulated into mildewcidal paint additive products that are labeled as follows:



This product may only be added to paint products that are labeled A) with product specific instructions for the use of a respirator during applications, or B) as follows "When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter. If oil is not present in the paint product or recommended for use as an additive in the paint product add "N" as an additional respirator type."

Concorde P-40 MAY NOT be used for food grade coatings and adhesives.

Concorde P-40 is intended for use in aqueous systems only. Mix Concorde P-40 thoroughly before use to ensure a uniform mixture. Use Concorde P-40 at levels of 0.12% to 2.5% (wt/wt) depending upon the substrate to be protected, the fungal hazard, and the duration of protection desired.

Deleted: 3.8%

Any in-can preservative used in combination with Concorde P-40 should be tested first for compatibility.

It is the responsibility of the manufacturer to test Concorde P-40 for optimum dosage levels and to determine compatibility and suitability for the intended use.

**FRESHLY CUT WOOD & WOOD PRODUCTS**

**CONCORD P-40** can be used as preventive for sap stain and surface mold growth when mixed into a water based dip treatment. For optimum control the suspension should be mixed at the rate of 5 to 10 lbs (1/2 to 1 gal.) per 100 gal. of water.

If the freshly cut wood or wood products are expected to remain in a un-dried state or condition for an undetermined period of time, the high rate of mixture should be used. Dipping these wood products for a sufficient time will insure thorough coating of the wood products.

**Continued mixing or agitation of the suspension should be conducted while the wood products are being treated.**

After treatment, all treated wood products should be stored in areas that are sufficiently protected from runoff and intermingling with surface waters.

**When disposing of un-used treatment suspensions, do so in a manner that protects and prohibits intermingling with soil and water.**

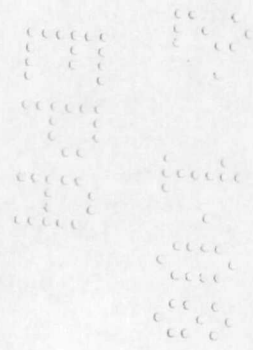
**COMPOSITE WOOD PRODUCTS**

**CONCORD P-40** can be used to provide decay protection in composite wood products scheduled to be used in the construction trades, while in the manufacturing stages. Particle board or flake board used in the manufacture of siding, sheathing, decking, planking and construction timbers would be industry examples of these products.

If these wood products are to be treated, use 1.25 lbs to 12.5 lbs of Concord P-40 per cubic foot volume of final wood composites.

Wood products that are manufactured with the intent of being exposed to or in contact with soil or concrete or where instillation would be in areas with continually high levels of moisture, the high load rate of 12.5 lbs per cubic foot volume should be used.

CONCORD P-40 should be thoroughly combined into the composite material as it is being blended with adhesives or binding materials prior to final formulation of the wood composite product.



**WOOD PRESERVATIVE STAINS**

Above Ground Application: Add Concorde P-40 the rate of 10 to 25 pounds per 100 gallons of water-based stain formulation to prevent growth of mold, mildew, and wood decay fungi. Concorde P-40 may be added during the pigment grind operation, during or after letdown, or post-added to a finished product. Concorde P-40 is compatible with stains containing zinc oxide. It is the responsibility of the formulator to determine the suitability of Concorde P-40 for this use and to obtain end-use product registrations.

**AQUEOUS ADHESIVES**

Aqueous adhesives: Add 0.12 to 1.25 pounds of Concorde P-40 per 100 pounds (0.12% to 1.25% wt/wt) with dosage rate depending on fungal hazard and duration of protection desired.

**Deleted: , CAULKS, AND SEALANTS**

**LATEX EMULSION PAINTS, STAINS AND COATINGS**

Concentrations of 5 to 10 pounds of Concorde P-40 per 100 gallons (0.5% to 1.0% wt/wt) will usually provide are sufficient protection for interior applications. Concentrations of 10 to 25 pounds (1.0% to 2.5%) will usually provide effective for exterior applications. Concorde P-40 may be added during the pigment grind operation, during or after letdown. Concorde P-40 is compatible with paints and coatings containing zinc oxide.

**Deleted: Aqueous caulks and sealants:** Add 0.25 to 1.25 pounds of Concorde P-40 per 100 pounds (0.25% to 1.25% wt/wt) to provide mildew control on interior and exterior caulks and sealants. ¶

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. **PESTICIDE STORAGE:** Store in a cool place. Protect from excessive heat. **PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide formulation 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:** Triple rinse (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

**Deleted: GROUTS AND JOINT COMPOUNDS¶**

¶ Add Concorde P-40 to grouts and joint compounds at 1.0 to 3.8% by weight during the blending process, (e.g. 10.0 to 38.0 pounds of Concorde P-40 per 1000 pounds of grout or joint compound blend.¶

**CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. 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 in the use of this product, which are beyond the control of Control Solutions, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Control Solutions, Inc. and Seller harmless for any claims relating to such factors.

Control Solutions, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or ISP, and Buyer and User assume the risk of any such use. CONTROL SOLUTIONS,

