

NOV 12 2008

Mr. Terry Hofrichter
Perma Chink Systems, Inc.
17635 NE 67th Court
Redmond, WA 98052

Subject: Label Amendment
Shell-Guard
EPA File Number: 59905-6
Application Dated: August 15, 2008
Decision: 399088

Dear Mr. Hofrichter:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act FIFRA, as amended, is acceptable subject to the comments listed below. Five copies of the finished labeling must be submitted prior to releasing the product for shipment.

1. Delete the following text on page 1 of your product label:

"Optional Note:) In the State of Alabama this product may only be uses as a supplementary treatment for the control of subterranean termites. Any other use this product for subterranean termite control work is prohibited." and

"Optional Note:) In the State of Florida do not use as a preventive treatment for new construction."

This language must be removed because it implies that the Shell-Guard product can be used to treat structures. However, Shell-Guard is only registered for use one wood.

2. On page two, move the following statement from Storage and Disposal to the Environmental Hazards Section of the product labels: "To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems."

3. Add the following sentence to the end of the "Container Disposal" paragraph under Storage and Disposal":

"Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities by burning. If burned, stay out of smoke."

4. Add the sentence "Do not contaminate water, food, or feed by Storage and Disposal" to the "Storage and Disposal section immediately beneath the heading "Storage and Disposal."

If you have any questions, please contact Melody Banks of my staff on (703) 305-5413.

Sincerely,



Kimberly Nesci
Product Manager 11
Insecticide Branch
Registration Division (7505P)

Enclosure: Stamped Copy of Label with Comments

ACCEPTED
with COMMENTS
in EPA Letter Dated

Begin Front Panel

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SHELL-GUARD®

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
59905-6

**Termiticide, Insecticide and Fungicide Concentrate
For all Wood**

**For the PROTECTION and PREVENTIVE TREATMENT OF WOOD AGAINST TERMITES,
CARPENTER ANTS, WOOD DESTROYING BEETLES and WOOD DECAY FUNGI, and for
REMEDIAL CONTROL of such PESTS in INFESTED WOOD or WOOD FOAM COMPOSITES**

- Use on above ground wood surfaces including logs, timbers, dimensional lumber, decks, siding, wood foam composites, etc.
- For **REMEDIAL TREATMENT** of wood destroying organisms
- For **PREVENTATIVE TREATMENT** of wood in existing structures
- For **PRE-TREATMENT** of wood during construction
- Non-staining, no unpleasant odor
- Simply mix with equal part warm water for application

(Optional Note :) In the State of Alabama this product may only be used as a supplementary treatment for the control of subterranean termites. Any other use of this product for subterranean termite control work is prohibited

(Optional Note :) In the State of Florida do not use as a preventive treatment for new construction

ACTIVE INGREDIENT:

Disodium Octaborate Tetrahydrate (Na₂B₈O₁₃·4H₂O)..... 25.31% by weight

OTHER INGREDIENTS: 74.69% by weight

TOTAL 100.00% by weight

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for first aid and additional precautionary statements

EPA Registration No. 59905-6

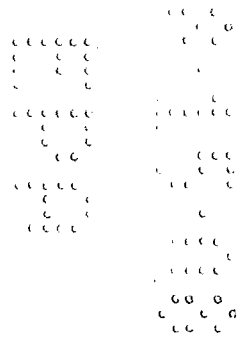
EPA Establishment No. 59905-TN-1

Perma-Chink Systems, Inc.
17635 N.E. 67th Court
Redmond, WA 98052

NET CONTENTS: 25.76 lbs. (11.71 kg) 2.5 gals. (9.47 liters)

Made in the USA

End Front Panel



Begin Back Panel

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed. Avoid contact with eyes. Wash thoroughly after handling. Avoid contamination of food or feed. Do not leave container where children or animals may gain access. Avoid inhalation of spray mist. In confined spaces wear a mist respirator, protective eye wear such as goggles, face shield or safety glasses, long sleeve shirt and gloves, long pants and shoes plus socks.

ENVIRONMENTAL HAZARDS

SHELL-GUARD® solutions carelessly spilled or applied to cropland or growing plants, including trees and shrubs, may kill or seriously retard plant growth. Do not contaminate water when disposing of equipment wash-waters. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark.

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 by a poison control center or doctor. Do not give anything 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 five minutes, then continue rinsing. 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 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.
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.	

GENERAL INFORMATION

SHELL-GUARD® is a water-soluble inorganic borate salt containing compound with insecticidal, termiticidal and fungicidal properties.

DIRECTIONS FOR USE

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

SURFACE PREPARATION

Wood must be clean and bare: free of dirt, wax, and surface finishes. Remove all previous coatings or sealants. Remove mold or mildew prior to applying SHELL-GUARD®. Do not apply to frozen wood. Surface temperature must be between 40°F and 90°F.

PREPARATION OF TREATMENT SOLUTION

An aqueous solution is used for treatment. To prepare solution, stir an equal amount by volume of SHELL-GUARD® into warm clean water. Stir or agitate while adding until SHELL-GUARD® is completely dissolved in the water. Use the mixture within 24 hours as settling of concentrate may occur. Mix in separate container; do not mix in spray applicator.

REMEDIAL AND PREVENTIVE TREATMENT

For remedial and preventive control of organisms attacking wood, apply the diluted solution of **SHELL-GUARD®** by brush, spray or dipping until surface is thoroughly wet (1 gal. per 108 sq. ft.). Thoroughly soak cut ends. Application may also be made by drilling and then injecting the solution under pressure into sound wood or until run-off is observed from entry/exit holes of infested wood. Treatment methods as described yield an approximate retention level of .24 lbs. per cubic ft. boric acid equivalent (BAE) in the outer 3/4" of the wood. To minimize borate leaching, apply a water resistant sealer **AFTER THE SURFACE IS DRY TO THE TOUCH** – in low temperature and high humidity locations this may take 1-4 weeks.

CLEANUP

Clean up tools and equipment with water. Rinse well and allow to dry.

STORAGE AND DISPOSAL

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

Pesticide Storage: Do not freeze. Do not store where children or animals may gain access.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

NOTICE

Because of many varying conditions affecting use and application, manufacturer warns buyer that these may impair or vary the results or effects of the use of this product. In any event, complete prevention of decay by fungi or other organisms is not guaranteed. Neither manufacturer nor seller shall be liable in respect to any injury or damages suffered by reason of use of this product for a purpose not indicated by the label, or when used contrary to the directions or instructions hereon, nor with respect to breach of any warranty not expressly specified herein. Buyer accepts this material subject to these terms, and assumes all risk of usage and handling, except when used or handled in accordance with this label. There are no express or implied warranties of merchantability or fitness for any particular purpose, except as specifically stated herein. Manufacturer shall not be liable for any consequential damages based on the use of this product.

Seller makes no warranty expressed or implied concerning the use of this product, other than as indicated on the label. Buyer assumes all risk of use and/or handling of this material when use and/or handling is contrary to label instructions.

