

NOV 12 2008

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

Subject: Label Amendment
Shell Guard Ready-to-Use Wood Preservative/
Insect Control
EPA File Number: 59905-12
Application Dated: August 7, 2008
Decision: 399085

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 use as a supplementary treatment for the control of subterranean termites. Any other use of this product for subterranean termite control work is prohibited."

2. Instead, create a section entitled "General Information," and add the following statement:

"[Shell-Guard RTU Wood Preservative/Insect Control] is not Intended as a substitute for mechanical alteration, soil treatment or foundation treatment. [Shell-Guard RTU Wood Preservative/Insect Control] is not intended for application to soil. In areas where a soil treatment/barrier termiticide treatment is required, [Shell-Guard RTU Wood Preservative/Insect Control] may be applied as a supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil. [Shell-Guard RTU Wood Preservative/Insect Control] is not a soil termiticide. Do not use to treat soil directly. **When active infestations exist, get a professional inspection.**"

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."

5. Move the following paragraph from the "Storage and Disposal" section to the "Environmental Hazards" section of the product label, per instructions given in 2008-1:

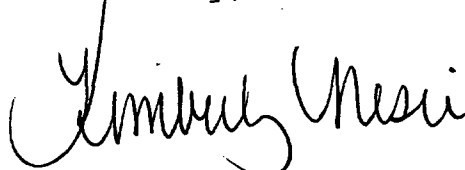
To protect the environment, do not allow pesticide storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

6. Delete the following sentence from the existing "Environmental Hazards" section of the product label, per 2008-1:

"Do not contaminate water by cleaning of equipment or disposal of wastes."

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

NOV 12 2008

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
59905-12

Shell-Guard®

Ready-To-Use (RTU)
Wood Preservative / Insect Control

A Penetrating Broad Spectrum Wood Preservative for the Protection and Treatment of Wood Against Decay, Termites, Carpenter Ants and Wood Boring Beetles.

A Ready-to-Use Borate Termiticide, Insecticide and Fungicide for the Elimination and Prevention of Termites, Carpenter Ants, Wood Boring Beetles and Wood Decay Fungi.

A Penetrating Broad Spectrum Wood Preservative and Ready-to-Use Borate Termiticide, Insecticide and Fungicide for the Protection and Treatment of Wood to Kill, Eliminate, Prevent and Control Decay, Termites, Carpenter Ants and Wood Boring Beetles.

For Protection and Preventative Treatment of Wood Against Termites and The Remedial Control of Such Pest in Infested Wood Previously Treated by Pressure Treatment and Dip-Diffusion Treatment.

(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.

ACTIVE INGREDIENT:	
Disodium Octaborate Tetrahydrate	10% by weight
(Na ₂ B ₈ O ₁₃ • 4H ₂ O)	
OTHER INGREDIENTS:	90% by weight
Total	100%

EPA REG. NO. 59905-12

EPA Est. 59905-TN-1

Manufactured by:

Perma-Chink Systems, Inc.
1605 Prosser Road
Knoxville, TN 37914
(865) 524-7343

CAUTION

KEEP OUT OF REACH OF CHILDREN
NOT FOR FOOD OR DRUG USE

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Do not leave container where children or animals may gain access. See side panel for first aid.

ENVIRONMENTAL HAZARDS

Shell-Guard RTU solutions carelessly spilled or applied to cropland or growing plants, including trees and shrubs, may kill or seriously retard plant growth. This pesticide is toxic to fish and wildlife. (Do not contaminate water by cleaning of equipment or disposal of wastes.) 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.

Personal Protective Equipment (PPE)

Loaders, applicators and other handlers must wear: Long sleeve shirt and long pants, shoes plus socks, protective eyewear, chemical resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton) and, in confined spaces, a respirator with an organic removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge with any N, R, P or HE prefilter.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove personal protection equipment immediately after handling this product. Wash the outside of gloves before removing. As soon as possible wash thoroughly.

FIRST AID

IF SWALLOWED	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Have person 1 to 2 glasses of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF IN EYES	<ul style="list-style-type: none"> • 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 ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 – 20 minutes. • Call a poison control center for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for further treatment advice.
<p>Have the product container or label with you when calling a Poison Control Center or doctor or going for treatment. In case of emergency, you may also contact Chemtrec at 1-800-424-9300 for emergency medical treatment information, Monday through Friday, 8 a.m. to 4:30 p.m. (Central Time). After 4:30 p.m. call your poison control center.</p>	

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.

Storage: Store in a dry place. Do not store where children or animals may gain access. Protect from freezing.

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

Container disposal: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container 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 ¼ 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.

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add what to do w/ container if recycling is not available

◆ODORLESS

◆COLORLESS

Shell-Guard RTU is a formulation of boron compounds with additives that allow the active ingredient to penetrate throughout the wood. Shell-Guard RTU offers far greater wood protection than other preservatives that treat only the surface.

- ◆ Use Shell-Guard RTU to eliminate wood destroying insects and wood decay.
- ◆ Use Shell-Guard RTU to prevent wood decay and insect damage to all interior and exterior wood.
- ◆ Shell-Guard RTU prevents and controls:

Wood Decay

Termite

Beetle

Carpenter Ants

DIRECTIONS FOR USE:

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

Safe Handling Procedures

Spills and over-spray may be cleaned with a damp cloth or absorbed with appropriate materials. When applying this product in confined spaces, it is recommended that ventilation or an exhaust system be provided. If this is impractical, the use of a NIOSH approved respirator designed for protection from organic vapors is recommended.

[For Use as a Wood Preservative:]

Surface Preparation

Apply only to bare, dry wood. Remove any previous finishes or water repellents before applying Shell-Guard RTU. Surfaces to be treated should be clean and free of dirt and other contaminants. If the finished appearance is a primary concern, mold and mildew should also be removed prior to application of Shell-Guard RTU. If detergents or cleaners are used to prepare the surface, rinse thoroughly and allow surface to dry prior to application of Shell-Guard RTU.

Coverage

One (1) gallon of Shell-Guard RTU will treat between 150 to 250 square feet of wood surface area (one coat). Actual coverage will vary, depending on the surface texture and porosity of the wood being treated.

Application Instructions

Apply one (1) coat of Shell-Guard RTU to all exposed sides of lumber or plywood. For lumber thicker than one (1) inch, apply a second coat after the first has been absorbed. Wait at least 20 minutes between applications.

Shell-Guard RTU treated exterior wood should not be exposed to rain or snow for at least 24 hours after treatment. If necessary, cover freshly treated exterior wood with a tarp.

Maintenance of Treated Surfaces

Shell-Guard RTU should be applied annually to exterior unfinished bare wood surfaces. For longer protection, exterior surfaces that have been treated with Shell-Guard RTU may be subsequently coated with a water resistant finish such as paint or exterior stain. Interior surfaces do not require coating except in situations involving repeated moisture contact or high humidity, such as shower stalls, bathhouses, saunas, etc. It is important to allow Shell-Guard RTU to completely dry (at least 24 hours) before applying any protective finish. The finish or topcoat should be applied within two (2) weeks of treatment. Although a wide variety of paints and stains have been successfully used over Shell-Guard RTU treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

Cleanup

Use soap and water to clean up tools.

[For Use as a Pesticide:]

FOOD AREAS APPLICATION IS LIMITED TO CRACK AND CREVICE TREATMENT ONLY.

The use of this product in food processing establishments should be confined to time periods when the plant is not in operation. Food should be removed or covered during treatment. All food processing surfaces should be covered during treatment or thoroughly cleaned before using. After treatment in food processing plants, wash all equipment, benches, shelving, etc., where exposed food will be handled thoroughly with an effective cleaning compound and rinse with potable water.

Shell-Guard RTU should be applied only to bare wood or to wood surfaces where an intact water-repellent barrier is not present. **Shell-Guard RTU** is a ready-to-use product. This product may be brush applied directly from the container or applied with a low-pressure garden-type sprayer. Small wooden items may also be treated by dipping. Return unused product to original container and seal tightly. Always clean and/or flush equipment lines with water after use.

◆ODORLESS

◆COLORLESS

Shell-Guard RTU is an termiticide, insecticide and fungicide that eliminates existing infestations and provides long-term protection against wood destroying organisms such as:

- | | | | |
|--------------------------|-----------------------|------------------|---------------------|
| Wood Rot and Decay Fungi | Subterranean Termites | Drywood Termites | Powder Post Beetles |
| Anobiid Beetles | Old House Borers | Longhorn Beetles | Carpenter Ants |

Shell-Guard RTU is applied to wood and is particularly suited for use in situations where odor, chemical sensitivity and environmental contamination are of concern. **Shell-Guard RTU** will both eliminate and prevent infestations of wood destroying insects, such as subterranean termites, wood boring beetles, carpenter ants and decay fungi.

This product is not a contact poison. Since the active ingredient in this product must be consumed by the infesting insects, it may take several days for the infestation to be completely eliminated.

I. Treatment to Control Active Infestations

Apply this product to the point of runoff to all infested wood. Always apply two (2) coats to all surfaces, waiting at least 20 minutes between applications. In areas where access is limited to one (1) or two (2) sides of a wood member, apply multiple coats of this product to the exposed surfaces.

Infested wood should be treated by spraying all surfaces and/or injecting this product into beetle holes, termite and carpenter ant galleries and decay pockets. In cases where the infestation is not accessible from the surface, small holes may be drilled into the wood in order to gain access to insect galleries or infested areas. Inject enough solution to completely flood the infested area. Apply two (2) coats to all surfaces, waiting at least 20 minutes between coats.

Infested basements and crawl spaces should be treated by applying two (2) coats of this product to all wood surfaces including sill plates, piers, girders, subfloors, floor joists and any wood exposed to verticle access from the soil. Apply multiple coats of this product to wood where access is limited to one (1) or two (2) sides of wood members such as sills and plates on foundation walls. Wait at least 20 minutes between applications. Apply at a rate of approximately one (1) gallon of this product per 100 square feet of crawl space or basement floor area (approximately 200 sq. ft. of wood surface area).

Infested studs and headers in wall voids should be treated by spraying or misting this product into voids and channels in infested wood and/or through small holes drilled into baseboard areas or adjacent to the wood to be treated. Hole should be spaced no more than 16" apart and at least one (1) hole should be drilled between each wall stud when treating base plates. Use sufficient amount of material to cover all areas to the point of runoff. **Note:** If insulation is present in the wall void, it will have to be removed prior to treatment. If necessary, first remove dry

wall or paneling and then the insulation. Spray studs and headers with this product, allow to dry, then replace insulation and wall. Apply two (2) coats to all surfaces, waiting at least 20 minutes between coats.

Treat infested attics by spraying all accessible wood surfaces including roof sheathing, ceiling joists, rafters and top plates to the point of runoff. Apply two (2) coats to all surfaces, waiting at least 20 minutes between coats. Apply at a rate of one (1) gallon of this product per 200 square feet of wood surface area.

Note: When spraying attics or overhead interior areas, cover all surfaces below the area being sprayed with plastic sheeting to prevent damage to ceiling boards, insulation or other materials. Do not apply in food serving areas while food is exposed.

II. Preventative Treatment for Protection of New Wood

Wood paneling, lumber and plywood can be treated either as received from the lumber yard, during the construction process or upon completion of construction. Treatment should be performed while the wood's surface is most accessible.

Apply one (1) coat of this product liberally to all exposed sides of lumber or plywood. For lumber thicker than one (1) inch, apply a second coat after the first has been absorbed. Wait at least 20 minutes between applications.

Shell-Guard RTU treated wood should not be exposed to rain or snow for at least 24 hours after treatment. If necessary, cover freshly treated wood with a tarp.

Maintenance of Treated Surfaces

This product should be applied annually to exterior unfinished bare wood surfaces. For longer protection, exterior wood surfaces which have been treated with this product may be subsequently coated with a water resistant finish such as paint or exterior stain. Interior surfaces do not require coating except in situations involving repeated moisture contact or high humidity, such as shower stalls, bath houses, saunas, etc. It is important to allow this product to completely dry (at least 24 hours) before applying any protective finish. The finish or topcoat should be applied within two (2) weeks of treatment. Although a wide variety of paints and stains have been successfully used over **Shell-Guard RTU** treated wood, it is always a good idea to coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

Cleanup

Use soap and water to clean up tools.

Notice

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. Because of many varying conditions affecting use and application, manufacturer warns 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 the 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 expressed 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 the product.

