

62190-9

3/8/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

MAR 8 2013

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Leesha N. Square  
Regulatory Specialist  
Arch Wood Protection  
5660 New Northside Dr. NW. Suite 1100  
Atlanta, GA 30328

Subject: **Dricon® Fire Retardant**  
EPA Registration No.62190-9  
Application Date: February 08, 2013  
Receipt Date: February 11, 2013

Dear Ms. Square:

This acknowledges receipt of your letter of February 08, 2013 submitted under the provision of PR Notice 98-10, and FIFRA section 3(c) 9.

**Proposed Notification:**

Registrant is removing warranty language form the master label.

**General Comment:**

Based upon a review of the materials submitted, the revised label noted above is **acceptable**. It is in compliance with PR notice 98-10. A copy of the label will be placed in the record for the product.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at [Campbell-Mcfarlane.Jacqueline@epa.gov](mailto:Campbell-Mcfarlane.Jacqueline@epa.gov) or Glen McLeod by telephone at (703) 347-0181 or by e-mail at [mcleod.glen@epa.gov](mailto:mcleod.glen@epa.gov). When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacqueline Campbell".

Jacqueline Campbell  
Product Manager (34)  
Regulatory Management Branch II  
Antimicrobials Division (7510P)

<b>EPA</b> United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number <b>62190-9</b>	2. EPA Product Manager <b>J. Campbell -McFarlane</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Dricon Fire Retardant</b>	PM# <b>34</b>	
5. Name and Address of Applicant (Include ZIP Code) Arch Wood Protection, Inc. 5660 New Northside Dr, NW, Suite 1100 Atlanta, GA, 30328 <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 checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below

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

Label notification to remove statement referencing Warranty under Directions for Use section. Refer to cover letter for details.

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.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.

Signature: Leesha N. Square Date: 2-8-13

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No <b>*Certification must be submitted</b>	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container  various		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name <b>Leesha N. Square</b>	Title <b>Regulatory Specialist</b>	Telephone No. (Include Area Code) <b>678-627-2200</b>
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.		6. Date Application Received  (Stamped)
2. Signature <u>Leesha N. Square</u>	3. Title <b>Regulatory Specialist</b>	
4. Typed Name <b>Leesha N. Square</b>	5. Date <b>February 8, 2013</b>	

**Arch Wood Protection, Inc.**  
5660 New Northside Drive  
Suite 1100  
Atlanta, GA 30328



February 8, 2013

Ms. Jacqueline Campbell-McFarlane (PM-34)  
Antimicrobials Division (7501P)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

**SUBJECT:                    Dricon Fire Retardant  
                                 EPA Reg. No. 62190-9  
                                 Application for Label Notification**

Arch Wood Protection, Inc. is submitting a notification to remove the following statement "Read Limit of Warranty and Liability before buying or using. If such terms are not acceptable, return at once unopened" from the Master label. This statement makes reference to the Warranty, which is no longer on the label. At the time when the Warranty was removed, the statement was inadvertently left on the label.

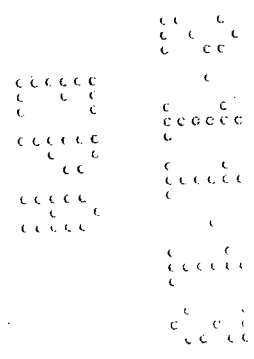
Please find enclosed the following documents in support of this submission:

- Application for pesticide (8570-1);
- Certification with Respect to Label Integrity;
- CD with label; and
- One copy of proposed label with changes highlighted

If you have any questions or need any additional information, please feel free to contact me by email at [leesha.square@lonza.com](mailto:leesha.square@lonza.com) or by phone at 678-627-2238.

Sincerely,  
Arch Wood Protection, Inc.

Leesha N. Square  
Regulatory Specialist



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# DRICON<sup>®</sup> Fire Retardant

## INGREDIENT STATEMENT

ACTIVE INGREDIENT: Boric Acid ..... 26.3%  
 OTHER INGREDIENTS ..... 73.7%  
 TOTAL ..... 100.0%

## KEEP OUT OF REACH OF CHILDREN WARNING

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

### FIRST AID

**IF SWALLOWED:** Call a Poison Control Center or doctor immediately for treatment advice. Have a person sip a glass 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 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.

**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 to rinse eye. Call a Poison Control Center or doctor for treatment advice.

Have the product container or label with you when you call a Poison Control Center or doctor, or when going for treatment.

**IN CASE OF EMERGENCY CALL: 800-654-6911**

**Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage.

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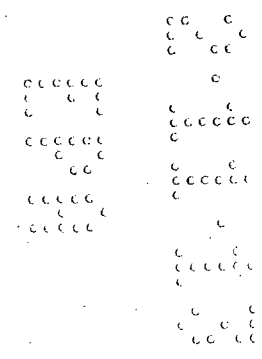
EPA EST NO. xxxx-yy-zz

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

BATCH CODE: XXXXXX

SOLD BY:

ARCH WOOD PROTECTION, INC.  
5660 New Northside Drive, Suite 1100  
Atlanta, GA 30328



**NOTIFICATION**  
 Date Reviewed: 3/1/2013  
 Reviewed By: [Signature]

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. ~~Read "Limit of Warranty and Liability" before buying or using. If such terms are not acceptable, return at once unopened.~~ Contents for use only in pressure-treating forest products. To be used only in the pressure impregnation of forest products utilizing water solutions having concentrations ranging from 7 to 22 percent by weight. Impregnation procedures must rigidly adhere to the current specifications of Arch Wood Protection and/or those of the American Wood Protection Association. Pressure treatment of forest products with DRICON<sup>®</sup> fire retardant provides wood with protection against termites and decay producing fungi. This product is toxic to termites of the Reticulotermes genus but etching of treated wood may occur.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in a cool, dry place. Open dumping is prohibited.

**PESTICIDE DISPOSAL:** [For containers ≥ 5 gallons] 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 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. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**PESTICIDE DISPOSAL:** [For containers < 5 gallons] 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 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. Triple rinse as follows: Empty 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.

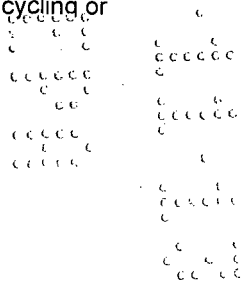
**CONTAINER DISPOSAL:**

{Less than 5 gallons}

Nonrefillable Container. Do not refill or reuse this container. Triple rinse as follows: Fill container 1/4 full with water. Shake for 10 seconds. Empty the rinsate into the application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.

{5 gallons or more}

Nonrefillable Container. Do not refill or reuse container. Triple rinse as follows: Fill container 1/4 full with water. Tip container on its side and roll it back and forth, ensuring at least one complete revolution for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into the application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.



**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**WARNING:** Causes substantial but temporary eye injury. Harmful if swallowed, absorbed through the skin or inhaled. Do not get in eyes, on skin or on clothing. Avoid breathing dust. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

**Personal Protective Equipment (PPE)**

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Socks and shoes
- Goggles or face shield.
- Chemical-resistant gloves made of any waterproof materials

**USER SAFETY REQUIREMENTS**

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separate from other laundry. Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users must remove clothing immediately if pesticide gets inside. Wash clothing thoroughly and put on clean clothing. Users must remove personnel protective equipment immediately after handling this product. Wash outside of gloves before removing.

**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.

