

63005-1

11/16/2004
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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NOV 16 2004

SCM Metal Products, Inc.
2601 Weck Drive
Box 12166
Research Triangle Park, N. C. 27709-2166

Attention: Walter G. Talarek, Agent

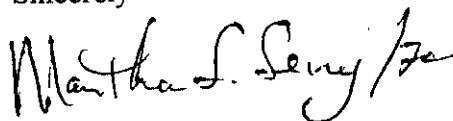
Subject: Cuprous Oxide
EPA Registration No. 63005-1
Your Notification Dated October 25, 2004

This will acknowledge receipt of your notification to add the words "A Gibraltar Company" beneath the company's name and revise the label format, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification 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



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

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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LAW OFFICES OF
WALTER G. TALAREK, P.C.
1008 RIVA RIDGE DRIVE
GREAT FALLS, VIRGINIA 22066

PHONE: (703) 759-4837
FAX: (703) 759-5548

October 25, 2004

DELIVERED BY COURIER

Marshall Swindell
Product Manager, Team 33
Antimicrobials Division
c/o Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 S. Bell Street
Arlington, VA 22202

Re: Notification for Cuprous Oxide, EPA Reg. No. 63005-1

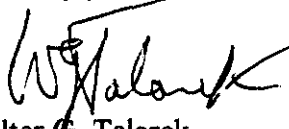
Dear Mr. Swindell:

Please find attached a notification for SCM Metal Products, Inc.'s registration of Cuprous Oxide, EPA Reg. No. 63005-1. In essence, this notification (1) adds the words "A Gibraltar Company" beneath the company's name on the product's label and (2) revises the label's format to comport with your letter dated September 16, 2004, and EPA's Label Review Manual ((3rd Edition; August 2003).

Please find enclosed a copy of the revised label.

Please feel free to contact me if you have any questions about this notification.

Sincerely yours,


Walter G. Talarek

Enclosure - Notification

Cc: Glen Snavely, SCM



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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	United States	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
	Environmental Protection Agency		
	Washington, DC 20460		

Application for Pesticide - Section I

1. Company/Product Number 63005-1	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cuprous Oxide	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) SCM Metal Products, Inc. 2601 Weck Drive Box 12166 Research Triangle Park, NC 27709-2166 <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 checked="" type="checkbox"/> Resubmission in response to Agency letter dated 9/16/04	<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.) Resubmission of notification in response to EPA letter dated 9/16/04. Notification adds "A Gibraltar Company" beneath company's name on label and revises label format to comport with EPA's Label Review Manual per PR Notice 98-10. 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 **Section - III** in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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 <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/>
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued Stenciled <input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Walter G. Talarek	Title Authorized Agent	Telephone No. (Include Area Code) 703-759-4837
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 	3. Title Authorized Agent	
4. Typed Name Walter G. Talarek	5. Date October 25, 2004	

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BEGIN FRONT PANEL

CUPROUS OXIDE

An antifouling, algicidal and fungicidal ingredient for formulating use.

KEEP OUT OF REACH OF CHILDREN

WARNING

ACTIVE INGREDIENT:

Cuprous oxide 97.15%

INERT INGREDIENTS: 2.85%

TOTAL 100.00%

FIRST AID	
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 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 or doctor for further 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 mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if available 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

SCM METAL PRODUCTS, INC.

A Gibraltar Company

2601 WECK DRIVE • BOX 12166 • RESEARCH TRIANGLE PARK, NC 27709-2166
TELEPHONE (919) 544-8090

EPA Reg. No. 63005-1

EPA Est. No. 63005-NC-1

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. Causes eye, skin and upper respiratory tract irritation. Harmful if swallowed; causes gastrointestinal tract irritation. Copper metal may cause metal fume fever. Wear goggles or face shield, rubber gloves and an appropriate dust respirator when handling. Do not contaminate water, food or feed with storage. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This material is toxic to fish. Do not apply directly to water by cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public 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 the 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 EPA.

DIRECTIONS FOR USE

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

The product is designed for use in the manufacturing or formulating of copper-based pesticide products. Those persons using this product to formulate pesticide products are responsible for the registration of their products with the Environmental Protection Agency prior to marketing.

STORAGE AND DISPOSAL

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

STORAGE: Store powder inside dry area, -20° to 40° C (0° to 100° F). Powder will oxidize, do not leave container open.

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: Metal Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of container in a sanitary landfill, or by other procedures approved by state and local authorities.

Paper and Plastic Bags: 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.

Fiber Drums: Completely empty liner by shaking and tapping sides and bottom to loosen clinging fibers. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

HMIS RATING

HEALTH HAZARD: 3-SERIOUS.

MAJOR INJURY WITHOUT PROMPT MEDICAL TREATMENT.

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FLAMMABILITY HAZARD: 0-MINIMAL.
NORMALLY STABLE, WILL NOT BURN UNLESS HEATED.
REACTIVITY HAZARD: 0-MINIMAL.
NORMALLY STABLE, WILL NOT REACT WITH WATER.
SAFETY EQUIPMENT: E GLASSES, GLOVES AND DUST RESPIRATOR.

NET WT:
GRADE:
CUST CODE:

LOT NO.
OPR:

END FRONT PANEL