63005-1 (2/17/2010

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



United States Environmental Protection Office of Pesticide Programs Agency

FEB 17 2010

SCM Metal Products, Inc. 2301 Weck Drive

P. O. Box 12166

Research Triangle Park, N. C. 27709-2166

Attention: Walter Talarek

Subject: Cuprous Oxide

EPA Registration No. 63005-1 Notification Dated June 10, 2008

This will acknowledge receipt of your notification of the following additional brand name, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

ADDITIONAL BRAND NAME

"Cuprous Oxide Grade AA-RED"

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 Swindel

Product Manager (33)

Regulatory Management Branch 1 Antimicrobials Division (7510P)

Please read instructions on	reverse before col.	ing form.			Form Appro	VBL	MB No. 207	0-0060	Print Form	
&EPA	United States Environmental Protection A Washington, DC 20460			Agency			Registration Amendment Other		OPP Identifier Number	
Application for Pesticide - Section I										
1. Company/Product Number Cuprous Oxide			2. EPA Product Manager Marshall Swindell			ger	3. Proposed Classification X None Restricted			
4. Company/Product (Name) 63005-1				PM# 33						
5. Name and Address of Applicant (Include ZIP Code) SCM Metal Products, Inc. 2301 Weck Drive P.O. Box 12166 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						
			Sec	tion - II						
Amendment - Explain below. Resubmission in response to Agency letter dated										
Explanation: Use additional page(s) If necessary. (For section I and Section II.) Notification of the addition of an alternate brand name under PR Notice 98-10. See the enclosed letter to Mr. Marshall Swindell, PM 33, for a full explanation of the notification and the certification required by PR Notice 98-10.										
		1	Sec	tion - III						
1. Material This Product W	ll Be Packaged In:	·			<u> </u>					
Child-Resistant Packaging Yes* No H "Yes" Unit Packaging Yes No. per Unit Packaging Yes No. per Unit Packaging wgt, container		No. per	Water Soluble Packaging Yes No No No. per Package wgt container				2. Type of Container Metal Plastic Glass Paper Other (Specify)			
be submitted	Oliter ackaging wgt.	Contains	uckuj	go wyt	contain e r		L	Other (3	pecny)	
3. Location of Net Contents Label	Information Container	4. Size(s) Retail (Contai	ner	·	5. Loc	ation of Labe On Label On Labelin		ns panying product	
6. Manner in Which Label is Affixed to Product Lithograph Paper glued Stenciled Other										
				tion - IV						
1. Contact Point <i>(Complete</i>	items directly below i	or identification of	f indiv	ridual to be	contacted, i	f nece	ssary, to pro-	ess this	application.)	
Name Walter G. Talarek			I Authorized Agent			elephone 703-759-	No. (Include Area Code) 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. Dete Application Received ((Stumped)						[∴(Stamped)				
2. Signature			Authorized Agent							
4. Typed Name / Walter G. Talarek			5. Date January 29, 2010						(((

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LAW OFFICES OF WALTER G. TALAREK, P.C. ¥

1008 RIVA RIDGE DRIVE GREAT FALLS, VA 22066-1620

PHONE: 703-759-4837

FAX: 703-759-5548

E-MAIL: wtalarek@verizon.net

January 10, 2010

DELIVERED BY COURIER

Marshall Swindell, PM 33
Antimicrobials Division
c/o Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re:

Notification for Cuprous Oxide

EPA Reg. No. 63005-1

Dear Mr. Swindell:

Please find enclosed SCM Metal Products, Inc.'s ("SCM's") application for a notification regarding the registration for Cuprous Oxide, EPA Reg. No. 63005-1. This notification makes the following changes to the product's registration and label: adds the alternate brand name "Cuprous Oxide Grade AA-RED".

Two (2) copies of the revised label are enclosed for your review. One of these copies has the proposed alternate brand name highlighted in yellow for your convenience in reviewing this application.

This is a Notification of revision to the product's label 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification id not consistent with 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.

If you have any questions about this notification, please feel free to call me.

Singerely yours

Walter G. Talarek Authorized Agent

Authorized Age

Enclosures



BEGIN FRONT PANEL

CUPROUS OXIDE GRADE AA-RED

An antifouling, algicidal and fungicidal ingredient for formulating use.

KEEP OUT OF REACH OF CHILDREN

WARNING

ACTIVE INGREDIENT:	
Cuprous oxide	97.15%
OTHER INGREDIENTS:	2.85%
TOTAL	100.00%

	FIRST AID
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 rinsing. Call a poison control center or doctor for treatment advice.
If on skin or clothing	 Take off contaminated clothing. Rinse skin immediately with plenty or water for 15-20 minutes. 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 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 do so by the poison control center or doctor. Do not give anything to an unconscious person.

SCM METAL PRODUCTS, INC. 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

PRECAUTIONARY STATEMENTS

. . . .

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. Causes eye, skin and upper respiratory tract irritation. Avoid contact with eyes, skin or clothing. 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. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. 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. This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

STORAGE AND DISPOSAL

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

STORAGE: Store powder in original container inside a 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: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.

Paper and Plastic Bags: Completely empty bag into application equipment. If recycling is not available, 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.

Metal Containers and Fiber Drums: Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll 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. Empty the rinsate into application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. If recycling is not available,

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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.

HMIS RATING

HEALTH HAZARD: 3-SERIOUS.

MAJOR INJURY WITHOUT PROMPT MEDICAL TREATMENT.

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