

64405-14

8/17/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number: 64405-14

Date of Issuance: AUG 17 2011

Term of Issuance: Unconditional

Name of Pesticide Product:

QNAP5W MU

NOTICE OF PESTICIDE:

- x Registration
Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Nisus Corporation
100 Nisus Drive
Rockford, TN 37853

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product (OPP Decision No. D-430913) is unconditionally registered in accordance with FIFRA sec 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the following labeling changes listed below before you release the product for shipment:

Signature of Approving Official:

Handwritten signature of Jacqueline Campbell-McFarlane

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

Date:

AUG 17 2011

2007

- a. Revise the "EPA Reg. No. 64405-" to read, "EPA Reg. No. 64405-14."
- b. Delete the term "Only" in the statement below the product's name to read "For Manufacturing Use." You may insert the term "Intended" to have it read: "Intended for Manufacturing Use." The Agency cannot enforce that this will be for manufacturing purposes only.
- c. Based on the toxicity classification, reorganize the First Aid statements to the following order:
  - "If in Eyes,..."
  - "If on Skin or Clothing,..."
  - "If Swallowed,..."
  - "If Inhaled,..."
- d. List appropriate PPE in the Precautionary Statements by adding the following statement:
  - "Wear safety goggles or face shield, protective clothing, and chemical resistance gloves."
- e. Delete the fifth sentence of the Precautionary Statements.
- f. As per the Copper Naphthenate RED, Revise the first sentence of the Environmental Hazards to read:
  - "This pesticide is toxic to aquatic invertebrates, shrimp, and oysters/clams."
- g. Delete the term "only" in the second to last sentence of the Directions for Use to read "Exterior Use" or "Intended for Exterior Use" for the same reason in bullet b.
- h. As per the signal word, "Danger," the Pesticide Disposal statements must be revised to read:
  - "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."
- i. Revise "Container Management" in the Storage and Disposal statements to read: "Container Handling."


Submit three (3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

A stamped copy of the label with conditions is enclosed for your records.

If these conditions are not complied with, this registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have questions concerning this matter, please contact me at (703) 308-6416 or by email at [Campbell-McFarlane.Jacqueline@epa.gov](mailto:Campbell-McFarlane.Jacqueline@epa.gov) or Jaclyn Carl at (703) 347-0213 or by email at [carl.jaclyn@epa.gov](mailto:carl.jaclyn@epa.gov).

Sincerely,



Jacqueline Campbell-McFarlane  
Product Manager (34), RMB II  
Antimicrobials Division (7510P)

Enclosure: Stamped Label with conditions  
Chemistry Data Evaluation

3027

**QNAP5W MU  
COPPER NAPHTHENATE CONCENTRATE  
FOR MANUFACTURING USE ONLY**

ACCEPTED  
with COMMENTS  
EPA Letter Dated:

AUG 17 2011

**Keep Out of Reach of Children  
DANGER**  
See Label for additional Precautionary Statements.

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

64405-14

**Active Ingredient:**

Copper Naphthenate (CAS No. 1338-02-9) ..... 45.4%\*  
Other Ingredients ..... 54.6%  
Total ..... 100%

Contains Petroleum Distillates

\*Equivalent to 5% copper as metal.

Net Contents: 5.0 Gallon (18.9 Liters)    Net Weight: 8.75 Pounds/Gallon (3.97 Kilos)  
[Net Contents:    55.0 Gallon (208 Liters)     275 Gallons (1041 Liters)     bulk tanker]

EPA Reg. No. 64405-    EPA Est. \_\_\_\_\_



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**First Aid**

<b>If Inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> </ul>
<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> </ul>
<b>If on Skin or Clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Immediately rinse skin with plenty of water for 15-20 minutes.</li> </ul>
<b>If in Eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul>
Call a poison control center or doctor for further 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.]	
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	

{Note: The first aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

**PRECAUTIONARY STATEMENTS**  
Hazards to Humans & Domestic Animals

**DANGER**

Corrosive. Causes skin burns and irreversible eye damage. Harmful if swallowed or inhaled. Do not get in eyes, on skin, or on clothing. Do not breathe vapors or mist during brush, roll, and dip applications. Prolonged or repeated skin contact may cause allergic reaction in some individuals. 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 pesticide is toxic to fish and wildlife. 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.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. QNAP5W MU Copper Naphthenate Concentrate is a concentrated solution of copper naphthenate for formulating or repackaging purposes only. Use QNAP5W MU Copper Naphthenate Concentrate for formulation or repackaging into end-use products intended for use as wood preservatives. End-Use products formulated or repackaged from QNAP5W MU Copper Naphthenate Concentrate must be labeled for "Exterior Use Only". Formulated or repackaged products must be registered with the EPA.

**Notice**

Read and understand the entire label before using. Use only according to label directions. Before buying or using this product, read **Warranty Disclaimer** and **Limitation of Remedies** statements found elsewhere on this label. If terms are unacceptable, return unopened package to seller for full refund of purchase price. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under **Warranty Disclaimer** and **Limitation of Remedies**.

*{For product in rigid, refillable containers:}*

**Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a preferably locked storage area inaccessible to children and pets. Do not freeze. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Management:** Refillable container; refill this container only with QNAP5W. Do not reuse this container for any other purpose. Cleaning the container before refilling is the responsibility of the refiller; cleaning before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water, then vigorously agitate or recirculate with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure 2 more times, then offer for recycling, if available, or reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

*{For product packaged in rigid, non-refillable containers less than or equal to 5 gallons:}*

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container**

**Management:** Nonrefillable container; do not reuse or refill this container. Triple rinse (or equivalent) 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, then offer for recycling, if available; or reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

*(For product packaged in rigid, non-refillable containers greater than 5 gallons.)*

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container Management:** Nonrefillable container; do not reuse or refill this container. Triple rinse (or equivalent) container 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 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. Then offer for recycling, if available; or reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

*(Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.)*

**Warranty Disclaimer**

Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. To the extent not prohibited by applicable law, **MANUFACTURER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

**Inherent Risks of Use**

The directions for use of this product are believed to be adequate and must be carefully followed. It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of such factors as use of the product contrary to label instructions, abnormal conditions, the presence of other materials, climatic conditions or the manner of use/application, all of which are beyond the control of the Manufacturer. The buyer/user assumes all such risks.

**Limitation of Remedies**

To the extent not prohibited by applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability or other legal theories) shall be limited to, at Manufacturer's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

To the extent not prohibited by applicable law: a) Manufacturer shall not be liable for losses or damages resulting from handling or use of this product unless Manufacturer is promptly notified of such loss or damage in writing; and b) **IN NO CASE SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OR LOSSES, INCLUDING WITHOUT LIMIT, HEALTH RELATED DAMAGES OR INJURIES.**

The terms of this **Warranty Disclaimer** and **Limitation of Remedies** cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Manufacturer or the seller is authorized to vary or exceed the terms of this **Warranty Disclaimer** or **Limitation of Remedies** in any manner.

It is not intended that this product be used to practice any patent, whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.



100 Nisus Drive  
Rockford, TN 37853  
[Telephone Number]

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{Label Code}