

64405-15

2/27/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

FEB 27 2013

Eliot Harrison, Agent for Nisus  
**Lewis & Harrison**  
122 C Street, N.W. Suite 505  
Washington, D.C. 20001

Subject: QNAP5W Copper Naphthenate Concentrate  
EPA Registration Number: 64405-15  
Application Date: November 28, 2012  
Receipt Date: November 29, 2012

Dear Mr. Harrison:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide (FIFRA), as amended, is acceptable.

**Proposed Amendment**

- Page. 1 The Net weight has been revised to 9.0 Pounds/Gallon.
- Page. 2 Added the word *applicant* of the 2<sup>nd</sup> paragraph under Personal Protective Equipment (PPE).
- Page. 3 Under the Directions for use the 3<sup>rd</sup> paragraph has been added and the last paragraph has been revised to the following: (a) treated wood cannot be used in the construction of beehives; (b) treated wood cannot be used to treat wood intended for decks, outdoor furniture and other structures intended for seating or heavy foot traffic has been deleted.
- Page. 4 Additional language was added to the Application Procedures 2<sup>nd</sup> paragraph.
- Page. 5 Revised and added under "Wood Treatment: Ground Contact" paragraph the use-rate in terms of Copper Metal has been increased from 1.0% to 2.0% so that the rate is consistent with the "Above Ground Rate".

**General Comments**

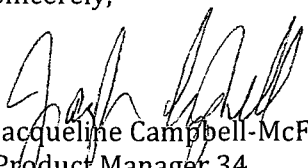
A stamped label is enclosed for your records. Submit 3 copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

**CONCURRENCES**

SYMBOL	75107							
SURNAME	Ruo							
DATE	2/26/13							

If you have further questions concerning this letter, then please 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 Lorena Rivas by telephone at (703) 305-5027 or by email at [rivas.lorena@epa.gov](mailto:rivas.lorena@epa.gov) . When you are submitting information or data in response to this letter, send a copy of this letter to accompany the submission in order to facilitate processing.

Sincerely,



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

Enclosure: stamped label

## QNAP5W COPPER NAPHTHENATE CONCENTRATE

**ACCEPTED**  
FEB 27 2013  
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 64405-15

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

- 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 Weight: 9.0 Pounds/Gallon (3.97 Kilos)**  
[Net Contents:    55.0 Gallon (208 Liters)     275 Gallons (1041 Liters)     bulk tanker]

EPA Reg. No. 64405-15    EPA Est. \_\_\_\_\_



© \_\_\_\_\_ Made in the U.S.A.  
**First Aid**

<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>
<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 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 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>
<p>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.</p>	
<p><b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastral lavage.</p>	

**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.

Wear chemical resistant gloves, protective eyewear, long-sleeved shirt, long pants, socks and shoes when handling or applying this product. 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.

**Personal Protective Equipment (PPE)**

- Applicators, mixers and other handlers must wear chemical resistant gloves, protective eyewear, long-sleeved shirt, long pants, socks and shoes when handling or applying this product.
- When applying this product to non-pressure treated wood with a brush/roller, applicant must wear an organic vapor respirator.
- Some materials that are chemical-resistant to this product are barrier laminate; butyl, nitrile, neoprene and natural rubbers ≥ 14 mils; polyethylene; polyvinyl chloride; and viton ≥ 14 mils. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart.

**User Safety Requirements**

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Users must:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet;
- Remove clothing immediately if pesticide gets inside, then wash thoroughly and put on clean clothing;
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### Environmental Hazards

This product is toxic to aquatic invertebrates, shrimp and oysters/clams. 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.  
Intended For Exterior Use

### 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**.

QNAP5W treated wood will prevent infestation of wood destroying organisms including subterranean termites, drywood termites, wood destroying beetles, powderpost beetles, carpenter ants and decay fungi. It may also be used to resist swelling, shrinking, warping, end checking caused by changes in moisture content of wood products, wood rot, mold and mildew, and moss.

Solutions of QNAP5W can be applied to wood and/or cellulose and construction products (including lumber, end cuts, timber, rail ties, posts, poles, piles, plywood, particle board, oriented strand board, composite wood products, foundation sill plates, millwork, freeway fencing, siding, piers, docks, boxes, roofs, shakes, shingles, porches, steps, fences, pickets, rails and beverage cases). QNAP5W treated wood is suitable for ornamental or planting landscape timbers, greenhouses, nursery flats, wooden seedling trays, outdoor décor, plant boxes, flower boxes and window boxes. QNAP 5W treated wood [Wood treated with this product] can be burned or re-purposed after primary service [as a railroad tie or utility pole] for use in residential landscaping or as a fence posts. [The treated wood can be top-coated with paint or stain.]

Application of this product may produce strong, lingering, unpleasant odor. Wood treated with QNAP5W should not be used where it may come in contact with food, feed or potable water. Do not use QNAP5W treated wood for garden applications where fruit and or vegetables will be grown. Wood treated with this product shall not be used in the construction of beehives. When field treating, do so in a manner that the product does not drip into sensitive environments. Whenever possible, apply field treatments prior to assembling the structure over the body of water or sensitive environment.

### APPLICATION PROCEDURES:

This product will tint the wood. The color will fade over time. The treated wood can be top-coated with paint or stain. Always test the paint or stain in an inconspicuous area for color satisfaction. Water repellents, colorants (including universal machine colorants) and liquid glycol borate formulations may be mixed with QNAP5W. Wood must be thoroughly seasoned and free of bark. Make certain all areas are fully treated to get the maximum benefits.

QNAP5W must be diluted with water prior to use. Agitate well before using. QNAP5W solutions containing 1% or 2% copper metal are appropriate for wood in non-critical applications. Mix a 1+4 dilution of QNAP5W and water to obtain 1% copper metal or 1.5+1 dilution of QNAP5W and water to obtain a 2% copper metal solution. Effective application rates vary according to severity of conditions to which the treated product is exposed but for guidance see the American Wood Protection Association (AWPA) Book of Standards for the applicable use category or commodity.

Coverage is dependent upon application method and the refractory nature of the wood being treated; One gallon of diluted QNAP5W will cover approximately 100 - 300 sq. ft. of surface area. Penetration of QNAP5W through the sapwood may take 24-48 hours, depending upon refractory nature of the wood being treated.

### WOOD TREATMENT: ABOVE GROUND CONTACT

#### DIP, ROLLER, BRUSH

Apply only by roller, brush or dipping. Do not apply with an airless sprayer, by spray or by fine mist. To dip, immerse wood for 3 minutes or longer. The application rate for wood treatment with this product in a diptank shall not exceed 25%. For all other applications techniques, apply 2 coats. Allow at least 1 hour between applications. Composite and particle wood products can be applied to the wood furnish or mixed at 1-3%, based on the dry wood weight, with a resin or binding agent.

#### END CUT TREATMENTS

To satisfy AWPA M4, apply a 1% or 2% dilution of QNAP5W to cuts, holes or injuries.

#### PRESSURE TREATMENT

Wood used in critical (structural) above-ground applications or that may be exposed to severe conditions such as extended periods of wetting, can be subjected to an extended soaking or pressure treatment with a solution containing 0.2% to 1.0% copper metal to a retention in the wood of 0.04 to 0.20 lbs copper metal/ ft<sup>3</sup> or in accordance with AWPA Standards.

### WOOD TREATMENT: GROUND CONTACT

#### DIP, ROLLER, BRUSH

Treat with a solution containing 0.75% to 2.0% copper metal to a retention in the wood of 0.03 to 0.06 lbs copper metal/ ft<sup>3</sup> or in accordance with AWPA Standards.

#### PRESSURE TREATMENT

Treat with a solution containing 0.25% to 2.0% copper metal to a required retention in the wood of 0.03 to 0.20 lbs copper metal/ ft<sup>3</sup> or in accordance with AWPA Standards.

### WOOD TREATMENT: REMEDIAL APPLICATIONS

A QNAP5W solution of 2% copper metal may be used for remedial treatment of standing wood poles, piling and other existing structures. QNAP5W may be re-applied to bare wood at any time.

#### 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:** 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 nearest State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**Container Handling:** 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.

Lot number appears on the 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.

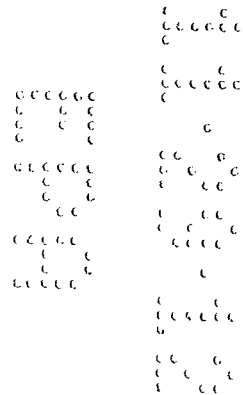


100 Nisus Drive  
Rockford, TN 37853  
1-800-264-0870

QNAP5W® is a Trademark of Nisus Corporation

Made in the U.S.A.

© \_\_\_\_\_  
{Label Code}





{Marketing Claims }

- Non Restricted Use, Ground Contact, Wood Preservative
- General Use Approved For Use On Wood With Ground Contact
- [Use] Above Or Below Ground [& Ground Contact]
- For Wood In Contact With Soil
- For wood in contact with soil and water
- Preserves Wood
- Prolongs The Life Of Non-Pressure Treated Wood
- For Preserving Cedar Shake Roofs
- Cedar Shake Roof Preservative
- Meets AWWPA Standards M-4 [For End Cut Treatments]
- Meets Or Exceeds AWWPA Standard P-36 [Specifications In U-1 And T-1]
- For Use on {insert application sites listed on label}
- May Be Used In a Dual Treatment with Borates for Protection of Crossies, Switch Ties and Bridge Timbers [and {insert application sites listed on label}]
- For Preservation of Wood Against {insert pests listed on label}
- Prevents {insert pests listed on label}
- Protects Against Decay {insert pests listed on label}
- Resists mold and mildew
- Anti-wicking - controls moisture damage
- Stops {insert pests listed on label}
- Kills {insert pests listed on label} {insert application sites listed on label}
- Highly Effective Against {insert pests listed on label}
- Paintable and Stainable
- Deep Penetrating formula
- Note: application of product on redwood and cedar will darken wood.
- Printed in USA
- Contains Copper Naphthenate
- Contains 3 Naturally Found Components
- Contains No Synthetic Carboxylic Acids [per AWWPA Standard P-36]
- This product produced from 100% recycled Copper Metal and by-products from the refining industry
- Non Sludging
- Non Corrosive to Utility Hardware [Railroad Spikes and Tie Plates]
- Can Help Prevent "Spike Kill" when Combined with Borate Treatments
- Non Conductive
- Treated Wood Does Not Become Brittle or Hard
- Reduces Hardening of the Wood Which Allows for Increased [Easy] Gaff Penetration
- Easy soap and water clean-up
- Water clean up

