

64405-16

2/27/2013

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

FEB 27 2013

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Eliot Harrison  
**Cupron Technologies**  
**Agent for Nisus Corporation**  
122 C Street, N.W.  
Suite 500  
Washington, DC 20001

Subject:

EPA Registration Number: 64405-16  
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**

- Label Revision: Deleting spray applications method under Directions for Use section

**General Comments**

A stamped accepted label is enclosed for your records. This labeling supersedes all previous labeling. The next printing of this product must use this labeling unless subsequent changes have been approved. You must submit one copy of the final printed label before selling or distributing the product bearing the revised labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling, or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and it's implementing regulation at 40 CFR 152.3.

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 Stacey Grigsby by telephone at (703) 308-6440 or by email at [grigsby.stacey@epa.gov](mailto:grigsby.stacey@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,

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

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

Enclosure: stamped label

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# QNAP8 COPPER NAPHTHENATE CONCENTRATE

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

**Active Ingredient:**  
 Copper Naphthenate (CAS No. 1338-02-9) ..... 68%\*  
**Other Ingredients** ..... 32%  
**Total** ..... 100%

Contains Petroleum Distillates  
\*Equivalent to 8% Copper.

**Net Contents:**  55.0 Gallon (189.3 Liters)  275 Gallons (1040.99 Liters)  bulk tanker  
**Net Weight:** 8.3 Pounds/Gallon (3.76 Kilos)

EPA Reg. No. 64405-16      EPA Est. \_\_\_\_\_  
Lot Number \_\_\_\_\_



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<b>ACCEPTED</b>
FEB 27 2013
<small>Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 64405-16</small>

### 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>• Do not give person any liquids.</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>
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.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

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

**WARNING**

Causes skin and eye irritation. Prolonged or repeated skin contact may cause allergic reaction in some individuals. Harmful if swallowed or inhaled. Do not breathe vapors or mist during brush, roll, and dip applications. Do not get in eyes, on skin, or on clothing.

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.

Application of this product may produce a strong, lingering, unpleasant odor.

**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, applicator must wear an organic vapor respirator.
- Some materials that are chemical-resistant to this product are barrier laminate; butyl, nitrile, neoprene and natural rubbers  $\geq 14$  mils; polyethylene; polyvinyl chloride; and viton  $\geq 14$  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.

**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**.

QNAP8 Copper Naphthenate Concentrate treated wood will [be protected from] [kill] [control] [prevent] [stop] infestation of destroying organisms including subterranean termites, drywood termites, wood destroying beetles, powderpost beetles, carpenter ants and decay [fungi]. QNAP8 Copper Naphthenate Concentrate may also be used to [protect] [kill] [control] [prevent] [stop] [resist] warping, swelling, shrinking, end checking [due to its antiwicking property, which resists moisture absorption and movement from end to end] [caused by changes in moisture content of wood products], rot [wood rot], mold and mildew, and moss. QNAP8 meets the American Wood Protection Association (AWPA) end cut requirements for exterior and ground contact field treatments (AWPA M4).

Solutions of QNAP8 Copper Naphthenate Concentrate can be applied to wooden [and] [or] [cellulose] utility and construction products (including lumber, end cuts, timber, rail ties, posts, poles, freeway fencing, siding, piers, docks, boxes, roofs, shakes, shingles, porches, steps, fences, rails and beverage cases). QNAP8 Copper Naphthenate Concentrate treated wood is suitable for ornamental or planting landscape timbers [ties], wooden seedling trays, outdoor décor, flower boxes and window boxes. The treated wood can be burned or re-purposed after primary service as a railroad tie or utility pole for use in residential landscaping or as fence posts. [The treated wood can be top-coated with paint or stain.]

QNAP8 Copper Naphthenate Concentrate must be diluted with a solvent such as mineral spirits, diesel fuel, mineral oil or another solvent that meets AWPA Standard. Effective application rates vary according to severity of conditions to which the treated product is exposed but for guidance see the American Wood Protection Book of Standards for the applicable use category or commodity. Wood to be treated should be thoroughly seasoned and free of bark to maximize penetration.

Wood treated with QNAP8 Copper Naphthenate Concentrate must not be used where it will come in contact with food, feed or potable water. Do not use QNAP8 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:**

Agitate well before using. Wood must be thoroughly seasoned and free of bark. Allow at least 1 hour between applications. Make certain all areas are fully treated to get the maximum benefits. If appropriate, see applicable AWPA treatment methods.

This product will tint the wood. The color will fade over time. The treated wood can be top-coated with paint or stain 24 hours after application. Always test the oil-based paint or stain in an inconspicuous area for color satisfaction.

**WOOD TREATMENT: ABOVE GROUND CONTACT**

**DIP, ROLLER, BRUSH** QNAP8 Copper Naphthenate Concentrate solutions containing 1% or 2% copper metal are adequate for wood in non-critical applications. Mix a 1+3 or 1+4 dilution of solvent and QNAP8 Copper Naphthenate Concentrate to obtain 2% copper metal or 1+7 to 1+8 dilution of solvent and QNAP8 Copper Naphthenate Concentrate to obtain a 1% copper metal solution. Do not apply with an airless sprayer, by fine mist or by spray. Coverage is dependent upon application method and the refractory nature of the wood being treated; One gallon of diluted QNAP8 Copper Naphthenate Concentrate will cover approximately 100 - 300 sq. ft. of surface area.

**END CUT TREATMENTS**

To satisfy AWPA M4, apply a 1% or 2% dilution of QNAP8 Copper Naphthenate Concentrate to cuts, holes or injuries.

**FOR 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 0.5% to 1.0% copper metal to a retention in the wood of 0.03 to 0.06 lbs copper metal/ ft<sup>3</sup> is required 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. The application rate for wood treated with this product in a diptank shall not exceed 25% copper naphthenate.

**FOR PRESSURE TREATMENT**

Treat with a solution containing 0.75% to 2.0% copper metal to a retention in the wood of 0.03 to 0.13 lbs copper metal/ ft<sup>3</sup> or in accordance with AWPA Standards.

**WOOD TREATMENT: REMEDIAL APPLICATIONS**

A QNAP8 Copper Naphthenate Concentrate solution of 2% copper metal may be used for remedial treatment of standing wood poles, piling and other existing structures.

**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 Handling:** Refillable container; refill this container only with QNAP8. 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 solvent, 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.

**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.

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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]]

**QNAP8® is a Trademark of Nisus Corporation**  
**Made in the U.S.A.**

© \_\_\_\_\_  
{Label Code}

**{ Marketing Claims }**

- [Non Restricted Use Wood] [Ground Contact] [Wood] Preservative
- General Use Pesticide
- Approved For Use On Wood With Ground Contact
- [Use] Above Or Below Ground [& Ground Contact]
- For Exterior And Ground Contact Use Only
- For Wood In Contact With Soil
- Preserves Wood
- Prolongs The Life Of Non-Pressure Treated Wood
- Meets AWPA Standards M-4 [For End Cut Treatments]
- Meets Or Exceeds AWPA Standard P-36 [Specifications In U-1 And T-1]
- [Ideal For] [Pressure-Treated Wood] End Cut Protection
- Brush on preservative especially formulated for the coating of freshly sawn ends of pressure treated Outdoor wood.
- For Use on {insert application sites listed on label}
- May Be Used In a Dual Treatment with Borates for Protection of Crossties, 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.
- Made in USA
- Printed in USA
- Covers 100 - 300 sq. ft. (9-28m<sup>2</sup>) *{to be used on the 1 gal/on container}*
- Covers 40 - 50 sq. ft. (4-5 m<sup>2</sup>) *{to be used on the 1 quart container}*
- Contains Copper Naphthenate
- 8% by Weight Metallic Copper
- Contains No Synthetic Carboxylic Acids [per AWPA Standard P-36]
- This product produced from 100% recycled Copper Metal and by-products from the refining industry
- Non Emulsion Forming
- 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
- Provides Water Repellency

[ ] Denotes alternate/optional language

{ } Denotes language that will not appear on market labeling