

64405-17

8/17/2011

10 of 7

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



U.S. ENVIRONMENTAL PROTECTION AGENCY

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

PA Reg. Number: 64405-17

Date of Issuance: AUG 17 2011

Term of Issuance: Unconditional

Name of Pesticide Product: QNAP8 MU Copper Naphthenate Concentrate

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 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 Number: D-451974) 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 labeling changes listed below before you release the product for shipment:
a. Revise the EPA Registration Number to read, "EPA Reg. No. 64405-17".

Signature of Approving Official:

Date:

Stacey Bruff

AUG 17 2011

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

CONCURRENCES

Table with columns for SYMBOL, EPA Form 8570-6, EPA Reg. No. 64405-17, QNAP8 MU, and DATE.

- b. According to PRN 2001-1, First Aid Statements must be organized so that the most severe routes of exposure, as demonstrated by the toxicity classification, are listed. Therefore reorder the First Aid Statement as follows:
 - 1. If in eyes
 - 2. If on skin or clothing
 - 3. If swallowed
 - 4. If inhaled
- c. 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.
- 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 in the Precautionary Statement.
- 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. Revise Pesticide Disposal statements.
- i. Revise "Container Management" in the Storage and Disposal statements to read: "Container Handling."

If these conditions are not complied with, the 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.

A stamped label with comments is enclosed for your records. Submit one (1) copy of your final printed labeling prior to release of this product for shipment. Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6416 during the hours of 8:00 am to 4:00 pm EST.

Sincerely,

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

CONCURRENCES

SYMBOL						
SURNAME						
DATE						

Enclosures: (Stamped Label)

3097

ACCEPTED
with COMMENTS
EPA Letter Dated:

AUG 17 2011

QNAP8 MU
COPPER NAPHTHENATE CONCENTRATE
For Manufacturing-Use Only

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

64405-17

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: 5.0 Gallon (18.93 Liters) Net Weight: 8.3 Pounds (3.76 Kilos)
[Net Contents: 55.0 Gallon (189.3 Liters) 275 Gallons (1040.99 Liters) bulk tanker]

EPA Reg. No. 64405- EPA Est. _____



© _____ Made in the U.S.A.

First Aid

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 by mouth-to-mouth, if possible.
If Swallowed	<ul style="list-style-type: none"> • Do not give person any liquids. • Do not give anything by mouth to an unconscious person. • Do not induce vomiting unless told to do so by a poison control center or doctor.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes.
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 the first 5 minutes, then continue rinsing eye.
<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. [You may also contact 1-800-424-9300 for emergency medical treatment information.]</p>	
<p>NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.</p>	

{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

WARNING

Causes eye and skin irritation. Prolonged or repeated skin contact may cause allergic reaction in some individuals. Harmful if swallowed or inhaled. Do not get in eyes, on skin, or on clothing. Wear goggles, face shield or safety glasses. 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 apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. 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.

QNAP8 MU Copper Naphthenate Concentrate is a concentrated solution of copper naphthenate for formulating or repackaging purposes only. Use QNAP8 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 QNAP8 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**.

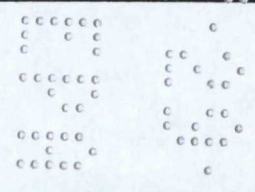
{For product in rigid, refillable containers:}

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 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.



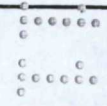
{For product packaged in rigid, non-refillable containers less than or equal to 5 gallons:}

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 solvent 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 solvent. 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)]

QNAP8® is a Trademark of Nisus Corporation

