

64405-20

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

February 25, 2015

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Georgia Anastasiou
Agent for Nisus Corporation
Lewis & Harrison
122 C Street, N.W. Suite 505
Washington, D.C. 20001

Subject: PRIA Label Amendment – (*Certify Child-Resistant Packaging (CRP)*).
Product Name: QNAP 1W Copper Naphthenate RTU
EPA Registration Number: 64405-20
Application Date: December 09, 2014
Decision Number: 424705

Dear Ms. Anastasiou:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

You must submit one copy of the final printed labeling before you release the product for shipment with the new 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 its implementing regulation at 40 CFR 152.3.

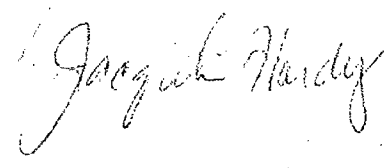
Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

The Child Resistant Packaging Certification (CRP) data, MRID # 49525301, is acceptable. Please see the attach review dated February 23, 2015.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Lorena Rivas by phone at 703-305-5027, or via email at rivas.lorena@epa.gov.

Sincerely,



Jacqueline Hardy
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)
Office of Pesticide Programs

Enclosure: Stamped label
CRP data evaluation

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64405-20 AMEND 6-5-2014
Final Label

QNAP®1W
COPPER NAPHTHENATE RTU

Keep Out of Reach of Children
DANGER
See Label for additional Precautionary Statements and First Aid.

Active Ingredient:

Copper Naphthenate (CAS No. 1338-02-9)	9.1%*
Other Ingredients	<u>90.9%</u>
Total	100%

*Equivalent to 1% metallic copper

Net Contents: 0.5 through 500 Gallons, bulk tankers
Net Weight: 8.5 Pounds (3.8 Kilos)/Gallon

EPA Reg. No. 64405-20 EPA Est. _____



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ACCEPTED
2/25/2015
Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. **64405-20**

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First Aid

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.
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 Swallowed	<ul style="list-style-type: none"> • Have person sip a glass of water if able to swallow. • 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 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.
<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>NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastral 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
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.

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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 ≥ 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.

Physical or Chemical Hazards

Combustible: Do not use or store near heat or open flame.

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**.

PRODUCT INFORMATION:

QNAP1W-treated wood will be protected from [kill] [control] [prevent] [stop] 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 protect [kill] [control] [prevent] [stop] [resist] warping, swelling, shrinking, end checking [due to its anti-wicking 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.

Solutions of QNAP1W can be used for remedial or preventive treatment of standing wooden poles, piling and other existing structures: wooden [and] [or] [cellulose] utility and construction products (including lumber, end cuts, timber, rail ties, posts, poles, freeway fencing, siding, boats, piers, docks, boxes, roofs, shakes, cedar shake roofs, shingles, porches, steps, fences, rails and beverage cases). QNAP1W-treated wood is suitable for ornamental or planting landscape timbers [ties], wooden seedling trays, outdoor décor, flower boxes and window boxes. QNAP1W meets the American Wood Protection Association (AWPA) Standard M4 end cut requirements for exterior and ground contact field treatments.

Wood treated with QNAP1W must not be used where it may come in contact with food, feed or potable water. QNAP1W treated wood is not suitable 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.

This product will tint the wood and may produce a strong, lingering, unpleasant odor. The color and odor will fade over time.

APPLICATION PROCEDURES:

Intended For Exterior Use:

QNAP1W is a ready-to-use formula. Make sure wood is bare and dry and free of dust, dirt and debris. Agitate well before using. In high hazard areas, two applications or extended soaking may be desirable to achieve adequate retention. Effective application rates vary according to the severity of conditions to which the treated product is exposed and the wood species to be treated.

Allow at least 1 hour between applications. Make certain all areas are fully treated to get the maximum benefits.

DIP, ROLLER OR BRUSH APPLICATION: Do not apply with any sprayer or by fine mist. [One quart of QNAP1W will cover approximately 25 - 75 ft². of surface area depending upon application method and the refractory nature of the wood being treated.] [0.88 gallons of QNAP1W will cover approximately 100 -110 ft² of surface area depending upon application method and the refractory nature of the wood being treated.] One gallon of QNAP1W will cover approximately 100 - 300 ft². of surface area depending upon application method and the refractory nature of the wood being treated.

END CUT TREATMENTS: To satisfy AWWA M4, apply QNAP1W to cuts, holes or injuries.

{Specific use directions will be taken from selected portions of the QNAP1W label.}

{For product in rigid, refillable containers:}

Storage and Disposal

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

Pesticide Storage: Protect pesticide containers from heat and cold. 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 QNAP1W. 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: Protect pesticide containers from heat and cold. 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 Handling:** 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:}

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Storage and Disposal

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

Pesticide Storage: Protect pesticide containers from heat and cold. 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 Handling:** 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.}

CONTAINER HANDLING: *[For the end-user's bulk tanks].* Refillable container. Refill with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Use standard industry practices for cleaning bulk containers or contact the registrant for more information.

Spill or Leak Procedures: Refer to the Material Safety Data Sheet (MSDS) associated with this product for information on how to properly clean-up spillage.

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 USA
[Telephone Number]

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© _____
{Label Code}

{Marketing Claims}

- [Not A Restricted Use Wood] [Ground Contact] [Wood] [General Use] Preservative
- Approved [Suitable] For Use On Wood With Ground Contact
- [Use] Above Or Below Ground [& Ground Contact]
- For Exterior And Ground Contact Use
- For Wood In Contact With Soil
- Preserves Wood
- Prolongs The Life Of Non-Pressure Treated Wood
- For Preserving Cedar Shake Roofs
- Cedar Shake Roof Preservative
- Meets AWWA Standard M-4 [For End Cut Treatments]
- Meets Or Exceeds AWWA 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.
- Pressure-Treated Wood End Cut Solution
- End Cut Solution is a brush-on preservative especially formulated for the coating of freshly sawn ends of pressure-treated wood products that have been surface coated with a brown stain.
- For Use on {insert application sites listed on label}
- Great for Small Projects
- 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

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- 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 ft² (9-28m²) *{to be used on the 1 gallon container}*
- Covers 100 - 110 ft² (9-10m²) *{to be used on the 0.88 gallon container}*
- Covers 25 - 75 ft². (2.3 - 7 m²) *{to be used on the 1 quart container}*
- Contains Copper Naphthenate
- 1% by Weight Metallic Copper
- This product produced from 100% recycled Copper Metal and by-products from the refining industry
- Non Corrosive to Utility Hardware [Railroad Spikes and Tie Plates]
- Non Conductive
- Low Leaching
- Treated Wood Does Not Become Brittle or Hard
- Prevents Warping, Swelling, Shrinking, End Checking, Rot, Mold, Mildew and Moss

[] Denotes alternate/optional language

{ } Denotes language that will not appear on market labeling