APR 1 2 2010

Ross Gilbert Agent Diacon Technologies Ltd. c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332

Subject:

Mycostat -QM

EPA Registration Number 70227-2 Notification Dated March 24, 2010 EPA Received Date March 30, 2010

Dear Mr. Gilbert:

This will knowledge receipt of your notification, submitted under the provisions of FIFRA section 3c 9. Based on a review of the submitted material the following comment apply.

#### **Proposed Amendment:**

Revised Storage and Disposal statement

#### General Comments:

Based on a review of the material submitted, the following comment apply:

The notification is acceptable for the following. A copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact Drusilla Copeland at (703) 308-6224.

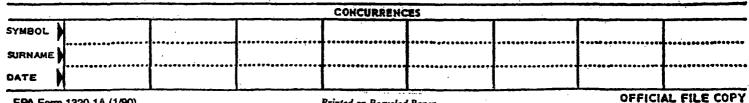
Sincerely,

Orusilla Copeland

*I*%-Velma Noble

Product Manager (31)

Regulatory Management Branch I Antimicrobials Division (7510P)



EPA Form 1320-1A (1/90)

Printed on Recycled Paper

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Please read instructions on reverse before complete.	orm.	Form Approve	d. ( No. 20	70-0060. Approval expires 2-28-95		
Environmental P	ed States rotection Age on, DC 20460	ncy 🗸	Registrati Amendm Other			
Application for Pesticide - Section I						
1. Company/Product Number 70227-2		2. EPA Product Manager V. Noble		3. Proposed Classification  None Restricted		
4. Company/Product (Name) Diacon Technologies Ltd. / Mycostat QM		PM# 31				
. Name and Address of Applicant (Include ZIP Code)  Diacon Technologies Ltd. c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW  Gig Harbor, WA 98332  6. Expedited Reveiw. In accordance with FIFRA Section 3 (b) (i), my product is similar or identical in composition and late to: EPA Reg. No.			al in composition and labeling			
Check if this is a new address		Product Name				
	Sec	tion - II				
Amendment - Explain below.  Resubmission in response to Agency letter dat  Notification - Explain below.	ed	Final printed labels in repsonse to Agency letter dated "Me Too" Application.  Other - Explain below.				
Explanation: Use additional page(s) if necessary. (For section I and Section II.)  Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.						
	Sect	ion - III				
1. Material This Product Will Be Packaged In:						
Child-Resistant Packaging  Yes  ✓ No  ✓ No	Water	ter Soluble Packaging 2. Type of Yes 7		Metal Plastic		
* Cartification must If "Yes"	lo. per If "Yes Packed	" No. per		Glass Paper Other (Specify)		
3. Location of Net Contents Information  4. Size(s) Ref  ✓ Label Container 5.28 ga		Container  5. Location of Label Directions  On Label On Label On Labeling accompanying product				
6. Manner in Which Label is Affixed to Product						
<u> </u>		ion - IV		·		
Contact Point (Complete items directly below for it.)			nessent to pro-	ess this application I		
<del></del>	Title	dual to be contacted, if he				
Name Ross Gilbert		gent (		elephone No. (Include Area Code) 253) 853-7369		
Certification  I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.   I acknowledge that any knowlingly false or misleading statement may be punishable by fine or imprisonment ας τος both under applicable law.						
2. Signature	3. Title Agent			6 6 6 6 CC 6 CC 6 CC 6 CC 6 CC 6 CC 6		
4. Typed Name	5. Date		· · · · · · · · · · · · · · · · · · ·			
Ross Gilbert		3/24/10		0000 0000		

## PYXIS MEGULATORY CONSULTING, C.

3088

4110 136<sup>th</sup> St. NW Gig Harbor, WA 98332

Phone: 253-853-7369 Fax: 253-853-5516 www.PyxisRC.com

March 24, 2010

#### **COURIER DELIVERY**

Velma Noble (PM 31)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Diacon Technologies Ltd. – Mycostat QM (EPA Reg. No. 70227-2) Revision to Container Disposal Instructions per PRN 2007-4

Dear Ms. Noble,

On behalf of Diacon Technologies Ltd. please find the enclosed label notification revising the container disposal instructions for Mycostat QM per PRN 2007-4.

In support of this notification submission, we submit the following documents:

- 1. Completed Application for Registration (EPA Form 8570-1)
- 2. One (1) copy of the Mycostat QM labeling with changes tracked
- 3. One (1) copy of the Mycostat QM labeling with changes incorporated
- 4. Certification with Respect to Label Integrity
- 5. One (1) copy of the Mycostat OM labeling on CD
- 6. Letter of Authorization

Please feel free to contact me by phone (253) 853-7369 or by email at Ross@PyxisRC.com if you have any questions or need any additional information.

Sincerely,

Ross Gilbert

Enclosures

cc: K. Mehrtabar; Diacon Technologies Ltd.

### MYCOSTATTM-QM

A Wood Treatment Preservative

Treatment can be done by pressure, double vacuum, dip or spray-box method. Wood articles that will be protected by these treatments include millwork, construction timbers, decking, and posts.

#### **ACTIVE INGREDIENT:**

Didecyl dimethyl ammonium chloride	50.00%
OTHER INGREDIENTS:	50.00%
TOTAL:	100.00%

Contains 7.4 lbs. of product per gallon

## KEEP OUT OF REACH OF CHILDREN DANGER

FIRST AID		
If on skin or	Take off contaminated clothing.	
clothing:	• Rinse skin immediately with plenty of water for 15-20 minutes.	
	Call a poison control center or doctor for treatment advice.	
If in eyes:	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.	
	Call a poison control center or doctor for treatment advice.	
If swallowed:	Call a poison control center or doctor immediately for treatment advice.	
	Have person sip a glass of water if able to swallow.	
	• Do not induce vomiting unless told to do so by a poison control center or	
	doctor.	
	Do not give anything by mouth to an unconscious person.	
If inhaled:	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.	
	Call a poison control center or doctor for further treatment advice.	
HOT LINE NUMBER		
Have the product container or label with you when calling a poison control center or doctor, or		
going for treatment. For general product information, call Diacon Technologies Ltd at (604) 271-		
8855 between the hours of 9 a.m. – 4 p.m. Pacific Time.		
NOTE TO PHYSICIAN		
Probable mucosal damage may contraindicate the use of gastric lavage.		

See side panel for additional precautionary statements

#### Made In USA

DIACON TECHNOLOGIES LTD. #135-11960 Hammersmith Way Richmond, BC V7A 5C9 (604) 271-8855 Toll Free: 1-888-290-2299

E.P.A. Reg. No. 70227-2 E.P.A. Est. No.



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# PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS DANGER

CORROSIVE. Causes irreversible eye damage and skin burns. Do not get in eyes, on skin or clothing. Wear goggles or face shield, protective clothing and rubber gloves. May be fatal if swallowed or inhaled. Do not breathe spray mist (or vapor). Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C). Harmful if absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash before reuse.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. 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 into 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

Do not use or store near heat or open flame.

#### SPILL OR LEAK PROCEDURES

Small spills may be mopped up or flushed away with water or absorbed on some absorbent material and incinerated.

#### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. This product can be used in combination with other EPA registered organic and inorganic wood preservatives, or it may be used alone.

#### MYCOSTAT<sup>TM</sup>-QM

For the control of mold and fungus on green or freshly cut lumber. May be used in a dip or spray application. Dilute this product in either water or mineral spirits to produce a 0.5% to 3.0% active quaternary ammonium compound solution. Seasonal variation in storage and shipping conditions, species and condition of wood should be considered in selection of end use concentrations. For effective inhibition of mold and fungus, lumber and logs must be dipped or sprayed in a manner that ensures that all surfaces are uniformly treated.

Hard woods such as Alder, Birch and Maple would require an application rate of  $100 - 150 \, \Box g/cm^2$  when stored and shipped as follows: dead packed, no paper-wrap.

Soft woods such as Fir, Hemlock and Pine would require an application rate of 150 - 200 \(\sigma\)g/cm<sup>2</sup> when stored and shipped as follows: dead packed, no paper-wrap.

For best results, green wood should be treated immediately, at least within 24 hours after cutting or sawing. Mold and fungus growth begins immediately after cutting so delayed treatment is much less effective and requires increased chemical concentration. Green, untreated lumber should not be used for stickers.

Freshly treated lumber should not be allowed to remain unprotected in heavy rains. Tip tanks and drap aprons must be roofed, paved and drain to prevent dilution and loss of the anti-stain solution.

TANK MIXING WITH BORATES



Mix this product and TIM-BOR (EPA Reg. No. 1624-39) in water and stir to give a solution of the desired concentration of components.

#### TANK MIXING WITH COPPER COMPOUNDS

Mix this product with water and either ACQ-C2 EPA Reg. No. 10465-36 or ACQ-C EPA Reg. No. 10465-33. Refer to the product labels for ACQ-C and ACQ-C2 for precise mixing instructions.

#### TANK MIXING WITH PROPICONAZOLE

Mix this product with MYCOSTAT<sup>TM</sup>-P (EPA Reg. No.71406-1-70227) and dilute with water to produce a 0.5% to 3.0% quaternary ammonium compound solution. Follow the instructions on the MYCOSTAT<sup>TM</sup>-P label for the appropriate concentration of propiconazole. PLEASE NOTE THIS FORMULATION IS NOT APPROPRIATE FOR PRESSURE SYSTEMS.

#### **DIP TREATMENT**

Stack the wood to be treated on a suitable holder and convey the stack into the treating solution making sure the stack is completely immersed. Dip time should range from 30 seconds (individual pieces) up to 30 minutes (bundled wooden articles). Use a concentration of 0.5 to 3.0% active quaternary ammonium compound. The concentration should be customized to achieve the degree of sapstain protection desired, which should be determined by an independent test on the intended species of wood.

#### PRESSURE TREATMENT

Place the article to be treated into the pressure cylinder and seal unit. Treat the wooden articles using the pressure treatment procedure consistent with the equipment being used and standard treatment practices. Treatment conditions should be such as to produce a 0.1 to 0.6 lb./cu. ft. retention in the treatment article. Such treated wood is to be used for above ground uses only.

#### **DIRECTIONS FOR USE CONTINUED**

#### SPRAY-BOX APPLICATION

For spray-box application prepare the treating solution by adding 1 gallon MYCOSTAT<sup>TM</sup>-QM to 5 - 30 gallons of water. The concentration should be customized to achieve the degree of sapstain protection desired, which should be determined by an independent test on the intended species of wood. Mix thoroughly to ensure uniform composition. Application rates will vary according to wood species and moisture content, temperature, humidity, storage conditions and inoculum pressure. Ensure that the treatment conditions are such that the wood articles are uniformly covered with the treating solution. Monitor spray booth mixtures to ensure proper concentrations are being maintained. Contact your MYCOSTAT<sup>TM</sup>-QM representative for application and monitoring advice.

#### **DOUBLE VACUUM**

Stack the wooden articles to be treated in the treatment vessel so that the preservative solution will have access to all sides of the articles. Seal the vessel. Reduce the pressure within the vessel to -10 in. for 5 minutes. Cover the articles with preservative solution. Allow the pressure to return to atmospheric conditions and discharge the preservative solution. Reduce the pressure to -20 in. and maintain for 20 minutes. Allow the pressure to return to atmospheric and remove treated wood articles. Treatment conditions should be used as to produce 0.1 to 0.6 lb./cu ft. retention of DDAC in the treated article. Wood treated to this retention for above ground use only.

## PERSONAL PROTECTION EQUIPMENT FOR PRESSURE TREATMENT, DOUBLE VACUUM, DIP AND SPRAY TREATMENT

Applicators must wear gloves which are chemical-resistant (such as butyl or nitrile) in all situations where dermal contact is expected (i.e. handling freshly treated wood and manually opening cylinder doors).

Individuals who enter pressure treatment cylinders and other related equipment that are contaminated with the wood treatment solution (e.g. cylinders that are in operation or are not free of all treatment solution) must wear coveralls over a long sleeved shirt and long pants, socks, chemical-resistant footwear and protective eyewear. Federal, State and local confined space entry procedures need to be followed.

Applicators must not eat, drink or use tobacco products during those parts of the application process that may expose them to the wood treatment formulation (e.g. manually opening/closing cylinder doors, moving frames out of cylinders, mixing chemicals, handling freshly treated wood). Wash thoroughly after skin contact and before eating, drinking, use of tobacco products or using restroom. Protective clothing must be changed when it shows signs of contamination. Applicators must leave protective clothing and work shoes or boots and equipment at the plant. Worn out protective clothing and work shoes or boots must be left at the plant and disposed of in a manner approved for pesticide disposal and in accordance with State and Federal regulations.

#### STORAGE AND DISPOSAL

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

#### 1) STORAGE INSTRUCTIONS

Open dumping is prohibited. Store in original containers and place in locked storage area. Keep from freezing.

#### 2) 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 State Pesticide or Environmental Control Agency, or the hazardous waste representative at the nearest EPA regional Office for guidance.

#### 3) CONTAINER DISPOSAL

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the application equipment or a mix tank. Fill the container 1/4 full of 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. Do not reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### **NOTICE OF WARRANTY:**

Diacon Technologies Ltd. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with the directions under normal use conditions. It is impossible to eliminate all risk inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or applications and of which are beyond the control of Diacon Technologies Ltd. In no case shall Diacon Technologies Ltd. be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. DIACON TECHNOLOGIES LTD. MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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