

07/01/2010



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUL -1 2010

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

Subject: Mycostat QM
EPA Reg. No. 70227-2
Application Dated: March 27, 2010
Receipt Date: June 03, 2010

Dear Ross Gilbert

The following notification submitted in connection with registration under the provisions of PR Notice 98-10, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)9. is acceptable.

Proposed Notification

Revise Storage and Disposal Directions Per PR Notice 2007-4

Comments

Based on a review of the material submitted, the following comments apply:
This application for notification to Storage and Disposal section per PR Notice 2007-4 is acceptable. A copy has been placed in our records for future reference.

Should you have any questions or comments concerning this letter, please contact Velma Noble at (703) 308-6233.

Sincerely,

Velma Noble
Product Manager (31)
Regulatory Management
Branch1 Antimicrobial Division

CONCURRENCES (7510P)

SYMBOL	DATE	INITIALS	REMARKS	DATE	INITIALS	REMARKS	DATE	INITIALS	REMARKS

31

PYXIS REGULATORY CONSULTING, INC.

3/8

4110 136th St. NW
Gig Harbor, WA 98332

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

March 27, 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)
Submission of Label Notification per PRN 2007-4 to Add Refillable Container Language

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 QM 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.

cc: K. Mehrtabar; Diacon Technologies Ltd.

MYCOSTAT™-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

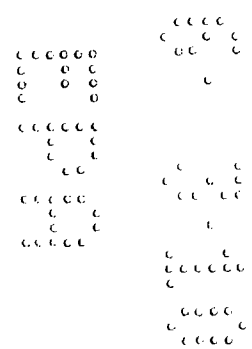
KEEP OUT OF REACH OF CHILDREN DANGER

FIRST AID	
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated 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:	<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. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • 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:	<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. • 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.



**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™-QM

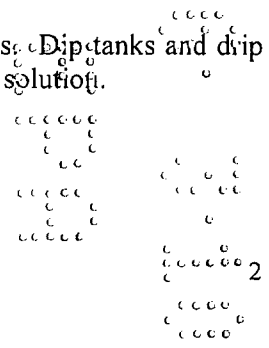
For the control of mold and fungus on green or freshly cut lumber. May be used in a dip or spray application. Dilute this product in either water or mineral spirits to produce a 0.5% to 3.0% active quaternary ammonium compound solution. Seasonal variation in storage and shipping conditions, species and 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 g/cm² 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 g/cm² 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. Dip tanks and dip aprons must be roofed, paved and drain to prevent dilution and loss of the anti-stain solution.



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 CONTAINERS]

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. Then offer for recycling 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.

[REFILLABLE CONTAINERS]

Refillable container. Refill this container 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.

To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 per-cent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for

