

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

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OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

2010

Ross Gilbert Agent for Diacon Technologies Ltd. Pyxis Regulatory Consulting, Inc. 4110 136<sup>th</sup> 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.

Singerely.

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

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	Environmenta	United States	on Agency	Pproved	ntion	0. Approval expires 2-28-99 OPP Identifier Number
		Applicatio	n for Pesticide - Se	ction I		
1. Company/Product Number 70227-2			2. EPA Product Manager V. Noble			oposed Classification
<ol> <li>Company/Product (Na Diacon Technologies Ltd</li> </ol>			PM#	31		
5. Name and Address of Diacon Technologies Lt c/o Pyxis Regulatory Co 4110 136th St. NW Gig Harbor, WA 98332	d.	ode)	(b)(i), my product to:		ical in co	FIFRA Section 3(c)(3) mposition and labeling
Check if	this is a new address		Product Name			
			Section - II		· · · · · · · · · · · · · · · · · · ·	
Notification - Expl Explanation: Use addi Notification of label chang regulations at 40 CFR 156 Formula for this product.	esponse to Agency lette ain below. tional page(s) if necessa e per PR Notice 2007-4. .10, 156.140, 156.144, 15 understand that it is a vic istent with the requiremen	ry. (For section This notification i 6.146, and 156. Iation of 18 U.S. ts of 40 CFR 156	Agency le "Me Too" Other - Ex I and Section II.) s consistent with the guidance i 156. No other changes have be C. Sec. 1001 to willfully make a 5.10, 156.140, 156.144, 156.14	en made to the labeli ny false statement to	nd the requing or the C	onfidential Statement of her understand that if the
	·····		Section - III			
1. Material This Product	· · · · · · · · · · · · · · · · · · ·					
hild-Resistant Packaging Unit Packaging Yes Yes Yes Ves No		No. and	Water Soluble Packaging Yes No If "Yes" No. per	2. Type of	Container Metal Plastic Glass Paper	
* Certification must be submitted			lf "Yes" No. per Package wgt contain		Other (Specify)	
Location of Net Conter	ts Information	4. Size(s) Ret	ail Container ., 54.16 gal., 264.17 gal.	5. Location of Lab	el Directio	
3. Manner in Which Labe	,	Lithogr Paper Stencil	aph Oth			
			Section - IV			
. Contact Point <i>(Comple</i>	ate items directly below	for identification	n of individual to be contacted	l, if necessary, to pro	ocess this	application.)
lame Ross Gilbert			Titte Agent		Telephone (253) 85	No. (Include Area Code) 53-7369
i acknowledge that both under applicat	any knowlinglly false or	misleading stat	all attachments thereto are tru ement may be punishable by	fine or imprisonment	· /	6. Date Application Received c (Stamped) c
. Signature	filser-	3	a. Title Agent			ιι
. Typed Name Ross Gilbert	-	E	i. Date	3		
A Form 8570-1 (Bey 3	94) Previous editions ar	a obsolete.	w	hite - EPA File Copy	(original)	Yellow Applicant Copy

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

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.

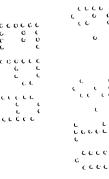
In support of this notification submission, we submit the following documents:

- 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.

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

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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.

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				
	container or label with you when calling a poison control center or doctor, or				
	t. For general product information, call Diacon Technologies Ltd at (604) 271-				
8855 between the l	nours of 9 a.m. – 4 p.m. Pacific Time.				
	NOTE TO PHYSICIAN				
Probable mucosal of	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<sup>TM</sup>-QM

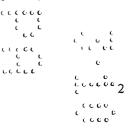
For the control of mold and fungus on green or freshly cut lumber. May be used in a dip or spray application. Dilute this product in either water or mineral spirits to produce a 0.5% to 3.0% active quaternary ammonium compound solution. Seasonal variation in storage and shipping conditions, species and 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  $100 - 150 \square g/cm^2$  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  $150 - 200 \, \square g/cm^2$  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 Dipctanks and drip 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.

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#### 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>™</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>™</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 ι ι ιι

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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. Turn the container 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]

<u>Refillable container.</u> 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



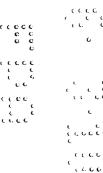
recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### **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 application, all 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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