

70227-4

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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WASHINGTON, D.C. 20460

JUL - 8 2010

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

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

Subject: Product Name: MYCOSTAT™ P20
EPA Registration No.: 70227-4
Notification Date: June 8, 2010
EPA Receipt Date: June 10, 2010

Dear Mr. Gilbert,

This letter acknowledges receipt of your notification submitted under the provision of FIFRA section 3(c) 9 and PR Notice 2007-4, PR Notice 83-3 and the requirements of EPA 's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156.

Proposed Notification

- Adding refillable container language.

General Comments

Based on a review of the submitted materials, your notification for updating the language on the label is acceptable and apart of the records on file.

Should you have any questions or comments concerning this letter, please contact Juan F. Negrón at (703-308-8116).

Sincerely,

Jacqueline McFarlane
Product Manager (34)

CONCURRENT Regulatory Management Branch

Table with columns for SYMBOL, SURNAME, DATE and rows for Antimicrobials Division (7510P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|--|--|
| 1. Company/Product Number 70227-4 | 2. EPA Product Manager A. Heyward | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Diacon Technologies Ltd. / Mycostat P20 | PM# 34 | |
| 5. 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 <input type="checkbox"/> Check if this is a new address | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____ | |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> 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.

Section - III

| | | | | | |
|---|--|---|--------------------------------------|--|---|
| 1. Material This Product Will Be Packaged In: | | | | 2. Type of Container | |
| Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | <input type="checkbox"/> Metal | <input checked="" type="checkbox"/> Plastic |
| * Certification must be submitted | | | | <input type="checkbox"/> Glass | <input type="checkbox"/> Paper |
| If "Yes" Unit Packaging wgt. No. per container | | If "Yes" Package wgt. No. per container | | Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container 5.28 gal., 54.16 gal., 264.17 gal. | | 5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product | |
| 6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled | | | <input type="checkbox"/> Other _____ | | |

Section - IV

| | | |
|---|----------------|---|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Ross Gilbert | Title Agent | Telephone No. (Include Area Code) (253) 853-7360 |
| 2. Signature | | 6. Date Application Received (Stamped) |
| 3. Title Agent | | |
| 4. Typed Name Ross Gilbert | | |
| 5. Date 6/8/10 | | |

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3/7
PYXIS REGULATORY CONSULTING INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

June 8, 2010

COURIER DELIVERY

Adam Heyward (PM 34)
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 P20 (EPA Reg. No. 70227-4)
Submission of Label Notification per PRN 2007-4 to Add Refillable Container Language

Dear Mr. Heyward,

On behalf of Diacon Technologies Ltd. please find the enclosed label notification adding refillable container language to the Mycostat P20 label 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 P20 labeling with changes tracked
3. One (1) copy of the Mycostat P20 labeling with changes incorporated
4. Certification with Respect to Label Integrity
5. One (1) copy of the Mycostat P20 labeling on CD
6. Letter of Authorization

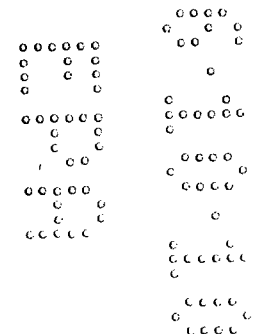
Please feel free to contact me by phone (253) 853-7369 or by email at Ross@PyxisRC.com if you have any questions or need any additional information.

Sincerely,

Ross Gilbert

Enclosures

cc: K. Mehrtabar; Diacon Technologies Ltd.



Killer

**PRECAUTIONARY STATEMENTS
HAZARD TO HUMANS AND DOMESTIC ANIMALS
CAUTION
KEEP OUT OF REACH OF CHILDREN**

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Apply this product only as specified on the label. 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 permit 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 local 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.

Description

MYCOSTAT™-P20 is used to control sapstain, mold and decay in cut hardwood and softwood lumber, logs, poles, posts and timbers by dip or spray application at such a deposit rate as to prevent stain. Seasonal variation in storage and shipping conditions, species and condition of wood should be considered in selection of end use concentrations Lumber should be treated immediately after it is sawn. A delay in treatment of 24 hours or more permits stain, mold and decay growth to start which requires an increased concentration of antisapstain treatment to achieve adequate control. Treated lumber should be protected from rain and removed from direct soil/ground contact.

Hard woods such as Alder, Birch, and Maple would require an application rate of 5 – 10 g/cm² of propiconazole when stored and shipped as follows: Deadstacked, No paper-wrap.

Soft woods such as Pine, Hemlock, and Douglas fir would require an application rate of 10 – 15 g/cm² of propiconazole when stored and shipped as follows: Deadstacked, No paper-wrap.

MIXING INSTRUCTIONS:

MYCOSTAT™-P20 may be used in conjunction with such registered quaternary ammonium chloride preservatives as MYCOSTAT™-Q (EPA Reg. No.10324-92-70227), MYCOSTAT™-QM (EPA Reg. No. 70227-2), or MYCOSTAT™-Z (EPA Reg. No. 70227-3. Where quaternary preservatives are unnecessary, an appropriate emulsifier such as Diamulse C or Diamulse E must be used to assure uniform dilution. Mix one part MYCOSTAT™-P20 to 4 parts quaternary ammonium chloride preservative (or appropriate emulsifier). Ready-to-use solution with quaternary preservatives is prepared as follows:

MYCOSTAT™-P20 with Quaternary Preservatives

| Mycostat™-P20 (Gallons) | Mycostat™-Q, -QM, or -Z (Gallons) | Water (Gallons) | Solution Strength |
|----------------------------|--------------------------------------|--------------------|---|
| 1 | 4 | 385 | Weak Dip Tank (0.05% Propiconazole, 0.5% DDAC) |
| 1 | 4 | 75 | Strong Dip Tank (0.25% Propiconazole, 2.5% DDAC) |
| 1 | 4 | 185 | Weak Spray Box |

| | | | |
|---|---|----|---|
| | | | (0.1% Propiconazole, 1.0% DDAC) |
| 1 | 4 | 35 | Strong Spray Box (0.5% Propiconazole, 5.0% DDAC) |

Ready-to-use solution with emulsifier is prepared as follows:

MYCOSTAT™-P20 with Emulsifier

| Mycostat™-P20 (Gallons) | Emulsifier (Gallons) | Water (Gallons) | Solution Strength |
|-------------------------|----------------------|-----------------|--|
| 1 | 4 | 385 | Weak Dip Tank (0.05% Propiconazole) |
| 1 | 4 | 75 | Strong Dip Tank (0.25% Propiconazole) |
| 1 | 4 | 185 | Weak Spray Box (0.1% Propiconazole) |
| 1 | 4 | 35 | Strong Spray Box (0.5% Propiconazole) |

Remove sawdust and other debris from treating solution on a regular basis to maintain correct concentration of MYCOSTAT™-P20 in application solution. Rates, for all applications used, will vary according to wood species and moisture content, temperature, humidity, storage conditions and inoculum pressure. Monitor dip tank and/or spray booth mixtures to ensure proper concentrations are being maintained.

Contact your MYCOSTAT™-P20 representative for application and monitoring advice.

NOTE: This product is intended to provide decay, mold and sapstain control during storage and transit which is not intended to extend to the end use site.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store in original container in a cool, dry place. Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or disposal. Pesticide wastes are toxic. 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.

CONTAINER HANDLING:

[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 application equipment or a mix tank. Fill the container 1/4 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 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 this 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.**

*Propiconazole is manufactured by Syngenta Crop Protection AG, Basel, Switzerland

EPA 201000608

