

70227-5

05/12/2010

117

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

MAY 12 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject: **Mycostat K**
EPA Registration No.: 70227-5
Application Date: April 5, 2010
Receipt Date: April 13, 2010

Dear Mr. Gilbert:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c) 9.

Proposed Notification:

Updating Storage and Disposal Update PR Notice 2007-4

General Comment:

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

A copy of the accepted notification has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Stacey Grigsby by telephone at (703) 305-6440 or by e-mail at grigsby.stacey@epa.gov during the hours of 8:00am to 4:00pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Jacqueline McFarlane
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

34

2/7



United States Environmental Protection Agency Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 70227-5	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 K	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	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 <input type="checkbox"/> Paper glued <input type="checkbox"/> 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) 853-7369	
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 knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Agent			
4. Typed Name Ross Gilbert		5. Date 4/5/10			

34

PYXIS REGULATORY CONSULTING, INC.

3/7

4110 136th St. NW
Gig Harbor, WA 98332

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

April 5, 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 K (EPA Reg. No. 70227-5)
Revision to Container Disposal Instructions per PRN 2007-4

Dear Mr. Heyward,

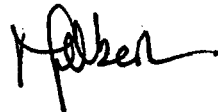
On behalf of Diacon Technologies Ltd. please find the enclosed label notification revising the container disposal instructions for Mycostat K per PRN 2007-4.

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 K labeling with changes tracked
3. One (1) copy of the Mycostat K labeling with changes incorporated
4. Certification with Respect to Label Integrity
5. One (1) copy of the Mycostat K 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™-K

A FUNGICIDE FOR USE IN AQUEOUS SYSTEMS FOR TREATING WOOD PRODUCTS
SOLD FOR INDUSTRIAL USE ONLY

ACTIVE INGREDIENT:

3-Iodo-2-propynyl butyl carbamate:..... 17.0%

OTHER INGREDIENTS: 83.0%

TOTAL:..... 100.0%

Contains 1.67 lbs. active ingredient/gallon

KEEP OUT OF REACH OF CHILDREN

DANGER

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. • Call a poison control center or doctor for treatment advice.
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 swallowed:	<ul style="list-style-type: none"> • Call 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 the 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.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

EPA REG.NO. 70227-5
EPA EST.NO. 49317-OR-001

NOTIFICATION
Date Reviewed: 4/6/10
Reviewed By: S. B. [Signature]

MADE IN USA
DIACON Technologies Ltd.
#135-11960 Hammersmith Way
Richmond, BC, V7A 5C9 Canada
Phone: (604) 271-8855
Fax: (604) 271-4266

NET CONTENTS:
BATCH NO:

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS
DANGER**

KEEP OUT OF REACH OF CHILDREN

Corrosive. Causes irreversible eye damage. Causes skin irritation. Do not get in eyes, on skin, or on clothing. Harmful if swallowed, absorbed through skin or inhaled. Avoid breathing vapor or spray mist and contact with skin, eyes and clothing. Wear goggles, face shield or safety glasses, protective clothing and rubber gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of the 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. Do not contaminate water when disposing of wash waters.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

STORAGE AND DISPOSAL

This material has a tendency to crystallize at low temperatures. Storage temperatures below 90F (32C) and above 32F (0C) are recommended. Store in original container in a cool, dry place. Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, spray mixtures, 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 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 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.

~~Triple rinse (or equivalent) then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by other procedures approved by State and Local authorities.~~

DIRECTIONS FOR USE

DIRECTIONS FOR USE: It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Description

MYCOSTAT™-K is a broad spectrum, liquid, non-metallic fungicide which is effective against a wide variety of fungal organisms. It is formulated for easy dispersion in aqueous systems. It is dispersed readily in water, forming an emulsion. The following paragraphs list suggested concentration ranges for a variety of water-based systems where MYCOSTAT™-K has proven effective.

WOOD:

MYCOSTAT™-K may be applied from aqueous dispersions to new lumber, plywood, particleboard, millwork, etc. to prevent the growth of fungal organisms. Treating solutions may be prepared by diluting MYCOSTAT™-K in water. Levels of 0.1% - 3.0% MYCOSTAT™-K (0.017% 3-IODO-2-PROPYNYL BUTYL CARBAMATE - 0.5% 3-IODO-2-PROPYNYL BUTYL CARBAMATE) are suggested depending upon the severity of conditions for the end use, and the extent of time that protection is required.

For freshly sawn lumber, a concentration of 1.0% MYCOSTAT™-K (0.17% 3-IODO-2-PROPYNYL BUTYL CARBAMATE) is suggested as a starting level in treatment solutions. A one minute dip at ambient temperatures in a solution or aqueous dispersion containing 1.0% MYCOSTAT™-K should be adequate to control the development of fungal organisms on the lumber.

Because of the great variation in susceptibility of fresh sawn lumber relating to the type of wood, sawing, and storage techniques, conditions of humidity, method of treatment etc. it is usually necessary to carry out field tests to determine the most appropriate means of application and the optimum concentration. For best results, lumber should be treated within twenty-four (24) hours after it is sawn.

Hard woods such as Alder, Birch, and Maple would require an application rate of 5-15 µg/cm² of 3-IODO-2-PROPYNYL BUTYL CARBAMATE when stored and shipped as follows: Dead pack, No paper-wrap.

Soft woods such as Pine, Hemlock, and Douglas fir would require an application rate of 10 - 20 µg/cm² of 3-IODO-2-PROPYNYL BUTYL CARBAMATE when stored and shipped as follows: Dead pack, no paper-wrap.

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.

MILLWORK/JOINERY:

MYCOSTAT™-K is recommended for use on millwork, including door and window frames, exterior siding, plywood and other construction lumber when it is important to prevent the growth of fungal organisms on these materials during storage prior to use.

Wood treated with MYCOSTAT™-K does not change in appearance and may be painted when dry.

For applications of this type, MYCOSTAT™-K may be applied by dipping, brushing or spraying. Levels of 0.25% to 2.0% MYCOSTAT™-K (0.042% to 0.34% 3-IODO-2-PROPYNYL BUTYL CARBAMATE) dispersed in water are suggested, depending upon the condition of the wood, the nature of the intended exposure and the length of protection desired.

When brushing, a single coat will usually suffice if the solution is applied liberally. This also pertains to spraying. Use of MYCOSTAT™-K is not suggested for wood surfaces which may come into contact with food. Surfaces which may be in continuous contact with skin should be coated with a varnish, or lacquer after treatment with MYCOSTAT™-K.

The services of DIACON Technologies Ltd.s Laboratory are available to assist in determining optimum levels for specific systems in any type of application.

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 risks 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.**

EPA 20100405