

70227-8

05/12/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAY 12 2010

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

Subject: **Mycostat -PQ**
EPA Registration Number 70227-8
Notification Dated April 5, 2010
EPA Received Date April 13, 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 Per PR Notice 2007-4

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,



Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



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 70227-8	2. EPA Product Manager V. Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Diacon Technologies Ltd. / Mycostat PQ	PM# 31	
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 checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> 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) 853-7369
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	

31. 3/4
PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

April 5, 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 PQ (EPA Reg. No. 70227-8)
Revision to Container Disposal Instructions per PRN 2007-4

Dear Ms. Noble,

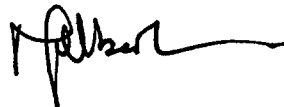
On behalf of Diacon Technologies Ltd. please find the enclosed label notification revising the container disposal instructions for Mycostat PQ per PRN 2007-4.

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

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS
AND DOMESTIC ANIMALS
DANGER**

Corrosive. Causes irreversible eye damage. Causes skin burns. Do not get in eyes, on skin, or on clothing. May be fatal if swallowed, or if absorbed through skin. Harmful if inhaled. Do not breathe vapor or spray mist. Wear protective eyewear such as goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing 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 mix with oxidizers, anionic soaps and detergents
Combustible. Do not use or store near heat or open flame

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal
PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. Place this product under locked storage sufficient to make it inaccessible to children or persons unfamiliar with its proper use. Keep from freezing.

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.

SPILL OR LEAK PROCEDURES: Small spills may be mopped up or absorbed on some absorbent material and incinerated.

CONTAINER DISPOSAL: Do not reuse empty container. 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. In addition, plastic containers may be disposed of by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke. 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. Store the container on its end and tip it back and forth several times. Turn the container over on 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.

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

MYCOSTAT® PQ

**SAPSTAIN CONTROL
FOR FRESH CUT LUMBER**

Controls the growth of mold and fungus that may cause discoloration and/or deterioration of freshly cut lumber during storage and shipment.

ACTIVE INGREDIENT

Didecyl dimethyl ammonium chloride	45.5%
Propiconazole	4.5%
OTHER INGREDIENTS:	50.0%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

See left panel for additional precautionary statements

FIRST AID

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 ON SKIN OR CLOTHING: 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: 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 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. You may also contact 1-800-424-9300 for emergency medical treatment information.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

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. 70227-8
E.P.A. Est. No.

NET CONTENTS

BATCH NO.

DIRECTIONS FOR USE

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

For the control of sapstain, mold and fungus on green or freshly cut lumber. May be used in a dip or spray application. Before use, dilute at the rate of 20 to 150 gallons of water per gallon of this product. 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. 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 insures that all surfaces are uniformly treated.

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 drip aprons must be roofed, paved and drain to prevent dilution and loss of the anti-stain solution. Sawdust and other debris should be removed from treating solution on a regular basis to maintain correct concentration of Mycostat PQ in application solution. Contact your Mycostat PQ representative for application and monitoring advice.

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 times should range from 30 seconds (individual pieces) up to 30 minutes (bundled wooden articles). Prepare the treating solution by adding 75 to 150 gallons of water per one gallon of the product. Mix thoroughly to ensure uniform composition.

SPRAY TREATMENT

For spray box application prepare the treating solution by adding 20 to 75 gallons of water per one gallon of the product. 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.

PERSONAL PROTECTION EQUIPMENT FOR DIP OR SPRAY TREATMENT

Applicators must wear gloves, which are chemical-resistant (such as nitrile or butyl) in all situations where dermal contact is expected (i.e. handling freshly treated wood). Individuals who enter equipment that is contaminated with the wood 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 taken.

Applicators must not eat, drink or use tobacco products during those parts of the applications process that may expose them to the wood treatment formulation (e.g. mixing chemicals, handling freshly treated wood).

Wash thoroughly after skin contact and before eating, drinking, use of tobacco products or using restrooms.

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.

EPA 20100405

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