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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

JUL 23 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

J. Michael Kelley, Ph.D
Toxcel
Agent for Dr. Wolman GmbH
7140 Heritage Village Plaza
Gainesville, VA 20156

Subject: **Dr. Wolman GmbH/Diffusit SP**
EPA Registration No. 71406-6
Application Date: April 27, 2010
Receipt Date: April 27, 2010

Dear Dr. Kelley:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with conditions.

Proposed Amendment:

- Update label as PR Notice 2007-4

Conditions

Revise label as follows:

1. PRN 2005-1, Guidance for Mandatory and Advisory Labeling Statements, states that: **Mandatory statements**, which commonly use imperative verbs such as "must" or "shall," either require action or prohibit the user from taking certain action. **Advisory statements** generally provide information either in support of the mandatory statements or about the product in general. **To ensure that the intent of each labeling statement is clear, mandatory statements need to be clearly distinguishable from advisory statements.**

Therefore, you must change the "Recommendation" to "Requirements" under the User Safety Recommendations heading and you must also replace the word "should" with "must" whenever it appears in this section of your label as well as under the Directions For Use section of your label.

General Comment:

A stamped label with conditions is enclosed for your records. Submit a copy of the final printed label before distributing or selling the product bearing the revised labeling.

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SYMBOL							
SURNAME							
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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)

Enclosure: EPA stamped accepted labeling

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Industrial Wood Preservative Concentrate	
ACTIVE INGREDIENTS (% w/w):	
Boric acid*	63.0
INERT INGREDIENTS (% w/w):	37.0
TOTAL (% w/w):	100.0
* B ₂ O ₃ equivalent: 35.5 %	
Product weight: 11.4 lb/gal (1.36 kg/l)	

CAUTION
KEEP OUT OF REACH OF CHILDREN

FIRST AID	
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 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 an ambulance or 911, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further 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 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. Call a poison control center or doctor for treatment advice.

GENERAL GUIDANCE

In case of chemical emergency, call CHEMTREC at 1-800-424-9300 day or night for assistance and information concerning spilled material, fire exposure, and other chemical accidents. Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-332-3333 for medical treatment information.

with COMMENTS
in EPA Letter Dated:

JUL 23 2010

DISTRIBUTED BY:

Diffusit is a trademark
of Dr. Wolman GmbH

EPA REG. NO. 71406-6

EPA EST. NO. 005526-DEU-001

under the Federal Insecticide,
Fungicide, and Rodenticide Act as
required, for the pesticide,

71406-6

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if absorbed through skin.

GENERAL USER SAFETY RECOMMENDATIONS: Users should wear protective clothing (see section below) when handling the product. Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. User should remove personal protective equipment immediately after handling this product. Wash outside of gloves before removing. As soon as possible wash thoroughly.

PERSONAL PROTECTIVE EQUIPMENT: Applicators and other handlers must wear long sleeved shirt and long pants; socks and shoes; chemical resistant gloves (such as Barrier Laminate, or any of the following gloves at ≥14 mils thickness: nitrile rubber, chlorophene rubber, polyvinyl chloride, or Viton); and goggles or face shield. Follow manufacturer's instructions for cleaning / maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Applicators must leave protective clothing and work shoes or boots and equipment at the treatment plant.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not contaminate water when disposing of equipment washwaters. 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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

STORAGE: Store in original container in a cool, dry place. Keep containers closed when not in use. If contents are spilled or leaked due to container damage, collect and dispose of in accordance with local, state, and federal pesticide disposal regulations.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: 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 percent 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 or 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.

DIRECTIONS FOR USE

FOR INDUSTRIAL USE ONLY It is a violation of Federal Law to use this product in a manner inconsistent with this labeling.

GENERAL INFORMATIONS: Diffusit SP is a liquid water soluble inorganic borate salt with fungicidal and insecticidal properties. The product is effective against decay fungi (brown and white rot) and wood boring/destroying insects including termites. The product can be used for preventive treatment (before signs of infestation) of construction wood or wood in existing structures and for the remedial treatment of infested wood in existing structures. Types of wood include, but are not limited to, all type of lumber, logs, particle boards, oriented strand boards and plywood. Treated wood must be protected from rain and not be in direct contact with soil. For best results apply Diffusit SP to bare wood. A compatible registered anti-stain and/or moldicide may be incorporated along with Diffusit SP during treatment. Wood treated with Diffusit SP must not be used for food or feed packaging or the construction of bee-hives.

The pressure and non-pressure treatment of wood and wood composites with Diffusit SP must rigidly adhere to the current specifications of Diffusit SP provided by Dr. Wolman GmbH and/or those of the American Wood Protection Association (AWPA). Treatment of wood should result in a retention of 0.17 lb/ft³ (2.8 kg/m³) B₂O₃ equivalent in areas not subject to Formosan subterranean termite activity respectively 0.28 lb/ft³ (4.5 kg/m³) B₂O₃ equivalent in areas subject to Formosan subterranean termite activity. The concentrations of the solutions must be adjusted according to the treatment method being used to reach the correct retention for wood species and size being treated. For pressure treatment the solutions strengths are in the range of 1.1 – 7.0 % Diffusit SP w/w. For preventive non-pressure application and for remedial control of organisms attacking wood, a min. 25% aqueous solution of Diffusit SP is used for treatment.

NOTICE OF WARRANTY AND DISCLAIMER

The manufacturer warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the 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 presence of other materials or the manner of use or application, which are beyond the control of the manufacturer. The manufacturer shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on this label. User assumes all risks associated with the use of this product in any manner not specifically set forth on this label. In no case shall the manufacturer be liable for consequential, special, punitive, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The manufacturer makes no warranties of merchantability nor fitness for a particular purpose nor any other express or implied warranty except as stated above. Buyer's exclusive remedy and the manufacturer's exclusive liability, whether in contract, tort, negligence, strict liability or otherwise, shall be limited to repayment of the purchase price of Diffusit SP

Manufactured in Germany by Dr. Wolman GmbH

Net weight: XX lbs (YY kg)

USA Diffusit SP 100426

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