


71581-2

9-20-2001

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	U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (H7505C) 401 "M" St., S.W. Washington, D.C. 20460	EPA Reg. Number	Date of Issuance
		71581-2	SEP 20 2001
		Term of Issuance: Conditional	
NOTICE OF PESTICIDE: <u>    </u> Registration <u>  X  </u> Reregistration  <small>under FIFRA, as amended)</small>		Name of Pesticide Product:	
		Tuffgard 5 RTU	
Name and Address of Registrant (include ZIP Code):			
ISK Biocides, Inc. 16 East Brooks Road Memphis, TN 38109			
<b>Note:</b> Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.			
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>Based on your response to the Reregistration Eligibility Document for Chlorothalonil RED, EPA has reregistered the above named product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.</p> <p>1. Make the following label changes:</p> <p>a. Revise the EPA Registration No. to read "EPA Reg. No. 71581-2"</p>			
Signature of Approving Official:		Date:	
Marshall Swindell, PM 33 Regulatory Management Branch 1 Antimicrobial Division (7510C)		SEP 20 2001	

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b. As per the 2/7/00 Acute Toxicity review, the "FIRST AID" statements must be revised on the label to read:

**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. 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 by a poison control center or doctor.

**IF ON SKIN:**

Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment.

**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.

c. As per the toxicity review, the Note to Physician must be revised to also include the following:

"Probable mucosal damage may contraindicate the use of gastric lavage.  
This product may pose an aspiration pneumonia hazard. Contains  
Petroleum distillate".

d. As per the 2/7/00 acute toxicity review, the following statements under the subheading "Hazards to Humans and Domestic Animals" must be changed from "Causes substantial but temporary eye injury. Harmful if swallowed, absorbed through skin, or inhaled. May cause skin irritation." to read "Causes skin irritation. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation."

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- e. In the Storage and Disposal section, change the subheading "Storage" to "Pesticide Storage".
- f. As per the acute toxicity review, the signal word section must be revised to read:

**WARNING      AVISO**

- g. As per the Chlorothalonil RED (Pg 194) and the acute toxicity review, the PPE must be modified to read:

**PERSONAL PROTECTIVE EQUIPMENT (PPE):**

Some materials that are chemical resistant to this product are made of barrier laminate or viton. If you want more options, follow the instructions for category G on an EPA chemical-resistant category selection chart.

Mixers, loaders, applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
  - socks and chemical-resistant footwear, and
  - chemical resistant gloves.
- In addition to PPE specified above, applicators and other handlers in enclosed areas must wear a dust/mist filtering respirator with a MSHA/NIOSH approval number Prefix TC-21C), or a NIOSH approval respirator with any N,R,P, or HE prefilter.
- Wear chemical resistant gloves when handling freshly treated wood.

- h. Include the following statement after the PPE instructions:

"Follow manufacturer's instruction for cleaning/maintaining PPE.  
If no such instructions for washables, use detergent and hot water.  
Keep and wash PPE separately from other laundry. Discard clothing  
or other absorbent materials that have been drenched or heavily  
contaminated with this product's concentrate. Do not reuse them."

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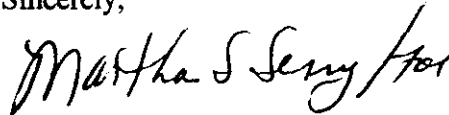
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If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Submit two (2) copies of final printed labeling for our review. A stamped copy of the label is enclosed for your records.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely,



Marshall Swindell  
Product Manager 33  
Regulatory Management Branch 1  
Antimicrobial Division (7510C)

Enclosure

Net Contents:

Company Logo

**TUFFGARD™ 5 RTU**

Fungicide for pressure treatment of wood products

Contains 0.41 Pounds Chlorothalonil Per Gallon  
(48.7 Grams Chlorothalonil Per Liter)

Active Ingredient:	By Wt.
Chlorothalonil (tetrachloroisophthalonitrile) . . . . .	5.0%
Inert Ingredients: . . . . . (Contains Petroleum Aromatic Solvent)	95.0%
Total: . . . . .	100.0%

**Keep Out of Reach of Children**

**WARNING**

See side panel for additional precautionary statements.

ISK Biocides, Inc.  
416 East Brooks Road  
Memphis, TN 38109

EPA Reg. No. 71581-2  
EPA Est. No. 1022-TN-1

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

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## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### WARNING

Causes substantial but temporary eye injury. Harmful if swallowed, absorbed through skin, or inhaled. May cause skin irritation.

Do not get in eyes or on clothing. Avoid contact with skin. Wear goggles, face shield, or safety glasses when handling this product. Wear chemical resistant gloves when handling freshly treated wood. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Avoid breathing Tuffgard 5 RTU or sawdust from treated wood.

**Do not** take internally. Ingestion of treated wood may be harmful to animals.

**Note to User:** This product may produce mild bronchial irritation and temporary irritation of the skin characterized by redness or rash on exposed skin areas. Affected persons should consult a physician.

Mixers, loaders, applicators and all other handlers must wear:

- long sleeve shirt and long pants, and
- shoes plus socks

In addition, chemical resistant gloves must be worn by: (1) mixers/loaders, (2) other handlers exposed to the concentrate, (3) cleaners / repairers of equipment, and (4) applicators using hand-held equipment.

In addition, a dust / mist filtering respirator must be worn by applicators and other handlers in enclosed areas.

Follow manufacturer's instructions for cleaning / maintaining Personal Protective Equipment (PPE). If no such instructions or washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### User Safety Recommendations:

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing.

As soon as possible, wash thoroughly and change into clean clothing.

Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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**First Aid:**

If in Eyes: Immediately flush eyes with plenty of water and continue for 15 minutes. Seek medical attention for eyes immediately.

If Swallowed: Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. **Do not** induce vomiting or give anything by mouth to an unconscious person.

If on Skin: Wash with plenty of soap and water. Get medical attention.

If Inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

**Note to Physician:** Persons having temporary irritation may respond to treatment with antihistamines or steroid creams and/or systemic steroids.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish, aquatic invertebrates, marine/estuarine organisms and wildlife.

Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

This chemical is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

This chemical can contaminate surface water through spray drift. Under some conditions, it may also have a high potential for runoff into surface water for several days to weeks after application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow ground water, areas with infield canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-laying tile draining systems that drain to surface water.

Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans or public waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

**RECOMMENDED USES**

Tuffgard 5 RTU (undiluted) is recommended for pressure treatment of wood products (utility poles, crossarms, crossties, timbers, posts, pilings, lumber, fencing, porches, shingles and steps) intended for exterior use to prevent decay caused by wood rotting fungi. It may be used to treat wood intended for exterior service either above or below ground. **Do not use Tuffgard 5 RTU** on wood products intended for interior use or on logs intended for construction of log homes.

**Tuffgard 5 RTU** is a preventive fungicide. It is effective in preventing establishment of wood rot and decay fungi. As with pressure treatment material, wood showing signs of heart rot (existing decay) or other structural weakness should not be used. Existing decay in heart wood or sap wood will not be eliminated (cured) by pressure treatment.

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## DIRECTIONS FOR USE

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

**Note to User:** Wear goggles or face shield when handling this product. Wear long sleeved shirt, long pants and chemical resistant gloves while mixing, loading and applying this product and when handling freshly treated wood or lumber. Pesticide contaminated clothing should be removed and washed thoroughly before reusing. Launder separately from other clothing.

## GENERAL PRECAUTIONS AND RESTRICTIONS

Do not apply this product in a way that will contact workers or other persons, or pets, either directly or through drift. Only protected handlers may be in the area during application.

Do not allow others to enter the treatment area until sprays have settled.

**Tuffgard 5 RTU is a ready-to-use formulation. It should not be diluted.** It is intended for pressure treatment only; treatment by soaking, swabbing or brushing is not effective. **Tuffgard 5 RTU should be stored at temperatures above 40° F.**

Pressure treatment should be according to methods described by the American Wood Preservers' Association (AWPA). A retention level of 0.30 to 0.80 pounds per cubic foot active ingredient is recommended.

**Tuffgard 5 RTU is effective against the following organisms:**

### **Brown Rot Organisms:**

Coniophora puteana (syn. Coniophora cerebella)  
Gloeophyllum trabeum (syn. Lenzites trabea)  
Lentinus lepideus  
Merulius lacrymans (syn. Serpula lacrymans)  
Polyporus palustris (syn. Poria monticola, Poria placenta)

### **White Rot Organisms:**

Irpep lacteus (syn. Polyporus tulipiferae)  
Pleurotus ostreatus  
Trametes hispida  
Trametes lilacino-gilva  
Trametes versicolor (syn. Coriolus versicolor, Polyporus versicolor)

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## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**Storage:** Store at temperatures above 40° F.

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide spray 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:** 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.

**Spills and Vat Sludges:** Remove contaminated soil and vat sludges and place into closed, labeled containers and store in a safe place to await proper disposal. Dispose of according to Federal, state and local regulations.

## WARRANTY AND LIMITATION OF DAMAGES

Seller warrants to those persons lawfully acquiring title to this product that at the time of the first sale of this product by seller that this product conformed to its chemical description and was reasonably fit for the purposes stated on the label when used in accordance with Seller's directions under normal conditions of use and Buyers and users of this product assume the risk or any use contrary to such directions. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY, INCLUDING ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY, AND NO AGENT OF SELLER IS AUTHORIZED TO DO SO. In no event shall Seller's liability for any breach of warranty exceed the purchase price of the material as to which a claim is made.

Buyers and users of this product are responsible for all loss or damage from use or handling of this product which results from conditions beyond the control of Seller, including, but not limited to, incompatibility with other products unless otherwise expressly provided in the Directions for Use of this product, weather conditions, moisture conditions or other environmental conditions outside the ranges that are generally recognized as being conducive to good industrial and/or application practices.

Prepared and submitted in response to CTL RED / DCI January 2000.

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