

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Ms. Gail Early
Regulatory Specialist
ISK Biocides, Inc.
416 E. Brooks Road
P.O. Box 9158
Memphis, TN 38109-0158

AUG 27 2001

Dear Ms. Early:

Subject: Response to EPA Letter of March 16, 2001
NeXgen®
EPA Registration No. 71581-4
Your Letter Dated August 8, 2001

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with the following comments:

This product meets the criterion for Restricted Use Classification based on data that place it in toxicity category I for eye irritation. In lieu of classifying the product for restricted-use, revise your Precautionary-Hazard to Humans and Domestic Animals statement to include the following statement:

“Wear goggles or face shield (safety glasses).”

Submit two copies of your final printed labeling before you release the product for shipment. A stamped copy of the label is enclosed for your records.

If you have any questions concerning this letter, please contact me at (703) 308-6422 or Renae Whitaker at (703) 308-7003.

Sincerely yours,



Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510C)

Enclosure

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

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NeXgen®

ACCEPTED
with COMMENTS
in EPA Letter Dated:

AUG 27 2001

Fungicide for Control of Surface Molds and Sapstain Fungi on Wood

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 71581-4

Active Ingredients*:

Chlorothalonil (tetrachloroisophthalonitrile)	14.5%
Methylene bis-thiocyanate	14.7%

<u>Inert Ingredients:</u>	70.8%
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Total:	100.0%
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*Contains 165 grams per liter or 1.37 pounds per U.S. gallon of chlorothalonil and 167 grams per liter or 1.39 pounds per U.S. gallon of methylene bis-thiocyanate.

EPA Reg. No. 71581-4

EPA Est. No. 1022-TN-1

Manufactured for:
* ISK Biocides, Inc.
416 East Brooks Road
Memphis, TN 38109
800-248-7961

Net Contents

KEEP OUT OF REACH OF CHILDREN

DANGER

PELIGRO

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. Call a poison control center or doctor for treatment advice.
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"> Remove 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.
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 further treatment advice.
HOT LINE NUMBER	
<p>1. In case of emergency, call Chemtrec toll free at 800-424-9300. 2. Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	
NOTE TO PHYSICIAN:	
Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Corrosive. Causes irreversible eye damage. May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe spray mist. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

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Personal Protective Equipment (PPE):

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeve shirt and long pants,
- Socks and shoes,
- Goggles or face shield,
- Chemical resistant gloves made of or such as any waterproof material, and
- An organic vapor (OV) removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC023C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, P, R, or HE prefilter.
- In addition to the above clothing, footwear and respirator, handlers participating in hand-dip applications, including introduction of materials to and removal from the dip and handling materials still wet from the dip, must wear chemical-resistant full-front aprons with attached full-sleeved gloves.

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 71581-4

Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If there are 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.

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.

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 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 Environmental Protection Agency.

DIRECTIONS FOR USE

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

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STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.

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

PESTICIDE DISPOSAL:

Pesticide wastes are acutely hazardous. 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:

NeXgen

Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.

BULK CONTAINERS (TOTE TANKS): Triple rinse (or equivalent). Return empty container to point of purchase for refill.

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 treatment.

All persons not directly participating in such spray applications in enclosed or indoor areas must be excluded from the treatment site and from an area extending at least 25 feet from the perimeter of the treatment site until application is complete and sprays have settled out of the air.

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General Information:

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 71581-4

NeXgen is a protective fungicide with broad spectrum activity against fungi, including those which cause defacement of freshly-cut lumber. When applied to freshly sawn lumber, NeXgen is effective as a protective fungicide against molds and staining organisms.

Freshly cut wood should be treated as soon as possible. Effective control requires complete coverage of the wood surface by the fungicide as a preventative application prior to development of fungal organisms. Wood which has been colonized by mold or sapstain fungi prior to treatment will not be protected.

Freshly treated lumber should be protected from rain which will reduce the effectiveness of treatment materials.

This product may be used as a supplemental surface fungicide on dry or partially seasoned wood to prevent stain and mold during storage, transport or holding in concentration yards.

Extremely hot and humid conditions favor the development of molds and sapstain fungi. Under these conditions, use the higher recommended rate.

Wood products for use in making particle boards may be protected from molds and sapstain by the same treating process used for freshly cut lumber and timbers.

Application Instructions:

Add the required amount of NeXgen slowly to the mixing tank while filling. Continuously agitate the mixture during treatment.

BULK DIP VATS - For bundles of lumber which are to be treated in a dip tank or vat, add at a rate of 1/2 to 2 gallons NeXgen to 100 gallons of vat water. The lumber should remain in solution for at least one minute and all lumber surfaces should be exposed to the treating solution. Constant agitation of the dip vat solution is required to maintain a uniform suspension of the treatment materials in the tank. During dipping, the cut boards should be loosely-bundled and/or stickered to allow maximum penetration of the treatment material into the bundle.

NeXgen

NON-BULK VATS - For individual boards which are treated in non-bulk vats including across-the-chain vats, high volume spray machines, and flood coaters, add at rate of 1/2 to 1 gallons of NeXgen to 20 gallons of vat water. Constant agitation is required in the vat to maintain adequate distribution of the treatment material and if a pre-mix tank is used, this pre-mix tank shall maintain constant agitation.

LOW VOLUME SPRAY MACHINES - For individual boards which are treated in low volume spray machines, add at rate of 1/4 to 1 gallon of NeXgen to 20 gallons of water. Smooth surfaced lumber normally retains only about one-half as much fungicide solution as rough cut wood and, therefore, needs the higher rate of deposit the necessary amount of fungicide on the wood. Constant agitation is required in nurse tank to maintain a uniform suspension.

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 this product conformed to its chemical description and that it was reasonably fit for the purposes stated on the product label when used both in accordance with the Direction for Use appearing on the product label and under normal conditions of use. Buyers and users of this product assume the risk of all loss or damage from use or handling of this product that results from their failure to read and comply with the Directions for Use of this product which appear on the product label. 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. Unless expressly prohibited by state law, the liability of seller for any breach of warranty shall not exceed the purchase price of the product as to which a claim is made.

NeXgen is a registered trademark of ISK Americas Incorporated.

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