

72787-1

11-21-2007

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Mr. James S. Damico
Science and Regulatory Consultants
12733 Director's loop
Woodbridge, VA 22192

Subject: Label Amendment
Product Name: TAP™
EPA Registration Number: 72787-1
Application Dated: August 30, 2007
Decision: 816816

Dear Mr. Damico:

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

Agency Comments dated: June 11, 2007

1. Strike the following text:¹

- ◆ ~~Contains No Asbestos, Glass Fibers or Formaldehyde~~
- ◆ ~~MADE FROM NATURAL WOOD FIBER~~
- ◆ ~~Helps protect your home from annoying insects~~
- ◆ ~~The most effective insulator you can put in your walls and attic~~
- ◆ ~~_____~~

TAP Insulation Response dated: September 10, 2007

It is unclear why the statements above are now deemed unacceptable by the Agency. All of the statements have been on the label since the initial registration in June 2000. Further, each of these, each of these statements has been re-approved during subsequent EPA Label reviews, the most recent performed by your office in 2004 (see Attachment 2; EPA approved label: September 8, 2004). In fact, on December 5, 2003, we responded to a specific EPA request to remove one of the statement (Helps protect your home from annoying insects") (see Attachment 3, letter, Damico to Arrington). Our justification for keeping the statements was approved by the Agency (as demonstrated by the aforementioned September 8, 2004 label approved).

Agency Response:

It is the Agency's view that these terms are misleading health and safety claims and therefore constitute misbranding under section 2(q)(1)(A) of FIFRA and CFR 156.10. Therefore, you must remove the aforementioned marketing claims from your product labeling.

2 Revise your First Aid Statement to read:

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 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
Have the product container or label with you when calling a Poison Control Center or doctor, or when going for treatment.

T*A*P Response

All of the requested text was already on the product label, with one exception: CTG has changed the "IF ON SKIN" statement if "IF ON SKIN or CLOTHING."

Agency Response

The Agency acknowledged and accepts response.

3. Revise the Precautionary Statement to read:

CAUTION: Harmful if swallowed. Do not get in eyes or on clothing. Wear goggles or face shield. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

T*A*P Response

The precautionary statements that have been on the label since T*A*P Insulation was originally registered on June 19, 2000 are consistent with communication we had with Marion Johnson and Byron Backus during the initial registration process (see Attachment 4; letter, Vandermer to Johnson, on March 29, 2000). The previously approved statements are also consistent with the toxicity categories assigned to the product. Further, EPA's Label Review Manual (LRM) indicated the statements "should be organized so that the route of exposure of most concern (severe routes of exposure) as supported by the toxicity category classification are listed first" (LRM, Chapter 7). Since skin and eye exposure are of most concern for T*A*P insulation (and this is supported by the First Aid Statements on the label), then it follows that the precautionary statements were, and are accurate. According to EPA regulations at 40 CFR 156.70©, no precautionary statements are required for exposure route in which toxicity testing placed the product into Toxicity Category IV. T*A*P was categorized as Toxicity Category IV for oral and inhalation exposures.

Therefore, CTG has made no changes to the text. That is, the precautionary statements remain.

CAUTION: Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin and clothing. Wash thoroughly with soap and water after handling.”

Agency Response:

The Agency acknowledged and accepts response.

4. Under the Hazards to Human and Domestic Animal Section add a new sub-heading entitled:

Personal Protective Equipment (PPE)

Applicators, mixers, and other handlers must wear:

- long-sleeved shirt
- long pants
- socks, shoes
- chemical-resistant gloves

T*A*P Response

CTG has added the requested section. In addition to the new PPE requirements identified by EPA, the product label has always stated requirements for a dust mask or protective respirator, and dust goggles. These three items have been added under the heading “Personal Protective Equipment.” Further the following statements have been removed from the label as they are now incomplete and/or redundant:

“During installation wear a dust mask or protective respirator to prevent inhalation. To avoid excessive eye and skin contact, wear protective gloves and dust goggles.”

Agency Response:

The Agency acknowledged and accepts response.

5. Revise the following statement: **CAUTION! TO HELP AVOID FIRE:** Keep insulation at least three inches away from the sides of recessed light fixtures. Do not place insulation over such fixtures so as to entrap heat. Also keep insulation away from exhaust flues of furnaces, water heaters, space heaters or other heat-producing devices. To be sure that insulation is kept away from light fixtures and flues, use a barrier to permanently maintain clearance around these items. Do not install where temperatures may exceed 180°F. Check with local building or fire officials for guidance on installation and barrier requirements.

T*A*P Response:

The requested change to the label has been made.

Agency Response

The Agency acknowledged and accepts response.

6. Foreign language text, in addition to the full English text, is permitted in part or its entirety on the product so long as it is a true and accurate translation of the English text. you may provide bilingual labeling on any product without notification. However, if it is submitted, the Office of Pesticide Programs (OPP) will not review or approve it. If the foreign text is inaccurate or goes beyond the reviewed and accepted English labeling, the Office of Enforcement and Compliance Assurance can take the appropriate enforcement action. Products marketed in Puerto Rico can be labeled in either both English and Spanish, or English alone.

T*A*P Response:

CTG will ensure that all current and future foreign language text is a true and accurate translation of the English text.

Agency Response:

The Agency acknowledges and accepts response.

7. Revise or Remove the following marketing claims:²

Save Energy and Money!

- Helps Keep ~~Bugs Out~~ & Comfort In!
- Easy Blow in Attic Insulation
- ~~Helps Control Mold & Odor~~
- ~~Itch Free~~ – No Cutting
- ~~Energy Star Graphic~~
- ~~New Invention~~, This claim is valid for six month from the date of the product registration.

T*A*P Response

- a. Reference to the Energy Star graphic has been removed until such time as CTG receives approval from EPA's Energy Star program to use the graphic.
- b. "New Invention" has been removed from the label.
- c. The reference to controlling odor has been removed from the label.
- d. Most structural insulation products are tested for mold resistance. Loose fill insulation, like T*A*P Insulation, is tested in accordance with American Society for Testing Materials (ASTM) standard C739 and method C1338. T*A*P Insulation passed all required test for mold resistance (see Attachment 5; ASTM C739, ASTM C1338, and test results for T*A*P). Therefore, on the label, CTG has modified the "Helps Control Mold" statement to read "Resists Mold."
- e. The test regarding the product being "itch free" and helping to keep "bug out" are factual statements. It is unclear why the Agency wants them removed.
 - i. T*A*P Insulation is predominantly (i.e. -87%) recycled newspaper and, as such, differs from fiberglass insulation in that it is truly "itch free."
 - ii. The label does not state the product "keeps bug out," but that it "helps to bugs out." It is clear from the rest of the pesticidal claims on the label, and the data submitted/cited by CTG to support the product registration, that this is a true, and not over-reaching, statement.

Agency Response

- a. The Agency has acknowledged and accepts response.
 - b. The Agency has acknowledged and accepts response.
 - c. The Agency has acknowledged and accepts response.
 - d. The Agency has acknowledged and accepts response.
 - e. The claim "itch free" is a heightened efficacy claim and must be removed from your product labeling.
 - i. The Agency has acknowledged and accepts response.
 - ii. The product work only on pests that come in general contact with material, and considered an heightened efficacy claim and must be removed from your product labeling.
8. You must provide data within one year for the following claim. "This product meets the amended CPSC standard for flame resistance and corrosiveness of cellulose insulation."

T*A*P Response

The data will be provided to EPA within the specified time.

Agency Response

The Agency has acknowledged and accepts response.

If you have any questions please, contact Melody Banks of my staff on
(703) 305-5413.

Sincerely,



Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

T•A•P™

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Thermal, Acoustical, and Pest Control Insulation

3 - insulations - in - 1 with *DustTrapper™*

Contains No Asbestos, Glass Fibers or Formaldehyde

MADE FROM NATURAL WOOD FIBER

ACCEPTED
with COMMENTS
in EPA Letter Dated

NOV 21 2007

ACTIVE INGREDIENT:

Orthoboric acid..... 11.1%

OTHER INGREDIENTS..... 88.9%

TOTAL.....100.0%

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

92987-1

- Helps protect your home environment from annoying insects
- Contains 87% *recycled natural fiber*
- The *most effective insulator* you can put in your walls and attic
- Helps keep you *warm* in winter & *cool* in summer
- Permanently *guards against flame spread*
- Highly resistant to *air infiltration*
- Helps *deaden sound* as an acoustical barrier
- This *clean-blowing* insulation contains *DustTrapper™*

FOR USE IN NEW CONSTRUCTION AND RETROFIT APPLICATIONS

- ATTICS • FLOORS • WALLS • CRAWLSPACES •
- OVERLAY FIBER GLASS OR OTHER INSULATIONS •

- HOMES
- APARTMENTS & CONDOMINIUMS
- OFFICES & INDUSTRIAL BUILDINGS
- HOTELS & MOTELS
- HOSPITALS & NURSING HOMES
- RESTAURANTS
- SCHOOLS



KEEP OUT OF THE REACH OF CHILDREN

CAUTION

FIRST AID

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 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.

Have the product container or label with you when calling a Poison Control Center or doctor, or when going for treatment.

PRECAUTIONARY STATEMENTS:
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators, mixers, and other handlers must wear:

- long-sleeved shirt
- long pants
- socks, shoes
- chemical-resistant gloves
- dust mask or protective respirator
- dust goggles

READY-TO-USE T•A•PT™ *Thermal, Acoustical, and Pest Control Insulation* is a ready-to-use insect control insulation. This product is toxic to listed insects and is intended to prevent their infestations in those building voids (attic, wall, between-floors, crawlspace) where the product is applied. Its toxic effect begins only after insect contact with the product.

KILLS

Cockroaches, Termites (including Formosan Termites), Ants, Silverfish, Earwigs, Crickets, Sowbugs, Darkling Beetles, Millipedes, Centipedes, and Booklice.

This insulation contains material toxic to these insects and is intended to prevent new infestations in walls and attics where the product is applied. Control of insects is limited to contact with insulation.

DIRECTIONS FOR USE

It is a violation of Federal law to apply this product in a manner inconsistent with its labeling. "R" means resistance to heat flow. The higher the **R-value** the greater the insulating power. To get the marked **R-value**, it is essential that this insulation be installed properly. Insulation applicators installing this material should be familiar with and carefully follow installation instructions from the manufacturer.

NOT RECOMMENDED AS SOLE PROTECTION AGAINST TERMITES. Use of this product does not substitute for pre- and/or post-construction mechanical alteration, soil treatment or foundation treatment. For active termite infestations, you should consult a licensed pest control operator.

EASY AS 1 • 2 • 3

Attic Preparation:

- Maintain attic ventilation. Insulation should not cover any attic ventilation. Use baffles or vent chutes. Do not cover soffit vents.

- Insulation should not cover or touch heat producing components like light fixtures. Create barriers to maintain a 3” clearance.
- Create a barrier around you attic access to keep the insulation in place when entering or exiting the attic.

FOLLOW INSTRUCTIONS FOR SET UP AND OPERATION OF BLOWING MACHINE [Graphics accompany items 1 – 3 below]

1. Position Blowing Machine outside house. Plug in and attach 100’ hose. (Coloque la máquina desoplado fuera de la casa, enchúfela y sujete una manguera de 100’.)
2. Run hose to attic through nearest access. Avoid tight turns. (Extienda la manguera hasta el ático a través del acceso más cercano. Evite curvaturas cerradas.)
3. Blow insulation into attic or on top of existing insulation to desired thickness/R-Value. (Sople el aislamiento en el ático al espesor Valor R deseado.)

TO HELP AVOID FIRE: Keep insulation at least three inches away from the sides of recessed light fixtures. Do not place insulation over such fixtures so as to entrap heat. Also keep insulation away from exhaust flues of furnaces, water heaters, space heaters or other heat-producing devices. To be sure that insulation is kept away from light fixtures and flues, use a barrier to permanently maintain clearance around these items. Do not install where temperatures may exceed 180°F. Check with local building or fire officials for guidance on installation and barrier requirements.

¡Precaución! TAPARA PREVENTIR INCENDIOS: Guarde el aislante por lo menos tres pulgadas de distancia de las instalaciones de luz a menos que sean IC del tips clasificado para el contacto con el aislante. Guarde el aislante lejos de los escapes de tubos de los boilers, homos, calentadores u otros aparatos de calefacción a menos que el dispositivo se clasificado para “0” separaciones a los aparatos de calefacción. Para asegurarse que el material mantenga lejos de estos, utilice una barrera para mantener un espacio permanente alrededor de estos objetos. Consulte oficiales locales de construcción y del departamento de bomberos para información sobre instalación y requisitos.

REQUEST TO INSTALLER: Remove bag label and give it to consumer and/or affix in building at completion of job.

SOLICITUD AL INSTALADOR: Al terminar de la instalación, remeueve y entregue esta etiqueta al consumidor.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. **If empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

NET CONTENTS: ____

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Manufactured by Cellulose Technologies Group, Inc.
18332 Hideaway Rd., Charlotte, NC 28278-8610
Tel: 888-8-BUGS-OUT
www.TAPinsulation.com
US Patent Number 6,578,782
EPA REG. NO. 72787-1

EPA EST. NO.

Bloomer, WI 54724	EPA EST. No. 72787-WI-001
Hickory, KY 42051	EPA EST. No. 73840-KY-001
Webberville, MI 48892	EPA EST. No. 73854-MI-001
Chambersburg, PA 17201	EPA EST. No. 73864-PA-001
Cornelia, Georgia 30531	EPA EST. No. 73744-GA-001
Monroe, LA 71202	EPA EST. No. 73755-LA-001
Houston, TX 77241	EPA EST. No. 75642-TX-001

ADDITIONAL MARKETING CLAIMS AND GRAPHICS

Commercial Size

Save Energy and Money!

- Helps Keep Bugs Out & Comfort In!
- Easy Blow In Attic Insulation
- Resists Mold
- Itch Free – No Cutting

For your Tax Credit of up to \$500 visit www.TAPinsulation.com

[Recycle Symbol]

[PC Barcode]

MADE IN U.S.A

INSULATION INDUSTRY STANDARD INFORMATION

From R-13 To R-49 or higher

Covers up to 63 SQ FT [23 lb bag]

Covers up to 83 SQ FT [30 lb bag]

TAP COVERAGE CHART (23 lb bag)					
ATTIC	R-VALUE	INSTALLED THICKNESS	COVERAGE SF/BAG	BAGS PER 1000 SF	WEIGHT LBS/SF
	11	3.0	64.3	14.7	0.36
	13	3.5	54.4	17.4	0.42
	19	5.1	37.2	25.4	0.62
	24	6.5	29.5	32.1	0.78
	26	7.0	27.2	34.8	.085
	30	8.1	23.5	40.2	0.98
	32	8.6	22.1	42.8	1.04
	38	10.3	18.6	50.9	1.24
	40	10.8	17.7	53.5	1.3

This bag covers 37.2 sq ft @ R-19 where framing is 2"x 6" & 16" OC

TAP COVERAGE CHART (30 lb bag)					
ATTIC	R-VALUE	INSTALLED THICKNESS	COVERAGE SF/BAG	BAGS PER 1000 SF	WEIGHT LBS/SF
	11	3.0	83.5	12.0	0.36
	13	3.5	70.7	14.2	0.42
	19	5.1	48.3	20.7	0.62
	24	6.5	38.3	26.1	0.78
	26	7.0	35.3	28.3	.085
	30	8.1	30.6	32.7	0.98
	32	8.6	28.7	34.8	1.04
	38	10.3	24.2	41.4	1.24
	40	10.8	23.0	43.5	1.3

This bag covers 48.3 sq ft @ R-19 where framing is 2"x 6" & 16" OC

The listed values are based on settled thickness and can be obtained only by an insulation applicator using equipment supplied by the manufacturer and specifically designed for the product and application techniques.

R-Value (@ 4") 3.7

ATTIC INSTALLED DENSITY (LB/FT³) 1.45

This product meets the amended CPSC standard for flame resistance and corrosiveness of cellulose insulation

Class 1 Building Material

This product complies with CPSC Standards 16, CFR 1209 & 1404, & FTC Standard 16 CFR 460; Tested in accordance with ASTM C-739, E-84 & ML-STD 810D for fungi resistance

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CUT OUT AND STAPLE IN ATTIC

ATTIC CARD: THIS INSULATION HAS BEEN INSTALLED IN CONFORMANCE WITH THE ABOVE RECOMMENDATIONS TO PROVIDE A VALUE OF R- _____ USING _____ BAGS OF INSULATION TO COVER _____ SQUARE FEET OF AREA.

Builder's Signature _____ Company Name _____ Date _____
Installer's Name _____ Company Name _____ Date _____