

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DEC 21 2004

Mr. Walter G. Talarek  
Agent for Railworks Wood Products, Inc  
1008 Riva Ridge Drive  
Great Falls, VA 22066

Subject: Creosote  
EPA Registration No. 73408-1  
Amendment Date: December 1, 2004  
EPA Receipt Date: December 12, 2004

Dear Mr. Talarek,

The following amendment submitted in connection with registration under FIFRA, as amended, is acceptable with the conditions listed below.

- Removal of Non Pressurized Wood Treatment Use

**Conditions**

Revise the label as follows:

- 1) Based on the acute toxicology profile from the "Preliminary Toxicology Science Chapter for Creosote Reregistration Eligibility Decision", revise the "Precautionary Statements" to specify:

Causes substantial but temporary eye injury. Harmful if swallowed, absorbed through the skin, or inhaled. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield, protective clothing, and protective gloves. Avoid breathing vapor or spray mist. Use with adequate ventilation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

- 2) According to PR Notice 2001-1, the "First Aid" statements must be organized so that the severest route of exposures, as demonstrated by the toxicity classification, are listed first. Therefore, the statements must be organized as follows: "If in eyes, If swallowed, If on skin or clothing, and if inhaled."

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

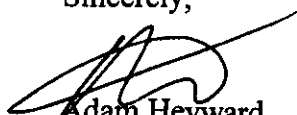
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**General Comments**

A stamped copy of the accepted label is enclosed. Submit one (1) copy of your final printed labeling before distributing or selling the product bearing the revised language.

Should you have any questions regarding this letter please contact Jacqueline McFarlane at (703) 308-6416.

Sincerely,



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

Enclosure: A Stamped Label

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

**RESTRICTED USE PESTICIDE**

Due to chronic toxicity in animal studies.

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

**CREOSOTE****FOR PRESSURE TREATMENT OF WOOD****ACTIVE INGREDIENT:**

Creosote (AWPA P1/P13) ..... 98.5%

**INERT INGREDIENT (Maximum)**

Water ..... 1.5%

**TOTAL** ..... 100.0%ACCEPTED  
with COMMENTS  
EPA Letter Dated:

DEC 21 2004

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
amended for 1996, 1998,  
registered under FIFRA, 73408-1**KEEP OUT OF REACH OF CHILDREN****WARNING**

FIRST AID	
If swallowed	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first five minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of</li> </ul>

	water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
<b>HOTLINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact CHEMTREC at 1-800-424-9300 for emergency medical treatment information.	

**RAILWORKS WOOD PRODUCTS, INC.**

2525 Prairieton Road  
Terre Haute, IN 47802

(812) 232-2384

EPA Registration No. 73408-1

EPA Establishment No. 3408-IN-1

Net Contents: \_\_\_\_\_ gallons

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**WARNING.** MAY BE FATAL IF SWALLOWED, INHALED OR ABSORBED THROUGH THE SKIN. CAUSES SKIN AND EYE IRRITATION. MAY CAUSE SEVERE BURNS. Do not get in eyes, on skin or on clothing. Do not breathe vapors or spray mist. Use with adequate ventilation. Do not take internally. Wash thoroughly after skin contact, before eating, drinking, use of tobacco products, or using restrooms. Individuals must wear gloves impervious to the wood treatment formulation in all situations where dermal contact with creosote is expected (e.g., handling freshly treated wood and manually opening cylinder doors).

Individuals who manually open cylinder doors must wear gloves and a respirator.

Individuals who enter treatment cylinders and other related equipment that is contaminated with the wood treatment formulation (e.g., cylinders that are in operation or are not free of the treatment formulation) must wear protective clothing (including overalls, jacket, gloves, and boots) impervious to the wood treatment formulation and a respirator. Acceptable materials for protective clothing during application and handling of this product are polyvinyl acetate (PVA), polyvinyl chloride (PVC), neoprene, and NBR (Buna-N).

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 equipment and work shoes or boots must be left at the plant and disposed of in any general landfill, in the trash, or in any other manner approved for pesticide disposal.

Applicators must not eat, drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment formulation (e.g., manually opening/closing cylinder doors, moving trams out of cylinders, mixing chemicals, and handling freshly treated wood).

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

**Note to User.** As used on this label, the term "respirator" means properly fitting, well-maintained, half-mask canister or cartridge respirators which are MSHA/NIOSH approved for polynuclear aromatics and organic vapors. Examples of acceptable materials for protective clothing (e.g., gloves, overalls, head covering, jackets, and boots) required during application and handling of creosote are polyvinyl acetate (PVA), polyvinyl chloride (PVC), neoprene, and NBR (Buna-N).

#### **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public waters unless the product is specifically identified and addressed in a NPDES permit. Do not discharge effluent to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

#### **PHYSICAL AND CHEMICAL HAZARDS**

Do not use or store near heat or open flame. Close container after each use.

#### **DIRECTIONS FOR USE**

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

For use in pressure treatment of wood. This product protects wood against fungi, dry-rot, and pests such as powder post beetles, termites and other wood boring insects.

#### **STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Keep closures tight and upright to prevent leakage. Keep container closed when not in use.

**Pesticide Disposal:** Pesticide wastes are toxic. 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.

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of container in a sanitary landfill, or by any other procedures approved by state and local authorities.

#### **WARRANTY**

We warrant this material to comply with our published specifications and to be of good merchantable quality and such as will regularly pass in the trade for goods within the description, and further warrant such goods to fit for the normal purposes for which goods are used. We assume no responsibility that the goods concerned in the can are fit for any particular purpose for which they are being bought outside of the general purposes of goods of the description.