

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

April 10, 2006

Teri Muchow  
Manager - Regulatory Administration  
Osmose Railroad Services, Inc.  
4546 Tompkins Drive  
Madison, WI 53716

Subject: Tie-Gard  
EPA Registration No. 75340-2  
Application Date: March 10, 2006  
EPA Received Date: March 13, 2006

Dear Ms. Muchow:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c)9.

**Proposed Notification**

- Revised Container Disposal Instructions
- Revised Basic Confidential Statement of Formula (see CSF dated 3/10/06)

**General Comments**

Based on a review of the materials submitted, the following comments apply:

The notification application is acceptable. A copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,

Adam Heyward  
Product Manager 34

Regulatory Management Branch II  
Antimicrobials Division (7510 C)

CONCURRENCES

YMBOL	75340-2						
JRNAME	Teri Muchow						
DATE	4-10-06						



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 75340-2	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tie-Gard	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Osrose Railroad Services, Inc. 4546 Tompkins Drive Madison, WI 53716 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION: Revised container disposal instructions per PR Notice 83-3 and PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Teri Muchow	Title Manager - Regulatory Administration	Telephone No. (Include Area Code) 716-319-3255
<p align="center"><b>Certification</b></p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.</p>		6. Date Application Received <b>(Stamped)</b>
2. Signature <i>Teri Muchow</i>	3. Title Manager - Regulatory Administration	
4. Typed Name Teri Muchow	5. Date March 10, 2006	

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS  
AND DOMESTIC ANIMALS**

**WARNING:**

May be fatal if swallowed. Do not breathe vapors. Do not get in eyes, on skin, or on clothing. Applicators must wear rubber gloves in all situations where dermal contact is expected.

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.

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

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish 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.

**STORAGE AND DISPOSAL**

**STORAGE:** Store in a cool place. Avoid excessive heat.

**PESTICIDE DISPOSAL:** Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site, or at an approved waste disposal facility.

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

**Osmose®  
TIE-GARD®**

This product is for commercial purposes only. Not for household use.

**ACTIVE INGREDIENTS:**

Sodium Fluoride ..... 54.92%

**INERT INGREDIENTS:** ..... 45.08%

Total 100.0%

**KEEP OUT OF REACH OF CHILDREN**

**WARNING**

**FIRST AID**

If inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth to mouth, if possible. Call a poison control center or doctor for further treatment advice.
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 eye. Call a poison control center or doctor for treatment advice.
If swallowed	Call poison control center or doctor immediately for treatment advice. Have a person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

SEE SIDE PANELS FOR PRECAUTIONARY STATEMENTS

EPA Est. No. 3008-TN-1

EPA Reg. No. 3008-75

**DIRECTIONS FOR USE**

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

TIE-GARD® extends the service life of treated railroad ties and other large structural timbers (such as bridge piling and posts) for three to five years by penetrating into the wood and providing effective protection against decay producing fungi (such as brown and white rot).

TIE-GARD® is to be placed in the adzed portion of the railroad tie by the TIE-GARD® dispenser/applicator. Treated areas should be completely covered by tie plate.

**STRUCTURAL TIMBERS:** For control of internal decay, fill decay pockets and voids using a grease-gun or other pressurized applicator. Fill to refusal. Plug application holes with secure-fitting dowels.

**PHYSICAL OR  
CHEMICAL HAZARDS**

Do not use or store near heat or open flame.

**NOTE**

**Seller makes no warranty, expressed or implied concerning this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to labels instructions.**

Manufactured By:

**Osmose Inc.**

980 Ellicott Street

Buffalo, New York 14209

**NET CONTENTS: 30 Gallons**

3/3