

75341-4

9/10/2009

1 of 3



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

SEP 10 2009

Teri Muchow
Manager Regulatory Administration
Osmose Utilities Services, Inc.
980 Ellicott Street
Buffalo, NY 14209

Subject: Notification in Accordance with PR Notice 98-10
PATOX-LITE
EPA Registration No. 75341-4
Application Date: August 11, 2009
Receipt Date: August 12, 2009

Dear Ms. Muchow:

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

Proposed Notification

Label change due to PR Notice 2007-4

General Comments

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

The notification is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6427 or email address at: Carlisle.shaRon@epa.gov or Renae Whitaker by telephone at (703) 308-7003 or email at whitaker.renae@epa.gov during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

A handwritten signature in black ink, appearing to read "ShaRon Carlisle".

ShaRon Carlisle
(Acting) Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 75341-4	2. EPA Product Manager Tracy Lantz (acting)	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) PATOX-LITE	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Osмосе Utilities Services, Inc. 980 Ellicott Street Buffalo, NY 14209 <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 of label change per PR Notice 2007-4.
This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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 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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				Other (Specify) Plastic bag in box.	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued 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	
Certification 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 both under applicable law.				6. Date Application Received (Stamped)	
2. Signature 		3. Title Manager - Regulatory Administration			
4. Typed Name Teri Muchow		5. Date August 11, 2009			

**PRECAUTIONARY STATEMENTS
HAZARD TO HUMANS
AND DOMESTIC ANIMALS
DANGER:**

May be fatal if swallowed. Corrosive. Causes irreversible eye damage. Do not get in eyes. Wear rubber gloves and protective eye wear (goggles, face shield or safety glasses). Wash thoroughly with soap and water after handling. Do not get in eyes, on skin, or on clothing. Remove contaminated clothing and wash clothing before reuse.

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 pesticide is toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

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

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

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

BATCH NO: _____

Patox-Lite

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

Patox-Lite is a supplemental treatment which aids in extending pole life. Designed specifically to protect the groundline portion of wooden poles, PoleWrap™ contains a recognized water soluble preservative used in the art of wood preservation for more than 40 years. This preservative penetrates deeply into the wood. PoleWrap™ offers protection against decay for a comparable period to your normal groundline treatment cycle, consistent with industry practice.

ACTIVE INGREDIENTS:

Sodium Fluoride..... 70.6%

INERT INGREDIENTS: 29.4%

Total 100.0%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

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 INFORMATION PANELS FOR
PRECAUTIONARY STATEMENTS**

EPA Est. No. 3008-NY-1

EPA Reg. No. 75341-4

NOTIFICATION
Date Reviewed: 9/10/09
Reviewed By: [Signature]

DIRECTIONS FOR USE

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

Dig around the groundline of the pole to be treated to a depth of approximately 20 inches. Remove hardened creosote and rotted wood. Inspect pole as to remaining serviceability. Clean the surface of the pole to be treated. Measure the circumference of the pole. Cut from the roll of PoleWrap™ the length needed. Apply to the pole to the depth of approximately 18 inches below groundline, and 2 inches above groundline. Attach to pole by means of stables or tacks. Be sure bandage is pulled tight to be in close contact with the wood pole. Back fill and tamp the earth around the pole to 2 inches above the original groundline.

Proper use includes the covering of any exposed product above the groundline in areas where children or livestock may come in contact with it. Various products which can be used for this purpose are Osmose's Pasture Wrap or some other type of barrier which prevents the product from being easily removed and consumed. If you have any questions regarding this product, please contact Osmose at (716) 882-5905 and ask for the Product Manager in the Utilities Division.

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 which such use and/or handling is contrary to label instructions.

Minimum Weight.....25 lbs.

Manufactured for:

Osmose®

Osmose Utilities Services, Inc.
980 Ellicott Street
Buffalo, NY 14209

Osmose is a registered trademark of Osmose, Inc.
Pole Wrap is a trademark of Osmose, Inc.

2009