

83997-11

3/27/2014

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

MAR 27 2014

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Kevin Archer
Director Research and Development
Viance, LLC
200 East Woodlawn Road
Charlotte, NC 28217

Subject: **Viance Pack PT**
EPA Registration No.: 83997-11
Application Date: February 21, 2014
Receipt Date: February 25, 2014

Dear Mr. Archer:

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

Proposed Notification:

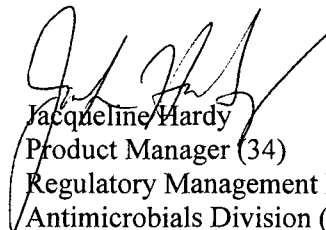
- Minor label change to modify use directions for products sold in California.

General Comment:

Based on the submitted materials, the notification to update your label is acceptable and a part of the records on file.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at hardy.jacqueline@epa.gov or Jose Gayoso by telephone at (703) 347-8652 or by e-mail at gayoso.jose@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,


Jacqueline Hardy
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

 EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other NOTIFICATION	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 83997-11	2. EPA Product Manager Jacqueline Campbell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Viance Pack PT	PM# Team 34	
5. Name and Address of Applicant (Include ZIP Code) Viance, LLC 200 East Woodlawn Road Suite 350 Charlotte NC 28217 <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.)

APPLICATION FOR NOTIFICATION: Changes to Use Directions Section of label to affect product sold in California per written request of California Department of Pesticide Regulation
Notification of Minor Label Changes in Accordance With PR Notice 1998-10 Part III(B)(1)

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, 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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be the subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Signature: 

Date: 2/21/14

THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES

Section - III

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

Section - IV


1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name Kevin J Archer	Title Director Research and Development	Telephone No. (Include Area Code) 704-522-0825
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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 or both under applicable law.

6. Date Application Received
(Stamped)

2. Signature <u></u>	3. Title Director Research and Development	
4. Typed Name Kevin J. Archer	5. Date 2/21/2014	



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February 21, 2014

Document Processing Desk [NOTIFY]
Office of Pesticide Programs (7504P)
Antimicrobials Division
US Environmental Protection Agency
Room S4900, One Potomac Yard
2777 Crystal Drive
Arlington, VA 22202

ATTENTION: Jacqueline Campbell
Product Manager, Team 34

SUBJECT: *Viance, LLC.
Viance Pack PT (EPA Reg. No. 83997-11)
Notification request to modify the Use directions section to
address feedback from CDPR. This Submission is not subject to
PRIA fees.*

Dear Ms Campbell:

As you may recall we corresponded with you on September, 10, 2013 about a notification request from the California Department of Pesticide Regulation (CDPR) to modify the label for our Product Viance CA-C 83997-11. We are writing to you again in connection with the same label but this time with a new request from CDPR to modify the Use directions section to affect product sold in California.

Ms. Jolynn Mahmoudi-Haeri registration specialist and Ms Kitman Cengiz Microbiology specialist both with CDPR provided Viance with a copy of their agency evaluation report. The report identified a number of deficiencies and we engaged in a dialogue with the agency via email to address the listed concerns. I have attached copies of the relevant correspondence to this letter. After much consideration it appears that the best solution to address the issues raised by CDPR is to include provide a California only Use directions section on our EPA master label.

No other changes have been made to the product label and it remains identical to that approved by EPA on September 11, 2013.

treatedwood.com

One Woodlawn Green, Suite 350 • 200 E. Woodlawn Road • Charlotte, NC 28217 •
1-800-421-8661 • FAX: 704-527-8232



I trust that the agency will find these changes acceptable. Please feel free to contact me at 704-971-2902 or by email at karcher@viance.net to discuss if necessary.

Sincerely,

Kevin J Archer, PhD.
Director Research and Development

Enclosures:

- 1) Email correspondence from CDPR
- 2) Completed 8570-1 form
- 3) Three copies of the revised label



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Viance PACK PT

Wood Preservative FOR INDUSTRIAL USE

INGREDIENT STATEMENT

ACTIVE INGREDIENT: (w/w)

Propiconazole:	5.0%
Tebuconazole:.....	5.0%

OTHER INGREDIENTS: (w/w).....	90.0%
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TOTAL:	100.0%
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NOTIFICATION
 Date Reviewed: 3/25/14
 Reviewed By: Jose Gayoso

KEEP OUT OF REACH OF CHILDREN DANGER

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(s) open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after-the first 5 minutes, then continue to rinse eye(s). Call a Poison Control Center or doctor for treatment advice.

IF SWALLOWED: Call a 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 a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person.

IF INHALED: Move 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. Have the product container or label with you when you call a Poison Control Center or doctor, or when going for treatment.

Note to Physician: Probable mucosal-damage may contraindicate the use of gastric lavage.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA EST NO. 10465-NC-001

EPA REG. NO. 83997-11

MANUFACTURED FOR: Viance, LLC.
200 East Woodlawn Road, Suite 350
Charlotte, NC 28217

IN CASE OF TRANSPORTATION EMERGENCY CALL: 800-424-9300 (CHEMTREC)

FOR NON-TRANSPORTATION EMERGENCIES CALL: 800-421-8661

NET CONTENTS: 2200 lb

BATCH CODE: XXXXXX

DIRECTIONS FOR USE

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

{*****Note to reviewer this section is not applicable for use in the State of California*****}

This product has been developed to be used for treatment of wood products. This product can be used in Tank Mixes with azole compounds, quaternary ammonium, or other compounds approved for wood treatment. Do not attempt to use without reading the Manual and having the necessary safety equipment. To be used only in treatment of wood products utilizing water solutions having concentrations ranging from 0.005 percent to 0.5 percent active ingredients by weight. Impregnation procedures must rigidly adhere to the current specifications of Viance, LLC, and/or the American Wood Protection Association.

Processes used to apply formulations shall leave no visible surface deposits on the wood. Visible surface deposits means a surface residue or crystallization on the treated wood. Small isolated or infrequent spots of chemical on otherwise clean wood shall be allowed. Treatment of wood products with this wood preservative provides wood with protection against termites, ascomycetes, white rot, brown rot, soft rot, and dry rot. The percent solution to be used should be based on the retention in lbs. per cubic foot (pcf) specified by the purchaser and by the treating process used.

{*****End of Section*****}

{****note to reviewer the following section is applicable to the state of California****}

This product has been developed to be used for treatment of wood products. *This product can be used in tank Mixes with azole compounds, quaternary ammonium, or other compounds approved for wood treatment (*note these applications are not registered for use in the State of California). Do not attempt to use without reading the Manual and having the necessary safety equipment. To be used only in the treatment of wood products when tank mixed with copper compounds registered for use as a wood preservative. Pressure treatment of wood products shall utilize water solutions having concentrations ranging from 0.1 percent to 5.0 percent (on a copper + Tebuconazole + Propiconazole active ingredient basis) by weight.

Impregnation procedures must rigidly adhere to the current specifications of Viance, LLC, and/or the American Wood Protection Association.

Processes used to apply formulations shall leave no visible surface deposits on the wood. Visible surface deposits means a surface residue or crystallization on the treated wood. Small isolated or infrequent spots of chemical on otherwise clean wood shall be allowed. Treatment of wood products with this wood preservative when combined with copper provides wood with protection against termites, ascomycetes, white rot, brown rot, soft rot, and dry rot. The percent solution to be used should be based on the retention in lbs. per cubic foot (pcf) specified by the purchaser and by the treating process used.

{*****End of Section*****}

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

PESTICIDE DISPOSAL:

Pesticide wastes are acutely hazardous. 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container promptly after emptying. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

For containers > 5 gallons:

Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

For containers < 5 gallons:

Triple rinse as follows: Empty remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Harmful if absorbed through skin. Causes skin burn and irreversible eye damage. Do not get in eyes, on skin or on clothing: Harmful if swallowed or inhaled. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wear the proper Personal Protective equipment as specified below. Wash thoroughly with soap and water after handling and before eating drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse. In case of contact immediately flush eyes or skin with plenty of water. Get medical attention if irritation persists.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear: Coveralls over long-sleeved shirt and long pants, Socks and chemical resistant footwear, Goggles or face shield, and Chemical-resistant gloves (such as: Barrier Laminate or Viton).

USER SAFETY REQUIREMENTS

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separate from other laundry. Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users must remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must remove personnel protective equipment immediately after handling this product. Wash outside of gloves before removing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and shrimp. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate. 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 EPA. Observe the most restrictive of the labeling limitations and precautions of all products used in mixtures.