



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

February 2, 2023

Kevin Archer, PhD  
Director Research and Development  
Viance, LLC.  
Electronic Transmittal: [karcher@viance.net](mailto:karcher@viance.net)

Subject: Label and CSF Amendment – Increase in recommended retention rate and use site specification to “pedestrian” bridges and “glue laminated beams” in addition to a new alternate CSF with alternate source of inert ingredients.  
Product Name: UP-50  
EPA Registration Number: 83997-14  
Received Date: 10/10/2022 and 10/11/2022  
Action Case Number: 00400123 and 00399865

Dear Kevin:

The amended label and CSF referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, are acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. Pursuant to 40 CFR 156.10(a)(6) you must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Please note that the record for this product currently contains the following CSFs:

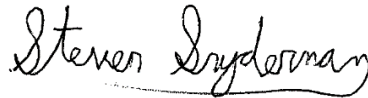
- Basic CSF dated 3/18/2022
- Alternate CSF 1 dated: 1/31/2023

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. See FIFRA section 2(p)(2) If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the

website may not substantially differ from those claims approved through the registration process, FIFRA section 12(a)(1)(B). Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Assurance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Steven Snyderman by phone at (202) 564-0910, or via email at [snyderman.steven@epa.gov](mailto:snyderman.steven@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Steven Snyderman". The signature is written in a cursive style with a horizontal line underneath the name.

Steven Snyderman, Product Manager 33  
Regulatory Management Branch II  
Antimicrobials Division (7510M)  
Office of Pesticide Programs

Enclosure: Stamped Final Label

# UP-50

For the pressure treatment of wood intended for use on industrial commodities (for example, utility poles, cross arms, railroad ties, glue laminated beams, or transportation road, rail, or pedestrian bridge timbers).



Manufactured for:  
Viance, LLC  
8001 IBM Drive  
Charlotte, NC 28262

**ACCEPTED**

02/02/2023

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 83997-14

### ACTIVE INGREDIENT:

4,5-Dichloro-2-n-octyl-3(2H)-isothiazolone	50.0%
<b>INERT INGREDIENTS:</b>	<b>50.0%</b>
<b>Total:</b>	<b>100.0%</b>

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

**Note to Reviewer : In accordance with 40 CFR 156.68(d), all first aid statements as prescribed, will appear on the front panel of the label.**

### FIRST AID

**IF ON SKIN:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 min. Call a poison control center or doctor for further advice

**IF IN EYES:** Hold eye open and rinse slowly and gently with water for 15-20 min. Remove contact lenses, if present, after first 5min. then continue rinsing eye. Call a poison control center or doctor for treatment advice

**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. Call a poison control center or doctor for further advice.

**IF SWALLOWED:** Call a poison control center or doctor Immediately for advice. Do not induce vomiting unless told to do so by a poison control center or doctor. Have person sip a glass of water if able to swallow.

**Have the product container or label with you when calling a poison control center or doctor, or going for treatment.**

**NOTE TO PHYSICIAN:** Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsions may be necessary.

**SEE NEXT PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

### CONDITIONS OF SALE AND WARRANTY

Viance warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use.

VIANCE MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES. Handling, storage, and use of the product by Buyer or User are beyond the control of Viance and Seller. Risks or other unintended consequences resulting from, but not limited to, failure to follow label directions will be assumed by the Buyer or User to the extent consistent with applicable law.

IN NO CASE WILL VIANCE OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE, OR USE OF THIS PRODUCT to the extent consistent with applicable laws.

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### DANGER

#### CORROSIVE

**CAUSES IRREVERSIBLE EYE DAMAGE AND SKIN BURNS**

**MAY BE FATAL IF INHALED**

**HARMFUL IF SWALLOWED**

**HARMFUL IF ABSORBED THROUGH THE SKIN**

Danger. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes, on skin, or on clothing. Do not breathe vapors. Wear coveralls worn over long sleeve shirt and long pants, chemical-resistant footwear plus socks, rubber gloves, and protective eyewear. Wear a minimum of a NIOSH-approved elastomeric half mask respirator with organic vapor (OV) cartridges and a combination R, or P filter; OR a NIOSH-approved gas mask with OV canisters; OR a NIOSH-approved powered air-purifying respirator with OV cartridges and combination HE filters. When mixing and loading wear a chemical resistant apron. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. 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 Systems (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. Do not contaminate water by cleaning of equipment or disposal of waste. Apply this pesticide only as specified on this label.

#### PHYSICAL and CHEMICAL HAZARDS

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

#### STORAGE AND DISPOSAL

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

**Pesticide Storage:** Store in original container in a preferably locked storage area inaccessible to children and pets. Do not freeze.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

#### Container Handling:

(For product in rigid, refillable containers)

Refillable container; refill this container only with UP-50. Do not reuse this container for any other purpose. Cleaning the container before refilling is the responsibility of the refiller; cleaning before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with solvent, then vigorously agitate or recirculate with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure 2 more times, then offer for recycling, if available, or reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

**SPILL OR LEAK PROCEDURES:** Refer to the Safety Data Sheet (SDS) associated with this product for information on how to properly clean-up spillage.

Net Contents:

### DIRECTIONS FOR USE

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

For use as a wood preservative to protect treated wood articles from fungi and subterranean termites.

#### PRESSURE TREATMENT

For use in industrial vacuum pressure treatment plants to treat wood intended for use as distribution poles, utility poles, cross arms or transportation (road or rail) bridge timbers. This product is a solid concentrate and must be diluted with a hydrocarbon solvent such as fuel oil, mineral spirits, diesel or petroleum distillates.

Use 147 - 420 lbs of UP-50 per 7000 pounds of final treatment solution (1-3% by weight of UP-50 active ingredient in the final treatment solution). A retention rate of 0.1 – 0.4 pounds/cubic foot (pcf) of UP-50 active ingredient is required for all the above treatments.

#### Application Restrictions

Pressure treatment in commercial pressure treatment facility allows for the attainment of proper retention and penetration levels and makes the treated wood products suitable for ground contact. To protect dry and/or seasoned lumber, timbers, posts, poles and other wooden members before construction and before placing in contact with the soil, the wood should be pressure treated in a commercial vessel capable of physically impregnating the wood and providing adequate penetration and retention. If temperature or time is used as the treating parameter, treat for up to 12 to 48 hours or until effective retention and penetration is achieved. All wooden members must be free of bark before receiving treatment. At the conclusion of treatment, the cylinder must be ventilated by purging the post-treatment cylinder through fresh air exchange. The ventilation process is considered complete after a minimum of 2 volume exchanges based on the empty treatment cylinder volume. The exhaust pipe of the vacuum system or any air moving device utilized in conducting the air purge must terminate into a containment vessel such as a treating solution work tank or water/effluent tank.

The ventilation process may be accomplished by one of the following methods: 1) activating an air purge system that operates while the cylinder door remains closed; or 2) using a device to open and hold open the cylinder door (no more than 6 inches) to allow adequate ventilation and activating the vacuum pump.

If the second method is utilized, at the conclusion of the treatment, no personnel may be located within 15 feet of the cylinder when open (cracked) until the cylinder has been ventilated.

In the event of equipment malfunction, or to place the spacer to hold the door open during venting, only personnel wearing specified PPE are permitted within 15 feet of the cylinder prior to ventilation.

After ventilation is complete, the cylinder door may be completely opened.

After treatment, wood must be moved to a drip pad capable of recovering excess preservative until the wood is drip free.

The treatment process must include a final vacuum must be used to remove excess preservative from the wood. The final vacuum must attain a vacuum equal or greater than the initial vacuum. This vacuum must be held for an appropriate time period based on wood species, retention levels, and commodity treated to remove excess preservative from the wood.

For elevated temperature pressure treatment with UP-50, automatic, remotely operated devices must be used to open, close, lock and unlock cylinder doors.

For ambient UP-50 treatments, an automatic locking/unlocking device must be used to accomplish locking and unlocking of the cylinder door.

Cylinder openings and door pits must use grating and additional measures such as sumps, dams or other devices which prevent or remove spillage of the preservative.

Personnel must not directly handle the charge cables, poles or hooks used to retrieve charge cables, or other equipment that has contacted the preservative without wearing chemical resistant gloves.

Mechanical methods must be used to place/remove bridge rails.

**NOTE: UP-50 cannot be used to treat wood intended for use in direct continuous contact with salt water. Wood treated with this product must not be used in interior applications, for packaging or other uses which will result in contact with food or feed, or in the manufacture of beehives.**

**UP-50 weighs 8.75-8.99 pounds per gallon.**

EPA Reg. No. 83997-14  
EPA Est. No. 72424-GA-1

Label date: 9/26/2022