

84542-2

04/14/2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

A Reg. Number:
84542-2

Date of Issuance:
APR 14 2009

Term of Issuance:
Conditional

Name of Pesticide Product:
Cupron Cupric Oxide

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Cupron, Inc.
P.O. Box 10973
Greensboro, NC 27404

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product (OPP Decision Number: D-396163) is conditionally registered in accordance with FIFRA sec 3(c)7(b) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the labeling changes listed below before you release the product for shipment:
 - a. Revise the "EPA Registration Number to read, "EPA Reg. No. 84542-2".

Signature of Approving Official:

Tracy Lantz
(Acting) Product Manager Team 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Date:

APR 14 2009

- b. On page one the First Aid statement must read in this order: If on Skin, If in Eyes, If Inhaled and if Swallowed
- c. On page 2 of the proposed label add the Signal word "Caution" before the precautionary paragraph. See 40 CFR 156.70.
- d. On page 2 revise the Hazards to Humans & Domestic Animals precautionary statement to read: "Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Harmful if inhaled or absorbed through the skin. Avoid breathing (dust vaor, or spray mist.) Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, and chewing gum, using tobacco or using the toilet. Wear goggles or face shield, protective clothing and gloves."
- e. On page 2 under the **Directions for Use**, second sentence change "antibacterial and antifungal" to "bacteristatic and fungistatic", and change "commercial" to "manufacturing".
- f. On page 2, line 5, revise the sentence to read: "antibacteristatic and fungistactic protection to the final articles identified on this label."
- g. On page 2 use mandatory language as per PR 2000-5. Revise sentence to read: "This product is for use in materials that are incorporated...below."
- h. On page 2 in the section concerning Fibers: revise the sentence as per PR 2000-5 to read: "The final article to contain...weight." Directly under that sentence delete the word Including and begin the sentence with "Household items;"
- i. On page 2 in the section Floor coverings: revise the sentence as per PR 2000-5 to read: "The final article to contain...weight."
- j. On page 2 in the section Plastics, coatings, films and laminates: revise the sentence as per PR 2000-5 to read: "The final article to contain...weight." Immediately after that sentence delete the text "Including appliances and equipment" as this statement is too broad and may indicate food contact surfaces. In that same sentence add the text "non-food contact" before plastic composites.
- k. On page 3 delete the word collection from the first section on this page as this claim is too broad.
- l. On page 3 of the proposed label delete the following claims: vitreous china used in plumbing fixtures, food contact items such as pots and cooking utensils, and packaging and wrapping. These uses are not approved for this active ingredient.
- m. On page 3 in the Adhesives and sealants section: revise the sentence as per PR 2000-5 to read: "The final article to contain...weight."
- n. On page 3 under the Storage and Disposal Section, delete the subheading "Prohibitions". Place the text "Open dumping is prohibited" under the Pesticide Disposal subheading. Delete the following text directly located under the Do not contaminate water, food or feed by storage or disposal statement "Do not reuse empty container."
- o. On page 3 under the Storage and Disposal section, move the 2 sentences "Do not store under conditions...moisture" to the Storage subheading: add the word "Pesticide" before the Storage subheading.
- p. On page 3 delete the sentence "Personnel should use clothing and equipment listed under "PRECAUTIONARY STATEMENT" when handling open containers."

Submit five (5) copies of your final printed labeling before distributing or selling the product bearing the revised labeling. The Agency is moving away from review of paper submitted registration applications to electronic review of applications. Therefore, we need your help to make this an efficient and convenient process for both you and the Antimicrobials Division. Future labeling amendments may be accomplished by submitting a copy of the electronic label. Refer to the following website for guidance on electronic submissions, including label: <http://www.epa.gov/pesticides/regulating/registering/submissions/index.htm>.

If you have any questions concerning electronic label submissions, please refer to the above website for a list of contact personnel for more information.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped label with comments is enclosed for your records.

Sincerely,



Tracy Lantz
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: (Stamped Label) and RASSB Ecological Assessment DER 0354552

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Cupron Cupric Oxide

ACTIVE INGREDIENT:

Copper (II) Oxide	98.6%
Other Ingredients.....	1.4%
TOTAL.....	100.0%

(Metallic Copper Equivalent 79%)
KEEP OUT OF REACH OF CHILDREN

CAUTION ----- AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

See Below For Other Precautions.

EPA Reg. No. 84542-E
EPA EST. NO.

FIRST AID

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have 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 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.

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

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 14 2009

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 84542-2

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

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not apply directly to water, or to areas where surface water is present or to inter-tidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Cupron Cupric Oxide is an antibacterial and antifungal powder for commercial use. The powder is to be incorporated into synthetic fibers during the manufacturing process of a masterbatch. The fibers are used in the manufacturing process of materials incorporated into final articles. Cupron Cupric Oxide provides antibacterial and antifungal protection to the final article. Manufactured products using Cupron Cupric Oxide may not make any public health claims relating to antimicrobial activity without first obtaining an EPA registration for the manufactured product.

IMPORTANT! Read precautionary statements before using this product.

This product is for use in materials that may be incorporated into manufactured products listed below.

Fibers: The final article may contain from 0.2% to 4.0% Cupron Cupric Oxide by weight.

Including household items, bedding, mattress cover pads and filling, pillow covers, sheets, blankets, fiberfill for quilts and pillows, table cloths, napkins, wiping cloths, mops, towels, vacuum cleaner bags, cushion pads, sleeping bags, brush bristles, air and dust filters, book covers, curtains, draperies, upholstery, wall covering fabrics, carpet underlay, carpet backing, conveyor belts that do not come in contact with any type of food, automotive and truck upholstery, automotive and truck carpeting, truck liners, convertible tops and interior liners, Apparel, outerwear, uniforms, coats, aprons, sportswear, sleepwear, stockings, socks, hosiery, caps, undergarments (undershirts, underwear, bras, thermal underwear), inner liners for jackets, shoes, gloves and helmets, sails, ropes, tents, tarps, canvas, ducking, awnings, umbrellas, outdoor upholstery, pool covers, boat covers, RV and auto covers.

Floor coverings: The final article may contain 0.2%-4.0% Cupron Cupric Oxide by weight.

Including carpets, rugs, mats, indoor/outdoor carpet and broadloom and tile carpeting

Plastics, coatings, films and laminates: The final article (or finished coating) may contain from 0.2% to 4.0% Cupron Cupric Oxide by weight.

Including appliances and equipment; automotive and vehicular parts; brush handles; building materials and components, wood and plastic composites,

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collection and; concrete; conveyor belts that do not come in contact with any type of food; countertops; floor covering; flooring; footwear including boots; furniture; gaskets; glazing for cement tile and for ~~it is also being used in plumbing fixtures~~ such as toilets, countertops; indoor and outdoor furniture; insulation for wire and cable; insulators; kitchen and bathroom hardware; liners; mats; mops; natural and synthetic fibers and fabrics; non-woven fabrics; plumbing supplies and fixtures; shower curtains, siding, sinks, ~~food contact items such as pots and cooking utensils and packaging and wrapping~~ sports equipment, tape, tiles, tubing, vacuum cleaner bags, wallboard, walls, waste containers, protective coverings for pools and hot tubs. For coatings used on the inside of fire system sprinkler pipes.

Adhesives and sealants: The final article may contain from 0.2% to 4.0% Cupron Cupric Oxide by weight. Including adhesives used in the manufacturing of wood and plastic composites, adhesives for ceramic tile, rubber, plastic, glazing for windows, grout, sealants for pipes, and adhesives for plumbing.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container. Do not store under conditions which might adversely affect the container or its ability to function properly. Such conditions include, but are not limited to, positioning of the container in storage, storage temperature, potential for crushing or damage due to stacking, and penetration of moisture.

STORAGE: Store in safe manner. Store in original container only. Store in cool, dry place. Storing product at temperatures below -30 °F and above 200 °F is not recommended. Keep container tightly closed when not in use. Reduce stacking height where local conditions, such as humidity or pallet overhang, can affect package strength. Personnel should use clothing and equipment listed under "PRECAUTIONARY STATEMENT" when handling open containers.

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 DISPOSAL: Non-refillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follow: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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. Offer for recycling if possible. If recycling is not possible, dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

It is impossible to eliminate all risks inherently associated with the use of this product. All such risks shall be assumed by the buyer. Except as expressly provided herein, the manufacturer or seller makes no warranties, guarantees, or representations of any kind, either express or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to, merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage.

**ACCEPTED
with COMMENTS
in EPA Letter Dated:**

Master- March 31, 2009

APR 14 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 84542-22

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**Manufactured by
Cupron Technologies
Greensboro NC 27404**

Net Contents: XXX

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with COMMENTS
in EPA Letter Dated:**

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Master- March 31, 2009

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 84542-2 **4**