

84661-1

7/21/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

JUL 21 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ronald L. Miller
Director of Registrations
PhibroWood, LLC.
65 Challenger Road, 3rd Floor
Ridgefield, NJ 07660

Subject: **CMC 10.3 Wood Preservative**
EPA Registration Number: 84661-1
Letter dated: April 28, 2009
Receipt Date: April 29, 2009

Dear Mr. Miller:

The following amendment, submitted in connection with registration under section 3(c)(7)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with comments .

Proposed Amendment:


Label revision regarding Eight Month Response to the Copper Compounds II RED

Label Comments:

1. On page 2, revise the "User Safety Recommendations" heading to read "User Safety Requirements" and this section as it is not in agreement with PR Notice 2000-5. Replace "should" in all instances with "must."
2. On page 3, revise the "Directions For Use" section by replacing "should" in all instances with "must" as it is not in agreement with PR Notice 2000-5.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6415 or email address at: lantz.tracy@epa.gov, or Lisa McKelvin by telephone at (703) 308-7496 or email address at: mckelvin.Lisa@epa.gov .

Sincerely,


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

Enclosed: Stamped Label

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ACCEPTED
with COMMENTS
in EPA Letter Dated:

JUL 21 2009

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 84661-1

PhibroWood®

The Wood Protection Experts™

CMC 10.3 Wood Preservative

Monoethanolamine Complex of Copper Carbonate
For the control of wood damaging fungi and insects

ACTIVE INGREDIENT:

Copper Carbonate (CAS # 12069-69-1)* 17.94%

OTHER INGREDIENTS: 82.06%

TOTAL 100.00%

*(METALLIC COPPER EQUIVALENT – 10.31%)

KEEP OUT OF REACH OF CHILDREN
CAUTION

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

FIRST AID

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 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 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 treatment advice.

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

PhibroWood, LLC
Ridgefield Park, NJ 07660

EPA EST. NOS.

35896-SC-01
35896-IL-01

EPA REG. NO. 84661-1

Net Contents: _____

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

Harmful if swallowed. Harmful if inhaled. Avoid contact with eyes, skin, or clothing. Avoid breathing spray mist or vapor.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators and other handlers (including persons handling treated wood) must wear the following:

- Long-sleeve shirt
- Long pants or coveralls
- Chemical resistant footwear made of any waterproof material, such as polyvinyl chloride, nitrile rubber, or butyl rubber, plus socks
- Goggles or face shield
- Chemical resistant gloves made of any waterproof material, such as polyvinyl chloride, nitrile rubber, or butyl rubber

Chemical resistant gloves should be worn in all situations where dermal contact is expected (i.e. handling freshly treated wood, manual operation of treating cylinder hatches, etc.).

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them. Wash the outside of gloves before removing.

Protective clothing must be replaced when it shows signs of significant contamination. Applicator must leave all protective clothing, work shoes or boots, and equipment at the treatment plant. Worn out or severely contaminated protective clothing must be disposed of in a manner approved for pesticide disposal and in accordance with state and federal regulations.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, using tobacco products, or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible wash thoroughly and change into clean clothing.

SAFE HANDLING PROCEDURES

Do not attempt to use without implementing the necessary safety equipment. Applicators must not eat, drink, or use tobacco products during those parts of the application process that may expose them to the wood treatment concentrate or solutions (i.e., manually opening/closing cylinder doors, shoving trams out of the cylinder, mixing chemicals, handling freshly treated wood, etc.).

Individuals who enter treatment cylinders and other related equipment contaminated with wood treatment solutions must wear protective clothing (including coveralls, jacket, gloves and boots) impervious to wood treatment solutions. In addition, individuals who enter treatment cylinders must wear properly fitting, well-maintained, high-efficiency respirators that are MSHA/NIOSH-approved for ammonia. If the level of ammonia in the plant is unknown or exceeds 35 ppm (STEL) or 25 ppm (ACGIH) or air averaged over an 8-hour work period, air monitoring programs, procedures, and record retention and submittal must be conducted in accordance with OSHA standards.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

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ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates and may contaminate water through runoff. 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 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

Use CMC 10.3 Wood Preservative to control all types of fungal decay of wood products – brown white, and soft rot – and wood-eating insects including termites. CMC 10.3 Wood Preservative should be used to treat any wood product that will be exposed to conditions favorable to rot, decay, or insect attack both above ground and in ground, or in water. Types of products include lumber, timbers, landscape ties, fence posts, building and utility poles, land, freshwater and marine piling, sea walls, decking, and wood shingles.

Tank mix CMC 10.3 Wood Preservative with quaternary ammonium compounds approved for wood treatment. Apply the tank mixed solution by pressure impregnation. Follow the mixing instructions in the appropriate "Solution Mixing Table for CMC 10.3 Wood Preservative (2 Component)" for obtaining the desired solution concentration. The percent solution to be used should be based on the retention, in pounds per cubic foot (pcf), specified by the purchaser and the treating process used.

A 3% solution can be used to field coat the cut ends of pressure-treated wood by brush-on application.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep from freezing (above 40°F) in a tightly closed container. Store in a cool dry area.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact you State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: This product ships in bulk or in a refillable mini-bulk containers. Refill mini-bulk containers with pesticide only. Do not reuse these containers for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container for final disposal, empty the remaining contents from the container into the mix tank. Fill the container about 10 percent full with water. Recirculate water with the pump for two minutes. Then add the rinsate to a rinsate collection system or to the mix tank as diluent. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. The same procedure may be used to clean mini-bulk and bulk transport containers prior to refilling.

WARRANTY STATEMENT

PhibroWood, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth on the label when used according to directions under normal use conditions. THERE ARE NO OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING A WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE. This warranty does not extend to the handling or use of this product contrary to label instructions or under abnormal conditions or under conditions nor reasonably foreseeable to seller and buyer assumes all risk of any such use.

PhibroWood, LLC
Ridgefield Park, NJ 07660

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Solution Mixing Table for CMC 10.3 Wood Preservative and 50% Didecyl Dimethyl Ammonium Chloride (2-Component System)

Solution Strength % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine Following Gallons of		
	CuO	DDAC	CMC 10.3	DDAC (50%)	Water
0.60%	0.400%	0.200%	24.3	4.35	971.4
0.65%	0.433%	0.217%	26.3	4.72	969.0
0.70%	0.467%	0.233%	28.4	5.08	966.6
0.75%	0.500%	0.250%	30.4	5.45	964.1
0.80%	0.533%	0.267%	32.4	5.82	961.7
0.85%	0.567%	0.283%	34.5	6.18	959.3
0.90%	0.600%	0.300%	36.5	6.55	956.9
0.95%	0.633%	0.317%	38.6	6.92	954.5
1.00%	0.667%	0.333%	40.7	7.29	952.1
1.10%	0.733%	0.367%	44.8	8.02	947.2
1.20%	0.800%	0.400%	48.9	8.76	942.3
1.30%	0.867%	0.433%	53.0	9.50	937.5
1.40%	0.933%	0.467%	57.2	10.24	932.6
1.50%	1.000%	0.500%	61.3	10.99	927.7
1.60%	1.067%	0.533%	65.5	11.73	922.8
1.70%	1.133%	0.567%	69.6	12.48	917.9
1.80%	1.200%	0.600%	73.8	13.23	912.9
1.90%	1.267%	0.633%	78.0	13.98	908.0
2.00%	1.333%	0.667%	82.2	14.73	903.1
2.10%	1.400%	0.700%	86.4	15.49	898.1
2.20%	1.467%	0.733%	90.6	16.24	893.1
2.30%	1.533%	0.767%	94.9	17.00	888.1
2.40%	1.600%	0.800%	99.1	17.76	883.1
2.50%	1.667%	0.833%	103.3	18.52	878.1
2.60%	1.733%	0.867%	107.6	19.28	873.1
2.70%	1.800%	0.900%	111.9	20.05	868.1
2.80%	1.867%	0.933%	116.1	20.81	863.1
2.90%	1.933%	0.967%	120.4	21.58	858.0
3.00%	2.000%	1.000%	124.7	22.35	852.9
3.10%	2.067%	1.033%	129.0	23.12	847.9
3.20%	2.133%	1.067%	133.3	23.89	842.8
3.30%	2.200%	1.100%	137.6	24.67	837.7
3.40%	2.267%	1.133%	142.0	25.44	832.6
3.50%	2.333%	1.167%	146.3	26.22	827.5
3.60%	2.400%	1.200%	150.7	27.00	822.3
3.70%	2.467%	1.233%	155.0	27.78	817.2
3.80%	2.533%	1.267%	159.4	28.57	812.0
3.90%	2.600%	1.300%	163.8	29.35	806.9

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Solution Mixing Table for CMC 10.3 Wood Preservative and 80% Didecyl Dimethyl Ammonium Chloride (2-Component System)

Solution Strength % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine Following Gallons of		
	CuO	DDAC	CMC 10.3	DDAC (80%)	Water
0.60%	0.400%	0.200%	24.3	2.81	972.9
0.65%	0.433%	0.217%	26.3	3.04	970.6
0.70%	0.467%	0.233%	28.4	3.28	968.4
0.75%	0.500%	0.250%	30.4	3.52	966.1
0.80%	0.533%	0.267%	32.5	3.75	963.8
0.85%	0.567%	0.283%	34.5	3.99	961.5
0.90%	0.600%	0.300%	36.5	4.23	959.2
0.95%	0.633%	0.317%	38.6	4.47	956.9
1.00%	0.667%	0.333%	40.7	4.70	954.6
1.10%	0.733%	0.367%	44.8	5.18	950.1
1.20%	0.800%	0.400%	48.9	5.66	945.5
1.30%	0.867%	0.433%	53.0	6.13	940.8
1.40%	0.933%	0.467%	57.2	6.61	936.2
1.50%	1.000%	0.500%	61.3	7.09	931.6
1.60%	1.067%	0.533%	65.5	7.57	926.9
1.70%	1.133%	0.567%	69.7	8.06	922.3
1.80%	1.200%	0.600%	73.8	8.54	917.6
1.90%	1.267%	0.633%	78.0	9.03	913.0
2.00%	1.333%	0.667%	82.2	9.51	908.3
2.10%	1.400%	0.700%	86.4	10.00	903.6
2.20%	1.467%	0.733%	90.6	10.49	898.9
2.30%	1.533%	0.767%	94.9	10.97	894.2
2.40%	1.600%	0.800%	99.1	11.46	889.4
2.50%	1.667%	0.833%	103.4	11.96	884.7
2.60%	1.733%	0.867%	107.6	12.45	879.9
2.70%	1.800%	0.900%	111.9	12.94	875.2
2.80%	1.867%	0.933%	116.1	13.44	870.4
2.90%	1.933%	0.967%	120.4	13.93	865.6
3.00%	2.000%	1.000%	124.7	14.43	860.8
3.10%	2.067%	1.033%	129.0	14.93	856.0
3.20%	2.133%	1.067%	133.3	15.42	851.2
3.30%	2.200%	1.100%	137.7	15.92	846.4
3.40%	2.267%	1.133%	142.0	16.43	841.6
3.50%	2.333%	1.167%	146.3	16.93	836.7
3.60%	2.400%	1.200%	150.7	17.43	831.9
3.70%	2.467%	1.233%	155.1	17.94	827.0
3.80%	2.533%	1.267%	159.4	18.44	822.1
3.90%	2.600%	1.300%	163.8	18.95	817.2

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Solution Mixing Table for CMC 10.3 Wood Preservative and 50% Alkyl Dimethyl Benzyl Ammonium Chloride (2-Component System)

Solution Strength % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine Following Gallons of		
	CuO	ADBAC	CMC 10.3	ADBAC (50%)	Water
0.60%	0.400%	0.200%	24.3	4.09	971.6
0.65%	0.433%	0.217%	26.3	4.43	969.2
0.70%	0.467%	0.233%	28.4	4.78	966.9
0.75%	0.500%	0.250%	30.4	5.12	964.5
0.80%	0.533%	0.267%	32.5	5.47	962.1
0.85%	0.567%	0.283%	34.5	5.81	959.7
0.90%	0.600%	0.300%	36.6	6.16	957.3
0.95%	0.633%	0.317%	38.6	6.50	954.9
1.00%	0.667%	0.333%	40.7	6.85	952.5
1.10%	0.733%	0.367%	44.8	7.54	947.7
1.20%	0.800%	0.400%	48.9	8.24	942.8
1.30%	0.867%	0.433%	53.1	8.93	938.0
1.40%	0.933%	0.467%	57.2	9.63	933.2
1.50%	1.000%	0.500%	61.4	10.33	928.3
1.60%	1.067%	0.533%	65.5	11.03	923.4
1.70%	1.133%	0.567%	69.7	11.74	918.6
1.80%	1.200%	0.600%	73.9	12.44	913.7
1.90%	1.267%	0.633%	78.1	13.15	908.8
2.00%	1.333%	0.667%	82.3	13.86	903.9
2.10%	1.400%	0.700%	86.5	14.57	898.9
2.20%	1.467%	0.733%	90.7	15.28	894.0
2.30%	1.533%	0.767%	95.0	15.99	889.1
2.40%	1.600%	0.800%	99.2	16.71	884.1
2.50%	1.667%	0.833%	103.5	17.42	879.1
2.60%	1.733%	0.867%	107.7	18.14	874.1
2.70%	1.800%	0.900%	112.0	18.86	869.1
2.80%	1.867%	0.933%	116.3	19.58	864.1
2.90%	1.933%	0.967%	120.6	20.30	859.1
3.00%	2.000%	1.000%	124.9	21.03	854.1
3.10%	2.067%	1.033%	129.2	21.76	849.1
3.20%	2.133%	1.067%	133.5	22.48	844.0
3.30%	2.200%	1.100%	137.8	23.21	838.9
3.40%	2.267%	1.133%	142.2	23.95	833.9
3.50%	2.333%	1.167%	146.5	24.68	828.8
3.60%	2.400%	1.200%	150.9	25.41	823.7
3.70%	2.467%	1.233%	155.3	26.15	818.6
3.80%	2.533%	1.267%	159.7	26.89	813.4
3.90%	2.600%	1.300%	164.1	27.63	808.3

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Solution Mixing Table for CMC 10.3 Wood Preservative and 50% Didecyl Dimethyl Ammonium Carbonate (2-Component System)

Solution Strength % Active	Component Balance Actives Basis (%)		To Mix 1000 Gallons Solution Combine Following Gallons of		
	CuO	DDACarbonate	CMC 10.3	DDACarbonate (50%)	Water
0.60%	0.400%	0.200%	24.3	4.17	971.5
0.65%	0.433%	0.217%	26.3	4.52	969.2
0.70%	0.467%	0.233%	28.4	4.87	966.8
0.75%	0.500%	0.250%	30.4	5.22	964.4
0.80%	0.533%	0.267%	32.5	5.57	962.0
0.85%	0.567%	0.283%	34.5	5.92	959.6
0.90%	0.600%	0.300%	36.6	6.27	957.2
0.95%	0.633%	0.317%	38.6	6.63	954.8
1.00%	0.667%	0.333%	40.7	6.98	952.4
1.10%	0.733%	0.367%	44.8	7.69	947.5
1.20%	0.800%	0.400%	48.9	8.39	942.7
1.30%	0.867%	0.433%	53.0	9.10	937.9
1.40%	0.933%	0.467%	57.2	9.82	933.0
1.50%	1.000%	0.500%	61.3	10.53	928.1
1.60%	1.067%	0.533%	65.5	11.24	923.2
1.70%	1.133%	0.567%	69.7	11.96	918.4
1.80%	1.200%	0.600%	73.9	12.68	913.5
1.90%	1.267%	0.633%	78.1	13.40	908.5
2.00%	1.333%	0.667%	82.3	14.12	903.6
2.10%	1.400%	0.700%	86.5	14.84	898.7
2.20%	1.467%	0.733%	90.7	15.57	893.7
2.30%	1.533%	0.767%	94.9	16.29	888.8
2.40%	1.600%	0.800%	99.2	17.02	883.8
2.50%	1.667%	0.833%	103.4	17.75	878.8
2.60%	1.733%	0.867%	107.7	18.48	873.8
2.70%	1.800%	0.900%	111.9	19.22	868.8
2.80%	1.867%	0.933%	116.2	19.95	863.8
2.90%	1.933%	0.967%	120.5	20.69	858.8
3.00%	2.000%	1.000%	124.8	21.43	853.8
3.10%	2.067%	1.033%	129.1	22.17	848.7
3.20%	2.133%	1.067%	133.5	22.91	843.6
3.30%	2.200%	1.100%	137.8	23.65	838.6
3.40%	2.267%	1.133%	142.1	24.40	833.5
3.50%	2.333%	1.167%	146.5	25.14	828.4
3.60%	2.400%	1.200%	150.8	25.89	823.3
3.70%	2.467%	1.233%	155.2	26.64	818.2
3.80%	2.533%	1.267%	159.6	27.39	813.0
3.90%	2.600%	1.300%	164.0	28.15	807.9