

84661-8

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U.S. ENVIRONMENTAL PROTECTION AGENCY

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

EPA Reg.

Number:

84661-8

Date of Issuance:

FEB 23 2009

Term of Issuance:

Conditional

Name of Pesticide Product:

Sustain 25T

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

PhibroWood, LLC
65 Challenger Road, 3rd Floor
Ridgefield Park, NJ 07660

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-398516) is conditionally registered in accordance with FIFRA sec 3(c)(5) 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. 84661-8".

Signature of Approving Official:

Emily Mitchell
Emily Mitchell
(Acting) Product Manager Team 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Date:

FEB 23 2009

- b. Correct the typographical error in the diluent in column 13a.
- c. For alternate formulations 9, 10, 11, 12, 13, 14, 15, 16, and 17, in column 13a you must submit 830 Series Group A data (starting materials, production/formulation process, discussion of the formation of impurities, preliminary analysis, certified limits) because the source of basic copper carbonate is from an integrated source. For these alternate formulations, the certified limits cannot be calculated until the aforementioned data requirements are submitted.

Submit three (3) 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 copy of the label is enclosed for your records.

Sincerely,

Emily Mitchell
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: (Stamped Label)

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PhibroWood®

The Wood Protection Experts™

Sustain™ 25T

FOR PRESSURE-TREATING WOOD PRODUCTS

ACTIVE INGREDIENT:

Copper Carbonate, CAS # 12069-69-1* 43.5%

Tebuconazole [Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol], CAS # 80443-41-0; 107534-96-3 1.029%

OTHER INGREDIENTS: ** **55.471%**

TOTAL: **100.0%**

(*Metallic Copper Equivalent 25.0%)

(** THIS PRODUCT CONTAINS SODIUM NITRITE)

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first five minutes, and then continue rinsing. • Call a Poison Control Center to doctor for treatment advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a Poison Control Center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person. • Do not induce vomiting unless told to do so by a Poison Control Center or doctor.
IF INHALED	<ul style="list-style-type: none"> • 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.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
For medical emergencies involving this product, call toll free 1-888-324-7598. 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."	

PhibroWood, LLC
65 Challenger Road, 3rd Floor
Ridgefield Park, NJ 07660

EPA Reg. No. 84661-XX

EPA Est. No. 35896-SC-001

ACCEPTED
with COMMENTS
EPA Letter Dated:

Net Weight: _____

FEB 23 2009

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 84661-8

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

USER SAFETY RECOMMENDATIONS

Harmful if swallowed. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, 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. As soon as possible, wash thoroughly and change into clean clothing. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt
- Long pants
- Shoes plus socks
- Eye protection such as goggles, face shield, or safety glasses
- Rubber gloves

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.

NOTE: Applicators must not eat, drink, or use tobacco products during those parts of the application process where exposure to the wood treatment formulation may occur (e.g., manually operating cylinder doors, handling freshly treated wood, etc.).

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates and may contaminate water through runoff. Do not contaminate water by cleaning of equipment or disposal of wash waters 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.

Certain water conditions including low pH (≤ 6.5), low dissolved organic carbon (DOC) levels (3.0 mg/L or lower), and "soft" waters (i.e. alkalinity less than 50 mg/L), increase the potential acute toxicity to aquatic organisms.

GENERAL INFORMATION

Pressure-treating wood products with Sustain™ 25T provides protection against termites, ascomycetes, white rot, brown rot and dry rot.

DIRECTIONS FOR USE

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

Sustain™ 25T is only for use in pressure-treating wood products. Apply using vacuum pressure impregnation with water solutions having concentrations ranging from 0.1% - 3.0% active ingredients by weight. Impregnation procedures must rigidly adhere to the current specifications of PhibroWood, LLC or the American Wood Protection Association.

The processes used to apply Sustain™ 25T formulations must leave no visible surface deposits on the wood. Visible surface deposits indicate a surface residue or crystallization on the treated wood. Small, isolated or infrequent spots of chemical on otherwise clean wood are permitted.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store unused product in original containers only in a cool, well-ventilated location out of the reach of children and animals.

Pesticide Disposal: Pesticides 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 your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

Container Disposal: Plastic Container – Triple rinse (or equivalent). 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.

Metal Container – Triple rinse (or equivalent). 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.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

PhibroWood, LLC warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of PhibroWood, LLC. In no case shall PhibroWood, LLC be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling or application of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid for this product or, at PhibroWood, LLC election, the replacement of this product. PhibroWood, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.