



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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

January 7, 2004

Gail Early  
Regulatory Specialist  
ISK Biocides, Inc.  
416 East Brooks Road  
Memphis, TN 38109

Subject: Technical Tuffgard  
EPA Registration No. 71581-3  
Application Date: December 9, 2003  
EPA Received Date: December 12, 2003

Dear Ms. Early:

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

**Proposed Notification**

- Alternate Brand Name "Tuff-Brite 97"

**General Comments**

Based on a review of material submitted, the following comments apply:

The notification application is acceptable. A copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,

Adam Heyward  
Product Manager 34  
Regulatory Management Branch II  
Antimicrobials Division (7510 C)

CONCURRENCES							
SYMBOL							
SURNAME	Fla						
DATE	1-7-04						



Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 71581-3	2. EPA Product Manager Heyward	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Technical Tuffgard	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) ISK Biocides, Inc. 416 E. Brooks Rd. Memphis, TN 38109 <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 _____	<b>NOTIFICATION</b> Date Reviewed: <u>12-15-03</u> Reviewed By: <u>SG...</u>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of Alternate Brand Name - Tuff-Brite 97 per PR Notice 95-2. This notification is consistent with the guidance in PR Notice 95-2 and the requirements of EPA's 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 statements to EPA. I further understand that if this notification is not consistent with the guidance of PR Notice 95-2 and the requirements of 40 CFR 152.46, this product may be in violation of FIFRA, and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA

### Section - III

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

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Gail Early		Title Regulatory Specialist		Telephone No. (Include Area Code) 901-344-5316	
<b>Certification</b> 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.					8. Date Application Received  (Stamped)
2. Signature <i>Gail Early</i>			3. Title Regulatory Specialist		
4. Typed Name Gail Early		5. Date Dec 9, 2003			

Batch No.

Net Contents:

Company Logo



# TUFF-BRITE® 97



## For Formulating Wood Treatment Fungicides Only

<b>Active Ingredient:</b>	<u>By Wt</u>
Chlorothalonil (tetrachloroisophthalonitrile): .....	97.0%
<b>Inert Ingredients:</b> .....	3.0%
<b>Total:</b> .....	100.0%

**NOTIFICATION**  
 Date Reviewed: 1/07/04  
 Reviewed By: *Gray*

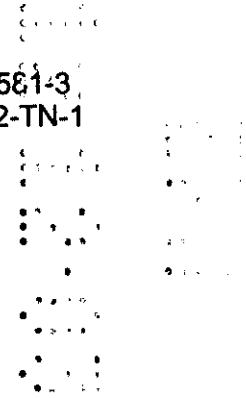
**Keep Out of Reach of Children**

**DANGER**

**See side panel for additional precautionary statements.**

ISK Biocides, Inc.  
 416 East Brooks Road  
 Memphis, TN 38109

EPA Reg. No. 71581-3  
 EPA Est. No. 1022-TN-1



## **PRECAUTIONARY STATEMENTS**

### **HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

#### **DANGER**

Corrosive, causes severe eye damage. **Do not** get in eyes, on skin, or on clothing. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Wear goggles or face shield, rubber gloves, long-sleeve shirt, and long pants when handling this product. Wash thoroughly with soap and water after handling this product. Remove contaminated clothing and wash before reuse. May be fatal if inhaled. **Do not** breathe dust. Harmful if swallowed or absorbed through the skin.

**NOTE TO USER:** This product may produce mild bronchial irritation and temporary irritation of the skin characterized by redness or rash on exposed skin areas. Affected persons should consult a physician.

<b>FIRST AID</b>	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>▪ Hold eye open and rinse slowly and gently with water for 15 – 20 minutes.</li> <li>▪ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li> <li>▪ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>▪ Remove person to fresh air.</li> <li>▪ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>▪ Call a Poison Control Center or doctor for further treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>▪ Call a poison control center or doctor immediately for treatment advice.</li> <li>▪ Have person sip a glass of water if able to swallow.</li> <li>▪ Do not induce vomiting unless told by a Poison Control Center or doctor.</li> <li>▪ Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>▪ Take off contaminated clothing.</li> <li>▪ Rinse skin immediately with plenty of water for 15 – 20 minutes.</li> <li>▪ Call a Poison Control Center or doctor for further treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
<p><b>In case of emergency, call Chemtrec toll free at 800-424-9300.</b>  <b>Have the product container or label with you when calling a poison control center or doctor or going for treatment.</b></p>	
<p><b>NOTE TO PHYSICIAN:</b> Persons having temporary irritation may respond to treatment with antihistamines or steroid creams and/or systemic steroids. Probable mucosal damage may contraindicate the use of gastric lavage.</p>	

## **ENVIRONMENTAL HAZARDS:**

This product is toxic to fish and wildlife.

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 Environmental Protection Agency.

## **DIRECTIONS FOR USE**

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

### **FOR FORMULATION PURPOSES ONLY**

Only for formulation into a fungicide for the following uses: Wood Protection Treatments.

This product must not be formulated into products labeled for use on home lawns.

This product must not be formulated into a product intended as a mildewcidal paint additive designed for direct sale to retail customers, e.g. in a "pillow pack" or other small volume or one-use package.

This product may only be formulated into mildewcidal paint additive products that are labeled as follows: "This product may only be added to paint products that are labeled A) with product-specific instructions for the use of a respirator during application, or B) as follows, 'When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter. If oil is not present in the paint product or recommended for use as an additive in the paint product, add "n" as an additional respirator type".

This product must not be used to formulate products for use as in-container preservatives.

**TUFF-BRITE 97** is an excellent protective fungicide for control of a broad spectrum of fungal organisms, such as molds and decay fungi, which deface and rot lumber. **TUFF-BRITE 97** is effective when applied as a protective fungicide against the following surface fungi: *Trichoderma viride*, *Trichoderma harzianum*, *Penicillium expansum*, *Penicillium decumbens*, *Aspergillus flavus*, *Aspergillus niger*, *Auriobasidium pullulans*, *Ceratocystis pilifera*, *Diplodia gossypina*, and *Gliocladium deliquescens*. **TUFF-BRITE 97** is effective when applied as a protective fungicide against the following wood decaying fungi: *Coniophora puteana* (syn. *Coniophora cerebella*), *Gloeophyllum trabeum* (syn. *Lenzites trabea*), *Irpex lacteus* (syn. *Polyporus tulipiferae*), *Lentinus lepideus*, *Merulius lacrymans* (syn. *Serpula lacrymans*), *Pleurotus ostreatus*, *Poria incrassata*, *Postia placenta* (syn. *Poria monticola*, *Poria placenta*), *Trametes versicolor* (syn. *Coriolus versicolor*, *Polyporus versicolor*).

Information on the composition, methods of use, applicable restrictions or limitations, and effectiveness of this product for pesticide purposes may be obtained from ISK Biocides, Inc.. Determination of efficacy of any formulation prepared with **TUFF-BRITE 97** is the responsibility of the formulator. Labeling of pesticide formulations made from this product must conform to Federal label requirements for end-use chlorothalonil products. Each formulator is responsible for obtaining EPA registration for his end-use product.

## **STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**STORAGE:** This product must be stored in a cool place. Protect from excessive heat.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide spray 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:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

## **WARRANTY AND LIMITATION OF DAMAGES**

Seller warrants to those persons lawfully acquiring title to this product that at the time of the first sale of this product by seller this product conformed to its chemical description and that it was reasonably fit for the purposes stated on the product label when used both in accordance with the Direction for Use appearing on the product label and under normal conditions of use. Buyers and users of this product assume the risk of all loss or damage from use or handling of this product that results from their failure to read and comply with the Directions for Use of this product which appear on the product label. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY, INCLUDING ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY, AND NO AGENT OF SELLER IS AUTHORIZED TO DO SO. Unless expressly prohibited by state law, the liability of seller for any breach of warranty shall not exceed