UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 27, 2020

Juli Mann
Senior Regulatory Specialist
Viance LLC
8001 IBM Drive
Charlotte, NC 28262

Subject: Label Amendment – Update Directions for Use
Product Name: UP-23
EPA Registration Number: 83997-13
Application Date: 10/15/2020
Decision Number: 567127

Dear Ms. Mann:

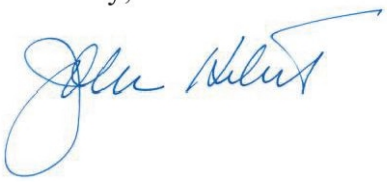
The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing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

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 the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. 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. 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 Jake McFarley by phone at (703) 347-0123, or via email at McFarley.Jake@epa.gov.

Sincerely,



John Hebert, Chief
Regulatory Management Branch 1
Antimicrobials Division (7510P)
Office of Pesticide Programs

Enclosure: Master Label

UP-23
For the Industrial Pressure Treatment of Wood Intended for Use on Utility Poles, Cross Arms or Transportation (road or rail) Bridge Timbers

VIANCE® TREATEDWOOD.COM

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

ACCEPTED
10/27/2020
Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under
EPA Reg. No. 83997-13

ACTIVE INGREDIENT:

4,5-Dichloro-2-n-octyl-3(2H)-isothiazolone	**23.0%**
INERT INGREDIENTS:	**77.0%**
Total:	**100.0%**

CONTAINS PETROLEUM DISTILLATES

KEEP OUT OF REACH OF CHILDREN

DANGER

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 SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

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

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 respirator with an organic-vapor removing cartridge with a pre-filter approved for pesticides (MSHA/NIOSH approval number prefix TC-23) or a canister approved for pesticides (MSHA/NIOSH approval prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, or HE pre-filter. 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

COMBUSTIBLE

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-23. 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.

(For product packaged in rigid, nonrefillable containers greater than 5 gallons)

Nonrefillable container; do not reuse or refill this container. Triple rinse (or equivalent) container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with solvent. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling, if available; or reconditioning, if appropriate; or puncture and dispose of in a sanitary landfill; or by incineration.

(For the end-user's bulk tank)

Refillable container. Refill with pesticide only. Do not reuse this container 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. Use standard industry practices for cleaning bulk containers or contact the registrant for more information.

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

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 concentrate and must be diluted with a hydrocarbon solvent such as fuel oil, mineral spirits, diesel or petroleum distillates.

Use 36 -110 gallons per 1000 gallons of final treatment solution (1-3% by weight of UP-23 active ingredient in the final treatment solution).

A retention rate of 0.1 – 0.24 pounds/cubic foot (pcf) of UP-23 active ingredient is required for all the above treatments.

NOTE: UP-23 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 bee hives.

UP-23 weighs 8.6 pounds per gallon.

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.

EPA Reg. No. 83997-13
EPA Est. No. 033973-SC-001

Net Contents _____

Label date: 10/26/2020