

Termin-8 Wood Preservative (Copper Naphthenate)/Crawl Space Considered Indoor Use/Label Interpretation

Date Established December 20, 2002

Attachment to ENF 02-44

Distribution ? County Agricultural Commissioners
? Structural Pest Control Board

Referral If you have any questions pertaining to this document, please contact your Senior Pesticide Use Specialist Liaison.

Background This letter responds to a request for a label interpretation for Jasco Termin-8 Wood Preservative, U.S. Environmental Protection Agency Registration Number 7424-1-AA. The question concerns the statement “For Exterior Use Only” which is found on the Jasco Termin-8 label and on other copper naphthenate product labels registered for use in California.

Question Does the statement “For Exterior Use Only” found on product labeling for Jasco Termin-8 and found on other copper naphthenate products registered in California allow for application onto wood surfaces within crawl spaces; e.g., undersides of existing floors?

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Discussion

The active ingredient copper naphthenate had gone through U.S. Environmental Protection Agency (U.S. EPA) Special Review in 1996/97 at the request of the Department of Pesticide Regulation (DPR) based on pesticide illness reports concerning indoor use of copper naphthenate. Subsequently, U.S. EPA requested a meeting with the Naphthenate Salts Research Task Force (Task Force) to discuss mitigation measures that would reduce potential human health risks from the indoor use of copper naphthenate. The Task Force was represented by the three primary copper naphthenate registrants.

After negotiations with DPR and U.S. EPA, the Task Force recommended labeling amendments to mitigate indoor copper naphthenate potential human health risks and odor complaints. U.S. EPA accepted the following recommendations from the Task Force:

1. All members of the Task Force agreed to delete indoor uses. Labeling would be amended to include the statement "For Exterior Use Only."
2. All end-use labels would include a precautionary statement regarding the use of respirators as follows: "Do not breathe vapors or mist during brush, roll, spray and dip applications. Wear a NIOSH/MHSA-approved mist/vapor respirator when spraying for continued or prolonged use of this product or for frequent use of the product."
3. Each label would include a toll-free number and the statement, "In case of medical questions, emergencies or accidents involving this product, call CHEMTREC at 1-800-424-9300."

In DPR's re-evaluation package for pesticide products containing copper naphthenate, a March 8, 1999, memorandum to the Worker Health and Safety Branch from the Pesticide Enforcement Branch states, "A treatment of a crawl space is considered indoor use."

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DPR'S Findings

Based on DPR's re-evaluation document for products containing copper naphthenate, U.S. EPA, the Task Force and DPR mutually agree that the policy for enforcing the label statement, "For Exterior Use Only" means to treat or apply only to the exterior wood surfaces of windows, window frames, doors, steps, porches and foundation sills. Although these structures have both interior and exterior surfaces, the products can only be applied to the exterior surfaces.

Application to wood surfaces found within crawl spaces is prohibited; e.g., undersides of existing floors. Application of any pesticide within a crawl space is considered an "indoor" or "interior" use. Therefore, any application of a pesticide labeled for "For Exterior Use Only" within a crawl space would be in conflict with labeling and a violation of Food and Agricultural Code section 12973.
