UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 2 4 2011

Stan Oslosky Manager, Regulatory Affairs 111 RIDC Park West Drive Pittsburgh, PA 15275-1112

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Subject:

Tektamer 38 AD

EPA Registration No.: 39967-34 Notification Date: 02/10/2011 EPA Receipt Date: 02/11/2011

Dear Mr. Oslosky:

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

Proposed Notification

• Addition of indoor use site

General Comments

Based on a review of the submitted materials, your notification for the additional indoor use site, concrete and concrete admixtures, is acceptable and has been made a part of the records on file.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Jaclyn Carl by telephone at (703) 347-0213 or by e-mail at carl.jaclyn@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Jacqueline Campbell-McFarlane

Product Manager

Regulatory Management Branch II Antimicrobials Division (7510P)

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Application for Pesticide - Section I 1. Company / Product Number 39967-34 2. EPA Product Manager Jacqueline McFarlane 3. Proposed Classification PM# x None Res				
39967-34 Jacqueline McFarlane 4. Company / Product (Name) PM# x None Res				
Terramer 30 AD	ricted			
5. Name and Address of Applicant (include ZIP Code) 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(l),	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(l),			
LANXESS Corporation my product is similar or identical in composition and labeling to:	my product is similar or identical in composition and labeling to:			
111 RIDC Park West Drive Pittsburgh, PA 15275-1112 EPA Reg. No.				
Check of this is a new address Product Name				
Section - II				
Section - II				
Amendment - Explain Below. Final printed labels in response to Agency letter dated				
Resubmission in response to Agency letter dated "Me Too" Application				
X Notification - Explain below.				
Explanation: Use additional page(s) if necessary. (For section I and Section II.)				
This notification is to add an "Indoor" use to the label. This notification is consistent with the provisions of PR Notice 98-10 and EPA 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 statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and				
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:				
Child-Resistant Packaging Unit Packaging Water Soluble Packaging 2. Type of Container				
Yes Yes Metal No Plastic				
If "Yes" No. per If "Yes" No. per Glass	ļ			
* Certification must Unit Packaging wgt. container Package Wgt container Paper				
Dither (Specify)				
3. Location of Net Contents Information 4. Size(s) retail Container 5. Location of Label Directions Label Container				
6. Manner in Which Label is affixed to Product				
6. Manner in Which Label is affixed to Product Paper glues Stenciled				
Section - IV				
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary. To process this application.)				
Name Title Telephone No. (Include Area Code)				
Name Telephone No. (include Alea Code)				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577 Certification 6: Dette Application				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577 Certification 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 Stan Oslosky 412-809-3577 Certification Received (Stampud)				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577 Certification 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.				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577 Certification 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.				
Stan Oslosky Manager Regulatoru Affairs 412-809-3577 Certification 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. 3. Title				

LANXESS Energizing Chemistry

February 10, 2011

VIA Courier

Document Processing Desk (NOTIF)
Jaqueline McFarlane, Antimicrobial Division (34)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Subject: Notification

Tektamer 38 AD Reg. No. 39967-34

LANXESS Corporation 111 RIDC Park West Drive Pittsburgh, PA 15275-1112

Dear Ms. McFarlane:

Please find enclosed a notification for the addition of an indoor use to the above referenced label. This is submitted in accordance with PR Notice 98-10.

Enclosed are:

- -form 8570-1
- -highlighted label (one copy)
- -Labeling (3copies)

Please call me at 412-809-3577 if you have any questions.

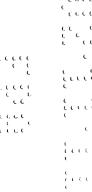
Sincerely,

Stăn Oslosky V Manager, Regulatory Affairs

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Stan Oslosky Material Protection Products Regulatory Affairs 111 RIDC Park West Drive Pittsburgh, PA 15275-1112

Phone 412-809-3577 Fax 412-809-1068 Stan.oslosky@lanxess.com www.US.LANXESS.com



ACTIVE INGREDIENT: 1,2-Dibromo-2,4-dicyanobutane -----25.5% INERT INGREDIENTS ------74.5% TOTAL 100%

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER CORROSIVE Causes irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles, safety glasses or face shield when handling. Avoid contact with skin. Do not breathe vapor or spray mist dust. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Remove contaminated clothing and wash clothing before reuse.

USER SAFETY RECOMMENDATIONS

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

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

Wash the outside of gloves before removing. As soon as possible, wash thoroughly.

Users should remove personal protective equipment immediately after handling this product.

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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or reconditioning if appropriate. 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.

GENERAL: Consult Federal State or Local disposal authorities for approved alternative procedures:

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300

EPA Reg. No.: 39967-34

EPA Est. No.:



KEEP OUT OF REACH OF CHILDREN DANGER PELIGRO

FIRST AID

IF IN EYES: Hold eyes 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. 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 by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

IF ON SKIN: 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.

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, if possible. Call a poison control center or doctor for treatment advice.

Have the product Material Safety Data Sheet (MSDS) with you when calling a Poison Control center or going for treatment.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsion may be needed.

Tektamer is a registered trademark of LANXESS Corp.

Mix well before using this product.

INTERNATIONAL 703-527-3887
Net Contents OTH CATION
Lot No.: Date Reviewed: 2244

DIRECTIONS FOR USE

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

Tektamer 38 A.D. is typically effective when applied at the concentrations shown. All concentrations are based on total formulation weight.

Substrate	Effective Conc. (%)
Aqueous Paints	0.1 - 0.3
Latex Emulsions	0.04 - 0.2
Adhesives	
Polyvinyl acetate, styrene-butadiene,	
methyl cellulose & acrylic	0.1 – 0.3
Polyvinyl alcohol & hydroxyethyl cellulose	0.2 - 0.3
Epoxy, polyester	0.04 - 0.3
Dextrin	0.3 – 0.4
Casein	0.4 – 0.6
Starch	0.04 - 0.1
Dispersed Pigments	0.04 - 0.1
Metalworking Fluids	0.1 - 0.4
Waxes & Polishes	0.04 - 0.4
inks	0.04 - 0.3
Joint Cements	0.2 - 0.4
Fiber Processing Fluids	0.2 – 1.2
Concrete and Concrete Admixtures	0.01 - 0.2

Method of Addition

Aqueous Paints (including heating & air conditioning systems): Incorporate into the makeup water during the grind.

Latex Emulsions: Add using moderate agitation immediately following the cool-down of the emulsion and prior to entering the storage tank facilities.

Adhesives: Incorporate with agitation into the makeup water blend. However, where the adhesive is heated, Tektamer 38 A.D. should be added during the cool-down cycle.

Dispersed Pigments: Add using moderate agitation immediately following the cool down of the dispersed pigment and prior to entering the storage tank facilities.

Joint Cements: Incorporate with agitation into the makeup water blend.

Metalworking Fluids: Add to the final diluted cutting fluid, either prior to its addition to the system, or after the system has been filled.

Tektamer 38 A.D. should be thoroughly mixed into the system to assure efficacy. If Tektamer 38 A.D. is added to the concentrate, testing should be done to assure compatibility.

Concrete and Concrete Admixtures Waxes, Polishes and Inks: Incorporate into the makeup water blend with moderate agitation. **NOTICE**: Seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instruction.

LABEL TEXT DATE: 2/3/2010

LANXESS Corporation

111 RIDC Park West Drive - Pittsburgh, PA 15275-1112

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