

365-82

7/7/2009

1 of 6

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

JUL 07 2009

Troy Corporation
8 Vreeland Road
Florham Park, N. J. 07932

Attention: Adrian Krygsman, Director
Product Registration

Subject: Mergal BIT Technical
EPA Registration No. 365-82
Amendment Dated June 16, 2009

This will acknowledge receipt of your notification to revise the "Storage and Disposal" section per PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

A handwritten signature in cursive script that reads "Marshall Swindell".

Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobials Division (7510P)

2096

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number 304034
---	--	--

Application for Pesticide - Section I

1. Company/Product Number 365-82	2. EPA Product Manager Mr. Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Mergal BIT Technical	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Troy Chemical Company Ltd. c/o Troy Corporation 8 Vreeland Road Florham Park, N.J. 07932 <u>PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW</u> <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 _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" 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 label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146 and 156.156, 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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
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"/> On Label <input type="checkbox"/> On labeling accompanying product	
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 Adrian Krygsman	Title Director, Product Registration	Telephone No. (include Area Code): 973-443-1200, X2249
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.		6. Date Application Received (Stamped)
2. Signature	3. Title Director, Product Registration	
4. Typed Name Adrian Krygsman	5. Date 6/16/09	



3096

TROY CORPORATION

June 16, 2009

Via FEDEX

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. EPA
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA. 22202-4501

RE: Mergal BIT Technical
EPA Reg. No. 365-82
Submission of Label Revisions to Address PR Notice 2007-4

Attention: Mr. Marshall Swindell
PM Team 33

Dear Mr. Swindell:

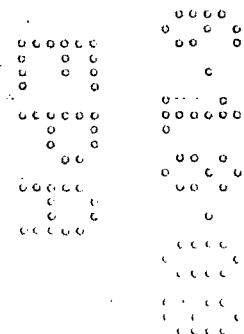
Enclosed please find documents to address label revisions which address the requirements of PR Notice 2007-4. Please note that no other changes have been made to this label aside from those specified PR Notice 2007-4 with regards to the Storage and Disposal Section. Revisions have been highlighted to address label changes. We enclose the following documents as per PR Notice 2007-4:

- EPA application form 3570-1 (OPP Identifier No. 304034)
- One copy of product label with revisions highlighted

Please contact me directly via phone or email should you require any additional information on this action.

Sincerely,

Adrian Krygsman
Director, Product Registration



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

DANGER

Causes severe eye and skin damage. Repeated exposure may cause allergic skin reactions. Do not get into eyes, on skin or clothing. Wear goggles or face shield with rubber gloves. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating or using tobacco. Remove and wash contaminated clothing before reuse.

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 5 minutes, then continue rinsing. • Call a poison control center or doctor for 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.
IF SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
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.
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 following ingestion. Measures against circulatory shock, respiratory depression and convulsion may be needed.	

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 EPA.

DIRECTIONS FOR USE

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

USE RESTRICTIONS: This product may be used in formulating FIFRA registered indoor use products. Formulators are required to obtain EPA registration for their formulations prior to marketing.

STORAGE AND DISPOSAL

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

Open dumping is prohibited.

STORAGE: Protect from frost. If frozen, allow to thaw and stir well before use.

PRODUCT 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.

Triple rinse (or equivalent). Then offer for recycling or reconditioning if available, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned stay out of smoke.

NOTICE: Buyer and/or user assumes all responsibility for safety and use in strict accordance with directions.

60066

MERGAL® BIT TECHNICAL

This product may be used only for formulating FIFRA registered Indoor, Non-Food use products such as Preservatives in synthetic Polymer Emulsions, Latex Paints, Aqueous Sturries, Photographic Emulsions, Metalworking Fluids, and Oil Drilling Fluids

EPA Reg. No.	365-82
EPA Establishment Number	5383-NJ-001

ACTIVE INGREDIENT:	% Weight
1,2-Benzisothiazolin-3-One	87.6%
INERT INGREDIENTS	12.4%
TOTAL	100%

DANGER

See Side Panel for Additional Precautionary Statements

KEEP OUT OF REACH OF CHILDREN

**IN CASE OF EMERGENCY:
CALL 1-800-461-9364**

Net Weight:

Troy Chemical Corporation
242 Applewood Crescent, Unit 14 Concord, Ontario L4K 4E5
Canada

POLYPHASE® and MERGAL® are registered trademarks

This
into
acc
Elin
n0til
proc
trea
Reg

It is
its l
USI
regi
regi

Do
Op
ST
PR
dis
lav
ins
the
gui
CC
cor
Tri
av
all

NC
str