

365-82

9/1/2011

1 of 4

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

SEP 1 2011



Office of Pesticide Programs

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

Attention: Peko Rasic
Product Registration Specialist

Subject: Mergal BIT Technical
EPA Registration No. 365-82
Amendment Dated August 2, 2011

This will acknowledge receipt of your notification, submitted under the provisions of FIFRA Section 3(c)(9).

Proposed Notification

- Labeling revisions per PR Notice 2007-4

General Comment

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 made a part of your file.


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

Sincerely,

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

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
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Application for Pesticide - Section I

1. Company/Product Number 365-82	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) XBINX 88 (Mergal BIT Technical)	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Troy Chemical Corporation 8 Vreeland Road Florham Park, NJ 07932 <u>PLEASE SEND ALL CORRESPONDENCE TO</u> <u>"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 <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	If "Yes" Package 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"/> 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"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Peko Rasic	Title Product Registration Specialist	Telephone No. (Include Area Code) (973) 443-4200 ext 2285
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 Product Registration Specialist	5. Date 08/02/2011	
4. Typed Name Peko Rasic		



Via FedEx Courier

TROY CORPORATION

August 2, 2011

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

Attention: Mr. Marshall Swindell
PM Team 33

Subject: Submission of Labeling Revisions per PR Notice 2007-4 for:
Mergal BIT Technical, EPA Reg. No.: 365-82
Mergal K12N, EPA Reg. No.: 5383-106
Mergal K10N, EPA Reg. No.: 5383-107
Mergal BIT20, EPA Reg. No.: 5383-121
Mergal BIT Paste, EPA Reg. No.: 5383-122
Micropel IT4DIDP, EPA Reg. No.: 5383-128
Mergal 758, EPA Reg. No.: 5383-137

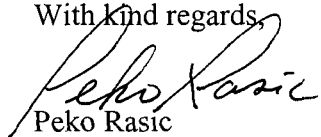
Dear Mr. Swindell:

Enclosed, please find the revised labeling in accordance with the provisions of PR Notice 2007-4 for the subject-referenced products. Please note that no other labeling changes have been made outside the scope of this PR Notice. Included hereunder for each product please find:

- application form 3570-1;
- one copy of product label with revisions underlined.

Please contact me at either 973-443-4200, ext. 2285 or at rasicp@troycorp.com should you have any questions or require any additional information.

With kind regards,


Peko Rasic

Product Registration Specialist

Enclosures

**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.

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 Slurries, Photographic Emulsions, Metalworking Fluids, and Oil Drilling Fluids

EPA Reg. No.	365-82
EPA Establishment Number	86292-CHN-001

ACTIVE INGREDIENT:% Weight
1,2-Benzisothiazolin-3-One..... 85.4%
INERT INGREDIENTS 14.6%
TOTAL 100%

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 RESTRICTONS: 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.

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.	

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: _____

Manufactured for:

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

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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. Completely empty bag into application equipment by shaking and tapping sides and bottom to loosen clinging particles. If not emptied in this manner, the bag may be considered an acute hazardous waste and must be disposed in accordance with local, state and federal regulations. When completely empty, offer for recycling if available, or dispose of bag in a sanitary landfill or by 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.

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