

365-83

7/1/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number: 365-83

Date of Issuance: JUL 1 2011

Term of Issuance: Conditional

Name of Pesticide Product: MERGAL BIT MUP

NOTICE OF PESTICIDE:

Registration
[x] Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the 1,2-Benzisothiazolin-3-one RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g) (2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

1. Make the following label changes:

a. Revise the EPA Registration Number to read "365-83".

Signature of Approving Official:

Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Handwritten signature of Marshall Swindell

Date:

JUL 1 2011

- b. The heading "IF ON SKIN" in the first aid statements must be revised to read "IF ON SKIN OR CLOTHING."
- c. As specified in the acute toxicity review, a phone number for emergency medical treatment information must be added to the label.
- d. The Agency recommends that additional text be added to the Note to Physician that addresses eye and skin irritation concerns.
- e. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

 "DANGER
 Corrosive. Causes skin burns. Causes irreversible eye damage. May be fatal if inhaled. Do not breathe dust. Harmful if swallowed. Harmful if absorbed through skin. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling and before eating, drinking, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse".
- f. Per the product chemistry review dated 2/28/11, Physical or Chemical Hazards statements must be added to the label.
- g. Per the 2/28/11 product chemistry review, revisions are needed to the storage and disposal section of the label. (Refer to PR Notice 2007-4 for clarity)

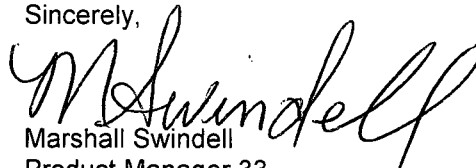
2. For additional labeling clarity and consistency, please refer to the enclosed EPA reviews.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Submit two (2) copies of the revised labeling bearing the labeling revisions listed above. A stamped copy of the label is enclosed for your records.

If you have questions concerning this matter, please contact me at (703) 308-6341 or by email at swindell.marshall@epa.gov or Martha L. Terry at (703) 308-6217 or by email at terry.martha@epa.gov.

Sincerely,


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

Enclosures: (Stamped Label)

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

DANGER

Corrosive. Causes irreversible eye damage. Harmful if swallowed, inhaled, or, absorbed through skin. Do not get in eyes, on skin or on clothing. Avoid breathing vapor or spray mist. Wear goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, 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 the first 5 minutes, then continue rinsing. Call a Poison Control Center or doctor for treatment advice.
IF ON SKIN:	<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 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 treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> 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 to do so by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person.
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.	

**ACCEPTED
with COMMENTS
EPA Letter Dated:**

JUL - 1 2011

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 365-83

MERGAL®BIT MUP

THIS PRODUCT MAY BE USED ONLY FOR FORMULATING FIFRA REGISTERED ANTIMICROBIAL PESTICIDE PRODUCTS INTENDED TO PROTECT POLYMER EMULSIONS, EMULSION PAINT AND COATINGS, MINERAL SLURRIES AND DISPERSIONS, LATICES, ADHESIVES, PAPER COATINGS, METALWORKING FLUIDS, TEXTILE SPIN-FINISH AND COATINGS, BUILDING AND CONSTRUCTION COMPOSITIONS, INKS, LEATHER PROCESSING SOLUTIONS, PESTICIDE FORMULATIONS

EPA Reg. No. 365-83
EPA Est. No. 69038-CAN-001

ACTIVE INGREDIENT:
1,2-Benzisothiazolin-3(2H)-One.....70.0%
INERT INGREDIENTS.....30.0%
TOTAL.....100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

TROY CHEMICAL COMPANY, LTD.
Scarborough, Ontario MIR 5B8
CANADA

Net Weight: _____

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.

STORAGE AND DISPOSAL

PROHIBITIONS: 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 hazardous. Improper disposal of excess product 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 DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

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

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