

365-84

08/10/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY
 Office of Pesticide Programs
 Antimicrobials Division (7510P)
 1200 Pennsylvania Avenue NW
 Washington, D.C. 20460

EPA Reg. Number:
 365-84

Date of Issuance:
 AUG 10 2011

Term of Issuance:
Conditional

Name of Pesticide Product:
 Mergal Mitz

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):
 The Sherwin-Williams Company
 101 West Prospect Avenue
 Cleveland, OH 44115-1075

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.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(a) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the labeling changes listed below before you release the product for shipment:
 - a. Revise the "EPA Registration Number to read, "EPA Reg. No. 365-84".

Signature of Approving Official:

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

[Handwritten Signature]
 % for Marshall Swindell

Date:

AUG 10 2011

- b. Delete the word "recommends" in the direction for use section. PR Notice 2000-5 requires that language listed under the direction for use section must be clear in order to avoid confusion and prevent misuse of the product. The term "recommends" is not specific and can be misinterpreted.
- c. Under the Directions for Use section, qualify "Dispersed Pigment".
- d. Under the Directions for Use section, the use "In can Preservation for Industrial and Household Consumer Products" must be deleted or qualified. The present language is vague. In addition, the language could infer that the product can be used in pesticide formulations that can come in contact with food. A dietary assessment for food contact on the combined active ingredients for this product has not been conducted.
- e. Under the Directions for Use section, qualify "Recirculating Electrode Systems".

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.

A stamped copy of the label is enclosed for your records. Submit one (1) copy of your final printed labeling prior to release of this product for shipment. If you have any questions concerning this letter, please contact Demson Fuller at (703) 308-8062.

Sincerely,



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

Enclosure: (Stamped Label)

MERGAL® MITZ

For Manufacturing Use Only in Formulating Industrial Microbiocides for Use in Adhesives, Building Materials Fuels, Dispersed Pigments, Inks, Metalworking Fluids, Oilfield Injection Waters, Papermills, Paints and Coatings, Polymer Latex, Printing Fluid, Slurries, and In-container Preservation

EPA Reg. No. 365-
EPA Est. No. 5383-

ACTIVE INGREDIENT:

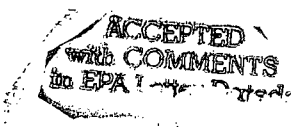
5-Chloro-2-methyl-4-isothiazolin-3-one.....	11.1%
2-Methyl-4-isothiazolin-3-one.....	3.5%
INERT INGREDIENTS.....	85.4%

TOTAL..... 100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

SOLD FOR INDUSTRIAL USE
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS



AUG 10, 2011
Under the Fungicide, or Herbicide Act as amended, for the pesticide, registered under EPA Reg. No.

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IN CASE OF EMERGENCY CALL 1-800-424-9300

TROY CHEMICAL COMPANY, LTD.
242 Applewood Crescent, Unit 14
Concord, Ontario L4K 4E5 Canada
1-800-461-9364

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

Corrosive. Causes irreversible eye damage and skin burns. May be fatal if absorbed through skin or swallowed. May cause allergic reaction. Harmful if inhaled. Do not get in eyes, on skin or on clothing. Wear goggles or face shield, chemical resistant gloves and chemical resistant apron. Mixers, loaders and others exposed to this product must wear: long-sleeved shirt and long pants. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exists, use detergent and hot water. Keep and wash PPE separately from other laundry. 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. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible wash thoroughly. This product may cause skin sensitization in some people.

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
By EPA
AUG 10 2011
Under the Fungicide, or Rodenticide Act, amended, for the product registered under EPA
365-84

ENVIRONMENTAL HAZARDS

This chemical is toxic to aquatic plants, fish and aquatic invertebrates. 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 the EPA.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Mergal MITZ is ~~intended~~ for use only in the formulation of end use industrial microbiocides. Formulators are responsible for obtaining their own EPA registrations and developing the data required to support their registrations. Mergal MITZ is designed for formulation into end-use pesticide products which are intended for use as a preservative in the final commodity products listed below:

- Adhesives and tackifiers,
- Building Materials (stuccos, cement admixtures, gypsum board)
- Fuel preservation
- Dispersed Pigments (Quality)
- In-Can Preservation for Industrial and Household Consumer Products (Delete or Quality)
- Metal-working Fluids
- Oilfield Injection Waters
- Polymer Latex (acrylic, styrene-butadiene, carboxylated, ethylene/vinyl acetate, biopolymers)
- Paints and Coatings
- Papermills
- Printing Inks, Fountain solutions
- Recirculating Electrode Systems-(electrophoretic systems) (Quality)
- Recirculating Cooling Waters/Slurries

ACCEPTED
with COMMENTS
to EPA Letter Dated:
AUG 10 2011

Fungicide and Rodenticide, amended, for the pesticide, registered under EPA Reg. No.

365-84

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.
PESTICIDE STORAGE: Store in original container.
PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, spray mixture, or rinsate is a violation of federal law. If these wastes can not 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.