



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

AUG 1 1 2010

Rhonda Vance-Moeser
The Dow Chemical Company
1803 Building
Midland, ME 48674

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Subject: **XD-8259 Antimicrobial**
EPA Registration Number: 464-500
Application Date: May 14, 2010
Receipt Date: May 17, 2010

Dear Ms. Vance-Moeser:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide (FIFRA), as amended, is acceptable with conditions.

Proposed Amendment

- Label Amendment: Remove Once Through Cooling Water System directions per Agency letter dated 4/26/10

Conditions

Revise the label as follows:

- 1.) Delete "only" from "Industrial Use"
- 2.) PRN 2005-1, Guidance for Mandatory and Advisory Labeling Statements, states that: "Mandatory statements, which commonly use imperative verbs such as "must" or "shall", either require action or prohibit the user from taking certain action. Advisory statements generally provide information, either in support of the mandatory statements or about the product in general. To ensure that the intent of each labeling statement is clear, mandatory statements need to be clearly distinguishable from advisory statements." Therefore, you must revise the "Directions for Use" by deleting the terms, "should" and replace with "must". Also, delete subheading "User Safety Recommendations" as the text in this section falls under User Safety Requirements.

General Comments

A stamped label with conditions is enclosed for your records. Submit a copy of your final printed label before distributing or selling the product bearing the revised labeling.

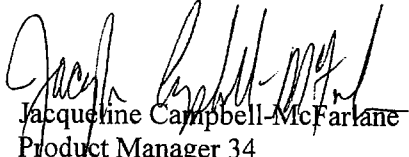
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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If you have further questions concerning this letter, then please contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Stacey Grigsby by telephone at (703) 308-6440 or by email at grigsby.stacey@epa.gov . When you are submitting information or data in response to this letter, send a copy of this letter to accompany the submission in order to facilitate processing.

Sincerely,



Jacqueline Campbell-McFarlane
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: Stamped label

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SURNAME							
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XD-8259 ANTIMICROBIAL
FINAL DRAFT LABEL
May 14, 2010

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ACCEPTED
with COMMENTS
in EPA Letter Dated:

AUG 11 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. **464-500**

XD-8259 ANTIMICROBIAL

Controls bacteria, fungi, and yeasts in paper mills, metalworking fluids containing water, and enhanced oil recovery systems; controls bacteria, fungi, and algae in industrial recirculating water cooling towers; controls slime-forming bacteria and fungi in air-washer systems.

FOR INDUSTRIAL USE ~~ONLY~~

Active Ingredients:

2,2-Dibromo-3-nitrilopropionamide	10%
Inert Ingredients:	90%
Total	100%

E.P.A. Registration No. 464-500
E.P.A. Est. XXX-XX-XX

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KEEP OUT OF REACH OF CHILDREN

DANGER

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

DANGER

CORROSIVE: Causes irreversible eye damage • May be Fatal if swallowed • Causes skin irritation • Harmful if inhaled or absorbed through skin • Do not get in eyes, on skin or on clothing • Avoid breathing spray or mist • When loading or handling wear protective eyewear (goggles or face shield) Wear long-sleeved shirt and long pants, socks, shoes and chemically resistant gloves • Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals • Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using the restroom or using tobacco • Remove and wash contaminated clothing separately before reuse.

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May 14, 2010

Personal Protective Equipment

- Applicators and other handlers must wear:
- coveralls, over long-sleeved shirt and long pants
- socks and chemical resistance footwear
- goggles or face shields
- chemical-resistant gloves (such as barrier, laminate, butyl nitrile/neoprene rubber, PVC or viton)

Engineering Controls

When handlers use closed metering systems the handler requirements may be reduced or modified to long-sleeve shirt, long pants, shoes and socks.

User Safety Requirements

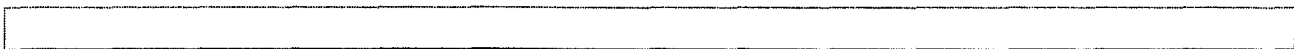
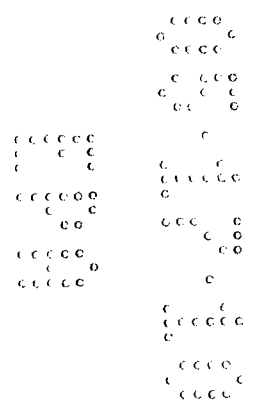
Follow manufacturers' instructions for cleaning & maintaining PPE if no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Instructions

Users must wash hands before eating, drinking, chewing gum, using Tobacco or using the toilet. Users must remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Application Restrictions

Do not apply this product directly in a way that will contact workers or other persons, either directly or through drift. Only protected handlers allowed in the area during application.



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FIRST AID:	
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 30 minutes • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call 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"> • Call 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
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air • If person is not breathing, call an emergency responder or an ambulance, then give artificial respiration, preferably mouth-to-mouth. • Call a poison control center or doctor for further treatment advice
Have product container or label with you when calling a poison control center or doctor or going for treatment	
HOT LINE NUMBER	
IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect 989-636-4400	
NOTE TO PHYSICIAN	
<p>If lavage is performed, suggest endotracheal and/or esophageal control. Danger from lung aspiration must be weighed against toxicity when considering emptying the stomach. Chemical eye burns may require extended irrigation. Obtain prompt consultation, preferably from an ophthalmologist. If burn is present, treat as any thermal burn, after decontamination. No specific antidote. Treatment of exposure must be directed at the control of symptoms and the clinical condition of the patient.</p>	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Apply this product only as specified on this label. Do not contaminate water by cleaning of equipment, or disposal of wastes. 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.

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STORAGE AND DISPOSAL

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

Pesticide Storage: To maintain product quality, store at temperatures below 35°C. Keep container tightly closed when not in use.

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 Disposal

Option to use for labels on nonrefillable rigid containers of all sizes

Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. 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.

Option to use for labels on refillable rigid tote container

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning of the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean container before final disposal, empty contents into application equipment and triple rinse. Pour or pump rinsate into application equipment or rinsate collection system. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

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May 14, 2010

DIRECTIONS FOR USE

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

NOTE: ADD XD-8259 ANTIMICROBIAL SEPARATELY TO THE SYSTEM. DO NOT MIX IT WITH OTHER ADDITIVES, IN ORDER TO AVOID DECOMPOSITION OF XD-8259 DUE TO THE HIGH pH OF MANY ADDITIVE FORMULATIONS.

PAPER MILLS

Note: Do not use in paper and paperboard that will contact food.

For the control of bacterial, fungal, and yeast growths in pulp, paper and paperboard mills, add XD-8259 at the rate of 0.30-1.0 lb/ton of pulp or paper (dry basis). Addition may be continuous or intermittent, depending upon the type of system and the severity of contamination. Addition is to be made with a metering pump at a location that will insure uniform distribution of XD-8259 in the mass of fiber and water, such as the beaters, jordan inlet or discharge, broke chests, furnish chests, save-alls, and white-water tanks.

HEAVILY FOULED SYSTEMS must be boiled out, then treated with 0.30-0.70 lb XD-8259/ton of paper (dry basis), as necessary for control

MODERATELY FOULED SYSTEMS must be treated continuously with 0.70-1.0 lb XD-8259/ton of paper (dry basis) until the slime accumulation is controlled. Addition rates can then be reduced to 0.30-0.70 lb XD-8259/ton of paper on a continuous or intermittent basis, as needed for control. Dislodged slime may cause breaks in the paper and a clean-up of the paper machine is advisable.

SLIGHTLY FOULED SYSTEMS must be treated continuously with 0.30-0.70 lb XD-8259/ton of paper (dry basis) until the slime is controlled, then added on an intermittent basis to maintain control.

METALWORKING FLUIDS CONTAINING WATER

This product is effective in metalworking fluid concentrates which have been diluted in water at ratios of 1:100-1:4.

For controlling (or inhibiting) the growth of bacteria, fungi, and yeasts that may deteriorate metalworking fluids containing water, add XD-8259 to the fluid in the collection tank. Additions ~~shall~~ be made with a metering pump.

INITIAL OR SLUG DOSE: When the system is just noticeably fouled, add 0.5 gal XD-8259/1,000 gal of metalworking fluid to the system. Repeat until control is achieved.

SUBSEQUENT DOSE: When microbial control is evident, add 0.2-0.4 gal XD-8259/1,000 gal of metalworking fluid per day, or as needed to maintain control. Additions can be made continuously or intermittently. Slug the system as required.

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ENHANCED OIL RECOVERY SYSTEMS

For controlling slime-forming bacteria, sulfide-producing bacteria, yeasts, and fungi in oil field water, polymer or micellar floods, water-disposal systems, or other oil field water systems, add 2-160 ppm XD-8259 (0.17-13.7 gal XD-8259 per 2400 barrels of water) depending on the severity of contamination. Additions ~~should~~ be made with a metering pump either continuously or intermittently.

CONTINUOUS FEED METHOD

When the system is noticeably fouled, add 20-160 ppm XD-8259 (1.7-13.7 gal XD-8259 per 2400 barrels of water) continuously until the desired degree of control is achieved. Subsequently, treat with 2-30 ppm XD-8259 (0.17-2.6 gal XD-8259 per 2400 barrels of water) continuously or as needed to maintain control.

INTERMITTENT OR SLUG METHOD

When the system is noticeably fouled, or to maintain control of the system, add 20-160 ppm XD-8259 (1.7-13.7 gal XD-8259 per 2400 barrels of water) intermittently for 4-8 hours per day, and from 1-4 times per week, or as needed depending on the severity of contamination.

Addition of XD-8259 may be made at the free water knockouts, before or after the injection pumps and injection well headers.

NOTE: FOR CONTROL OF BACTERIA, YEAST, AND FUNGI IN AQUEOUS SOLUTIONS OF BIOPOLYMER USED IN FLOODING OPERATIONS, add 30-160 ppm XD-8259 (2.6-13.7 gal XD-8259 per 2400 barrels of water). Additions of XD-8259 must be made with a metering pump IMMEDIATELY after preparation of the aqueous biopolymer solution to prevent loss of viscosity.

INDUSTRIAL RECIRCULATING WATER COOLING TOWERS

Add XD-8259 to the basin (or any other point of uniform mixing). Addition ~~should~~ be made with a metering pump; it may be continuous or intermittent, depending on the severity of the contamination when treatment is begun, and the retention time of the system.

Optimum performance with this product is attained by continuous or intermittent treatment. If slug treatment is used, the blowdown should be discontinued for 24-48 hours.

FOR CONTROL OF BACTERIA

Add 0.002-0.02 gal XD-8259/1,000 gal of water in the system, depending on the severity of contamination.

INTERMITTENT OR SLUG METHOD

INITIAL DOSE: When the system is noticeably fouled, add 0.01-0.02 gal XD-8259/1,000 gal of water in the system. Repeat until control is achieved.

SUBSEQUENT DOSE: When microbial control is evident add 0.005-0.02 gal XD-8259/1,000 gal of water in the system every 4 days, or as needed to maintain control.

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

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CONTINUOUS FEED METHOD

INITIAL DOSE: When the system is noticeably fouled, add 0.01-0.02 gal XD-8259/1,000 gal of water to the system.

SUBSEQUENT DOSE: Maintain this level by pumping a continuous feed of 0.002-0.01 gal XD-8259/1,000 gal of water in the system per day.

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

FOR CONTROL OF FUNGI AND ALGAE

Add 0.06-0.2 gal XD-8259/1,000 gal of water in the system depending on the severity of contamination.

INTERMITTENT OR SLUG METHOD

INITIAL DOSE: When the system is noticeably fouled, add 0.10-0.20 gal XD-8259/1,000 gal of water in the system. Repeat until control is achieved.

SUBSEQUENT DOSE: When microbial control is evident, add 0.06-0.20 gal XD-8259/1,000 gal of water in the system daily, or as needed to maintain control.

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

CONTINUOUS FEED METHOD

INITIAL DOSE: When the system is noticeably fouled add 0.10-0.20 gal XD-8259/1,000 gal of water to the system.

SUBSEQUENT DOSE: Maintain this treatment level by pumping a continuous feed of 0.06-0.20 gal XD-8259/1,000 gal of water in the system per day.

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

AIR-WASHER SYSTEMS

Add 0.003-0.20 gal XD-8259/1,000 gal of water in the system, depending upon the severity of contamination to control slime-forming bacteria and fungi in industrial air-washer systems.

INTERMITTENT OR SLUG METHOD

INITIAL DOSE: When the system is noticeably fouled add 0.006-0.20 gal XD-8259/1,000 gal of water in the system. Repeat until control is achieved.

SUBSEQUENT DOSE: When microbial control is evident, add 0.003-0.1 gal XD-8259/1,000 gal of water in the system every 2 days or as needed to maintain control.

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

CONTINUOUS FEED METHOD

INITIAL DOSE: When the system is noticeably fouled, add 0.006-0.20 gal XD-8259/1,000 gal of water in the system.

SUBSEQUENT DOSE: Maintain this level by pumping a continuous feed of 0.003-0.10 gal XD-8259/1,000 gal of water in the system per day.

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XD-8259 ANTIMICROBIAL
FINAL DRAFT LABEL
May 14, 2010

BADLY FOULED SYSTEMS must be cleaned before treatment is begun.

NOTE: For use only in industrial air-washer systems that maintain effective mist eliminating components.

Notice: Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. **SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

NET WT:

Lot:

Produced For *(used when manufactured by contract manufacturer)*

Dow Diamond
THE DOW CHEMICAL COMPANY
Midland, Michigan 48674
(989) 636-4400

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