

464-620

10/5/09

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

OCT 5 2009

Rhonda Vance-Moeser, Senior Regulatory Specialist
The Dow Chemical Company
1803 Building
Midland, MI 48674

Subject: Notification per PR Notice 98-10
Antimicrobial DTEA
EPA Registration Number: 464-620
Application Date: September 14, 2009
Receipt Date: September 15, 2009

Dear Ms. Vance-Moeser:

This acknowledges receipt of your notification, submitted under the provisions of PR Notice 98-10 and FIFRA section 3 (c) 9.

Proposed Notification:

Label revision as per PR Notice 2007-4.

General Comments:

The notification is acceptable. A copy has been inserted in your file for future reference.

Should you have further questions concerning this letter, please contact Killian Swift by telephone at 703-308-6346 or by email at swift.killian@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

ShaRon Carlisle
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 464-620	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow Chemical /Antimicrobial DTEA	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) The Dow Chemical Company 1803 Building Midland, MI 48674 <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 to update label in response to PR Notice 2007-4. Enclosed cover letter reflects the required Notification statement.

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				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input type="checkbox"/> Other (Specify) _____	
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 Rhonda Vance-Moeser	Title Sr. Regulatory Specialist	Telephone No. (Include Area Code) (989) 636-1834
2. Signature <i>Rhonda Vance-Moeser</i>		6. Date Application Received (Stamped) o
3. Title Sr. Regulatory Specialist		
4. Typed Name Rhonda Vance-Moeser		
5. Date <i>Sept. 14, 2009</i>		



The Dow Chemical Company
Midland, Michigan 48667

September 14, 2009

Overnight Mail

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

**RE: NOTIFICATION – EPA REG. NO. 464 –620
Antimicrobial DTEA**

To Whom It May Concern:

The Dow Chemical Company (Dow) hereby submits a Notification application to revise the container disposal statement on the label in response to PR Notice 2007-4. In order for the application to be processed the required Notification statement is below.

“This Notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject enforcement action and penalties under section 12 and 14 of FIFRA”

Enclosed are the following documents to support this Notification

- 1) Completed application, Pesticide Registration, Form 8570-1.
- 2) One marked copy of the label indicating the change highlighted in yellow.
- 3) Two copies of final label.

Please contact me if you have any questions or need additional information.

Sincerely,

Rhonda Vance-Moeser _{BM}

Rhonda Vance-Moeser
Senior Regulatory Specialist
574 Building, Office 2044
Midland, MI 48667
Phone: (989) 636-1884
e-mail: rgvmoeser@dow.com

Enclosures

ANTIMICROBIAL DTEA

Technical Liquid

FOR MANUFACTURING USE ONLY

Active Ingredient:

2-(Decylthio)ethanamine..... 99.8%

Inert Ingredient(s): 0.2%

Total 100%

E.P.A. Registration No. 464-620

E.P.A. Est. XXX-XX-XXX

KEEP OUT OF REACH OF CHILDREN

DANGER

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CORROSIVE; CAUSES SKIN BURNS AND IREVERSIBLE EYE DAMAGE; HARMFUL OR FATAL IF SWALLOWED; HARMFUL IF ABSORBED THROUGH SKIN
 DO NOT GET IN EYES, ON SKIN, OR ON CLOTHING WEAR GOGGLES OR FACE SHIELD, PROTECTIVE CLOTHING, AND RUBBER GLOVES WHEN HANDLING. WASH THOROUGHLY WITH SOAP AND WATER AFTER HANDLING. REMOVE CONTAMINATED CLOTHING AND WASH BEFORE REUSE.

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 Rinising 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 for treatment advice • Promptly drink a large quantity of milk, egg whites, or gelatin solution; if these are not available, drink large quantities of water. Avoid alcohol. • Do not induce vomiting unless told to do so by poison control center or doctor. • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
<p>IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect 989-636-4400. Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	
NOTE TO PHYSICIAN	
<p>Probable mucosal damage may contraindicate the use of gastric lavage</p>	

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ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic organisms. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, oceans, estuaries, or public waters unless this product is specifically identified and addressed in a NPDES permit. Do not discharge effluent containing this product to public sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PESTICE STORAGE AND DISPOSAL

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

Storage: To maintain product quality, store at temperatures below 60°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: 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.

DIRECTIONS FOR USE

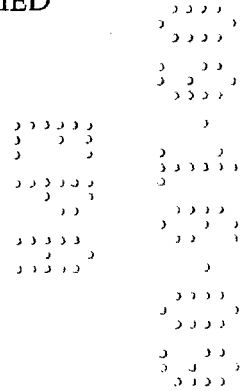
It is a violation of Federal Law to use this product in a manner inconsistent with the labeling.

This pesticide may be used for the formulation of pesticide product for use in recirculating cooling water systems. Formulators using this product are responsible for obtaining EPA registrations for their formulated products.

Notice: Seller warrants that the product conforms to its chemical description as contained on this label and is reasonably fit for the purposes stated on this label (except uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration) when used in accordance with directions under normal conditions of use. THE WARRANTIES MADE IN THIS PARAGRAPH ARE SELLER'S SOLE WARRANTIES WITH RESPECT TO THE PRODUCT AND ARE MADE EXPRESSLY IN LIEU OF AND EXCLUDE ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE AND ALL OTHER EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES.

NOTICE
Do Not Ship or Store with Food, Feeds, Drugs, or Clothing

NET WT:



bofle

Dow Diamond
THE DOW CHEMICAL COMPANY
Midland, Michigan 48674
1-800-258-CHEM

*Trademark of THE DOW CHEMICAL COMPANY

