

464-657

12/9/2009

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



Office of Pesticide Programs

DEC 19 2009

The Dow Chemical Company  
1803 Building  
Midland, MI 48674

Attention: Abigail Trueblood  
Senior Regulatory Specialist

**Subject: TRIS NITRO™**  
EPA Registration No. 464-657  
Notification Dated November 9, 2009

This will acknowledge receipt of your notification to revise the container disposal statement on the label in response to PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). 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. 2070-0080. Approval expires 2-28-



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 464-657	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TRIS NITRO™ SOLID Industrial Bacteriostat	PM# 33	
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 contains required Notification Certification.

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Text <input type="checkbox"/> No		<input type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input checked="" type="checkbox"/> Paper	
				<input checked="" type="checkbox"/> Other (Specify) <u>Box</u>	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 40 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input checked="" 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 Abigail Trueblood	Title Senior Regulatory Specialist	Telephone No. (Include Area Code) 847-808-3555
<b>Certification</b> 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  <b>(Stamped)</b>
2. Signature 	3. Title Senior Regulatory Specialist	
4. Typed Name Abigail Trueblood	5. Date 11-09-09	



November 9, 2009

The Dow Chemical Company  
1500 E. Lake Cook Road  
Buffalo Grove, IL 60089  
USA

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, VA 22202-4501

**Re: NOTIFICATION- EPA Reg. No. 464-657  
TRIS NITRO™ SOLID Industrial Bacteriostat  
The Dow Chemical Company**

Dear Mr. Swindell:

The Dow Chemical Company (Dow) hereby submits a label Notification to revise the container disposal statement 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 to enforcement action and penalties under Sections 12 and 14 of FIFRA.**

Enclosed are the following documents to support this Notification:

- EPA Form 8570-1, marked for Notification
- One copy of the proposed label with changes highlighted

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

Sincerely,

Abigail Trueblood  
Senior Regulatory Specialist  
The Dow Chemical Company  
1500 East Lake Cook Rd.  
Buffalo Grove, IL 60089  
847-808-3555  
atruelblood@dow.com

TRIS NITRO MUP  
Master Label  
December 10, 2009

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**TRIS NITRO™**  
**Industrial Bacteriostat**

Active Ingredient(s): 2-Hydroxymethyl-2-nitro-1,3-propanediol . . . . . 97.0%  
Inert Ingredients . . . . . 3.0%  
Total . . . . . 100%

E.P.A. Registration No. 464-657  
E.P.A. Est. XXXX-XX-X

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

<b>FIRST AID</b>	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"><li>• Hold eyes open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to by a poison control center or doctor.</li></ul>
<b>IF ON SKIN :</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance and then give artificial respiration, preferably mouth-to-mouth, if possible.</li><li>• Call a poison control center or doctor for further treatment</li></ul>
<b>HOT LINE NUMBER</b>	
IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect (989) 636-4400.	

**PRECAUTIONARY STATEMENTS**  
**Hazards to Humans and Domestic Animals**

HARMFUL IF SWALLOWED. CAUSES MODERATE EYE IRRITATION.  
Avoid contact with eyes or clothing. Wash hands before eating, drinking, using tobacco, or using the toilet.

**ENVIRONMENTAL HAZARDS**

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

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TRIS NITRO MUP

Master Label

December 10, 2009

sewer systems without previously notifying the local sewage treatment plan authority.

For guidance, contact your State Water Board or Regional Office of the EPA.

**STORAGE AND DISPOSAL**

**STORAGE**

TRIS NITRO SOLID decomposes in the presence of alkaline materials. Protect from vapors of ammonia and amines during the handling and storage to prevent deterioration and release of formaldehyde.

**PESTICIDE DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or any approved waste disposal facility.

**CONTAINER DISPOSAL:**

**Nonrefillable container:** Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling, if available or dispose of liner in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

**DIRECTIONS FOR USE**

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

**Product Information**

Addition of TRIS NITRO SOLID to each system is best accomplished by adding TRIS NITRO SOLID to any water to be incorporated into the formulation.

**For Formulation of Products for the Following Antimicrobial Uses:**

- Metalworking Fluids
- Latex Paints
- Resin/Latex/ Polymer Emulsions
- Specialty Industrial Products
- Livestock and Poultry Premises
- Commercial/Industrial Water Cooling Systems and Evaporative Condenser Water Systems
- Oil Recovery Drilling Muds/Packer Fluids
- Secondary Oil Recovery Injection Water

NET WT:

Lot:

TRIS NITRO MUP  
Master Label  
December 10, 2009

Produced For  
Dow Diamond TM  
**THE DOW CHEMICAL COMPANY**  
Midland, Michigan 48674  
989-636-4400

<sup>TM</sup> Trademark of The Dow Chemical Company ("Dow") or an affiliated company of Dow

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