

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JAN 05 2006

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Abigail Trueblood
Regulatory Specialist

Subject: BIOBAN P-1487 Antimicrobial Agent
EPA Registration No. 464-659
Your notification Dated December 9, 2005

This will acknowledge receipt of your notification for an additional name descriptor for alternate marketing labels and for the addition of a container size (16oz), 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 added to 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 (7510C)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							



2/5

December 9, 2005

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

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
1801 Bell Street
Arlington, VA 22202

ATTN: Marshall Swindell/PM 33

Re: Notification of Addition of Additional name descriptor and new packaging size
BIOBAN P-1487™ Antimicrobial Agent (EPA Reg. No. 464-659)

Dear Mr. Swindell:

The Dow Chemical Company wishes to notify USEPA of the following changes to the registration of BIOBAN P-1487 Antimicrobial Agent:

- addition of name descriptor for alternate marketing labels
- addition of 16 oz packaging size

The name descriptor will be used by some supplemental registrants who only sell their products into the diesel fuel market. Use in diesel fuel is currently contained within the Hydrocarbon Preservation endues.

Enclosed are the following:

- EPA Form 8570-1, *Application for Registration* (with attached sheet)
- One copy of the proposed label with changes highlighted

If you have any questions concerning this submission, please contact me at (847)808-3555. Thank you for your assistance.

Sincerely,

Abigail Trueblood
Regulatory Specialist
atrueblood@dow.com

CC: Brian Wilson, Power Service Products
Dana Barbarossa, NYSDEC

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.





Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

<p>United States Environmental Protection Agency Washington, DC 20460</p>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 464-659	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BIOBAN P-1487 Antimicrobial Agent	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.)

Addition of name descriptor for alternate marketing labels and addition of a container size (16 oz). Please see attached sheet for additional information

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted			
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container 55,5&1 gal; 96,64,32,16 oz	5. Location of Label Directions <input checked="" type="checkbox"/> on Label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued 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 Regulatory Specialist	Telephone No. (Include Area Code) 847-808-3555
Certification 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 (Stamped)
2. Signature 	3. Title Regulatory Specialist	
4. Typed Name Abigail Trueblood	5. Date 12-09-05	

BIOBAN** P-1487

ANTIMICROBIAL AGENT DIESEL FUEL BIOCIDES

Active Ingredient:

4-(2-Nitrobutyl)morpholine . . . 81% by wt
4,4'-(2-Ethyl-2-nitrotrimethylene)
dimorphollne 5% by wt

Inert Ingredients: 14% by wt
Total 100%

E.P.A. Registration No. 464-659
E.P.A. Est. 48301-LA-1

KEEP OUT OF REACH OF CHILDREN

DANGER

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

**CAUSES SEVERE EYE DAMAGE
AND SKIN BURNS • MAY CAUSE
ALLERGIC SKIN REACTION •
HARMFUL OR FATAL IF
SWALLOWED OR ABSORBED
THROUGH THE SKIN**

Do Not Get in Eyes, On Skin, On Clothing •
Causes Skin Sensitization • Wear Goggles Or
Face Shield and Rubber Gloves When Handling
• Wash Thoroughly After Handling • Avoid
Breathing Vapor Or Mist • Avoid Contamination
Of Food • Do Not Take Internally



THE DOW CHEMICAL COMPANY

Midland, Michigan 48674 U.S.A.

(989) 636-4400

* Trademark of THE DOW CHEMICAL COMPANY

** Trademark of ANGUS Chemical Company

A Subsidiary of The Dow Chemical Company

77117-5/24/2005-1749

FIRST AID:	
IF IN EYES:	• Hold eyes open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first five minutes, then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	• 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 by a poison control center or doctor.
IF ON SKIN:	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment.
IF INHALED:	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable mouth to mouth, if possible. • Call a poison control center or doctor for further treatment.
HOT LINE NUMBER	
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.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. 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.

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: 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: 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.

DIRECTIONS FOR USE

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

FOR USE IN METALWORKING FLUIDS DIE CAST LUBRICANTS, AND MOLD-RELEASE AGENTS

To control the growth of microorganisms in fluids used as lubricants in metalworking operations, metal die cast applications, and mold release agents utilized in the manufacture of plastics.

In concentrates. BIOBAN P-1487 is soluble in organic solvents and may be incorporated by the manufacturer in the fluid concentrate. It normally will be stable in such concentrates as long as the pH is maintained above 6. However, long-term stability tests should be carried out by the manufacturer on his specific formulations to ensure that the concentrate does not contain ingredients incompatible with BIOBAN P-1487 stability. The amount to be incorporated will depend on the dilution factor recommended to be used when the concentrate is diluted for use. For efficient bacteriostatic activity, a concentration of 1000 ppm in the diluted fluid is suggested.

In diluted fluid. An initial concentration of 1000 ppm of BIOBAN P-1487 is normally sufficient to control gross microbial contamination of freshly diluted fluids for a period of several weeks at ambient temperatures. The degree of control is influenced by the composition of the fluid, the pH, the conditions of use, and other factors. Under conditions of severe microbial contamination, a concentration of BIOBAN P-1487 as high as 3000 ppm may be required temporarily.

Maintenance dosage. Periodic addition of BIOBAN P-1487 to the fluid will extend its activity in controlling gross microbial contamination after the initial charge. Additions of 100 ppm to 200 ppm of BIOBAN P-1487 at weekly intervals usually are recommended.

Note. Transitory eye irritation can occur from exposure to vapors produced during the use of fluids containing BIOBAN P-1487. Should eye irritation occur, further exposure should be prevented by vacating the area or by using protective goggles.

FOR USE IN HYD

To control the growth of the fuel.

In general use. Add control of microbial kerosene. Treat intermittent metering BIOBAN P-1487.

For storage above 1000 gallons of water concentration of apply dissolve each gallon add this solution direct agitation.

For storage in tank BIOBAN P-1487 direct system to obtain a

In a fuel-treatment fuel additive for add BIOBAN P-1487 to P-1487 in the treated

FOR USE IN ADH (NON-FOOD USE)

For control of microbial based emulsions, as microorganisms in a BIOBAN P-1487. The final step in the the product has con

FOR USE IN INKS

To inhibit the growth of water-based inks.

In can preservation. manufacturing process cooled to below 110 ppm based on the final added press side at

Not Approved FOR USE IN PAINTS

BIOBAN P-1487 is not for use in paint spray booth with the system to mix BIOBAN P-1487 should be added to each 1000 gallon approximately 1000

(4-(2-NITRO