

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

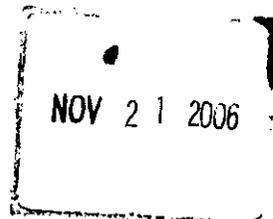


United States
Environmental Protection
Agency

Office of Pesticide Programs

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
Notification Dated November 3, 2006

This will acknowledge receipt of your notification for the addition of the qualifier "Produced for" above the company name, 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

A handwritten signature in cursive script that reads "Marshall Swindell".

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
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 464-659	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 the qualifier "Produced for" above the company name.
 Please see attached sheet for additional information.

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 No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
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 <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 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 <i>Abigail Trueblood</i>	3. Title Regulatory Specialist	
4. Typed Name Abigail Trueblood	5. Date 11/02/06	



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November 3, 2006

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

Mr. Marshall Swindell/ PM33
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Office of Pesticide Programs
Antimicrobials Division
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Re: Notification of Addition of Qualifier "Produced for"
above Company Name
BIOBAN P-1487™ Antimicrobial Agent
(EPA Reg. No. 464-659)

Dear Mr. Swindell:

The Dow Chemical Company (Dow) seeks to notify USEPA of the following change to the product label for BIOBAN P-1487 Antimicrobial Agent:

- addition of qualifier "Produced for" above the company name

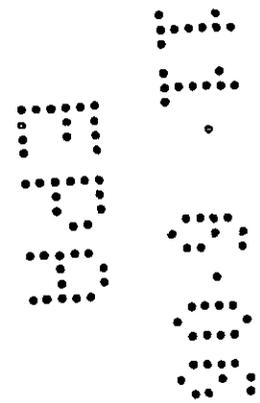
Enclosed are the following:

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

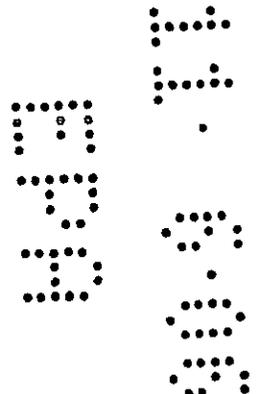
If you have any questions concerning this submission, please contact me.

Sincerely,

Abigail Trueblood
Regulatory Specialist
atrueblood@dow.com
(847)-808-3555



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.



BIOBAN P-1487™

ANTIMICROBIAL AGENT

Active Ingredient:

4-(2-Nitrobutyl)morpholine 81% by wt
 4,4'-(2-Ethyl-2-nitrotrimethylene)
 dimorpholine 5% by wt
 Inert Ingredients: 14% by wt
 Total 100%

E.P.A. Registration No. 464-659

E.P.A. Est.

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

Produced for:



THE DOW CHEMICAL COMPANY

Midland, Michigan 48674 U.S.A.

(989)636-4400

* Trademark of THE DOW CHEMICAL COMPANY

77117-3/31/2003-1749 Ac

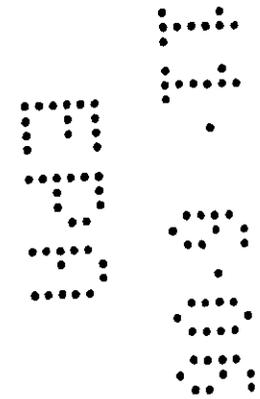
IF IN EYES:	<ul style="list-style-type: none"> • Hold eyes open and rinse sk • Remove contact lenses, if pr • Call a poison control center
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center • Have person sip a glass of w • Do not induce vomiting unles
IF ON SKIN:	<ul style="list-style-type: none"> • Take off contaminated clothi • Rinse skin immediately with • Call a poison control center
IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, cal • Call a poison control center
IN CASE OF AN EMERGENCY endangering life or p container or label with you when calling a poison con	
NOTE TO PHYSICIAN: Probable mucosal damage	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not disch
 containing this product into lakes, streams, ponds, estu
 or other waters unless in accordance with the requirem
 National Pollutant Discharge Elimination System (NPI
 and the permitting authority has been notified in writing
 discharge. Do not discharge effluent containing this pr
 sewer systems without previously notifying the local or
 treatment plant authority. For guidance contact your St
 Board of Regional Office of the EPA.

Pesticide Disposal: Pesticide wastes are acutely haz
 Improper disposal of excess pesticide, spray mixture,
 violation of Federal Law. If these wastes cannot be disc
 use according to label instructions, contact your State F
 Environmental Control Agency, or the Hazardous Wast
 representative at the nearest EPA Regional Office for gr
Container Disposal: Triple rinse (or equivalent). The
 recycling or reconditioning, or puncture and dispose of
 landfill, or by other procedures approved by state and lo
 authorities.

Notice: Seller warrants that the product conforms to it
 description as contained on this label and is reasonably
 purposes stated on this label when used in accordance
 directions under normal conditions of use. **THE WARF
 MADE IN THIS PARAGRAPH ARE SELLER'S SOLE
 WARRANTIES WITH RESPECT TO THE PRODUCT
 MADE EXPRESSLY IN LIEU OF AND EXCLUDE ANY
 WARRANTIES OF MERCHANTABILITY OR OF FITN
 A PARTICULAR PURPOSE AND ALL OTHER EXPRI
 IMPLIED REPRESENTATIONS AND WARRANTIES.**



6 8 7

BAN P-1487™

ADJUVANT AGENT

Morpholine . . . 81% by wt
(4-(2-nitrobutyl)morpholine)
. 5% by wt
. 14% by wt
. 100%

Phone No. 464-659
-LA-1

KEEP OUT OF REACH OF CHILDREN

STATEMENTS

Use on Domestic Animals

DO NOT CAUSE EYE DAMAGE

DO NOT CAUSE SKIN REACTION

DO NOT CAUSE FATAL REACTION

DO NOT ABSORB THROUGH SKIN

Use on Skin, On Clothing
Use on Shoes - Wear Goggles Or
Use on Hands - Wear Gloves When
Use on Surfaces - Wipe Thoroughly After Handling
Use on Air - Avoid Mist
Use on Food - Do Not Take

MANUFACTURED BY
DOW CHEMICAL COMPANY
74 U.S.A.

DOW CHEMICAL COMPANY

FIRST AID:	
IF IN EYES:	<ul style="list-style-type: none"> 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:	<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 by a poison control center or doctor.
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.
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, 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 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, LUBRICANTS, CORROSION INHIBITING METAL COATINGS AND MOLD-RELEASE AGENTS

To control the growth of microorganisms in fluids used as lubricants in metalworking operations, industrial lubrication systems, hydraulic fluids, corrosion inhibiting metal coatings, and 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.

DISINFECTANT LIQUID,
TOXIC N.C.S.
(4-(2-NITROBUTYL) MORPHOLINE)
UN3142
Apply Toxic PG III S label.

FOR USE IN HYDROCARBON PRESERVATION

To control the growth of problem microorganisms associated with the fuel.

In general use. Add BIOBAN-P-1487 to storage tanks or fuel tanks for control of microbial growth in diesel oil, fuel oil, gasoline, or kerosene. Treatment may be performed by slug dosage or by intermittent metering to attain a concentration of 135-1000 ppm of BIOBAN P-1487.

For packages less than 1 gallon, refer to the chart below:

TREATMENT RATIOS (IN OUNCES)

BIOBAN P-1487 Dose	Shock Treatment	PPM in Fuel	Maintenance Treatment	PPM in Fuel
1 Ounce	20 Gallons	398	55 Gallons	142
16 ounces	320 Gallons	390	880 Gallons	142
96 Ounces	2000 Gallons	375	5280 Gallons	142

For storage above water. Add 1 gallon of BIOBAN P-1487 to each 1000 gallons of water in the bulk storage system to achieve a concentration of approximately 1000ppm. To facilitate mixing, dissolve each gallon of BIOBAN P-1487 in 100 gallons of water and add this solution directly to the water phase in the tank with minimal agitation.

For storage in tanks without intentional water. Add 0.125-1 gallon of BIOBAN P-1487 directly to each 1000 gallons of hydrocarbon in the system to obtain a concentration of approximately 135-1000 ppm.

In a fuel-treatment pre-mix. BIOBAN P-1487 may be mixed with other fuel additive for addition to fuel. The end user must add sufficient BIOBAN P-1487 to the pre-mix to provide 135-1000 ppm of BIOBAN P-1487 in the treated fuel.

FOR USE IN ADHESIVE AND INDUSTRIAL EMULSIONS (NON-FOOD USE)

For control of microbial contamination in resin, latex or other water based emulsions, asphalt emulsions or to inhibit the growth of microorganisms in adhesives, add 0.025-0.1% (250-1000 ppm) BIOBAN P-1487. The addition of BIOBAN P-1487 should be made as a final step in the manufacturing process, after any heating and when the product has cooled to below 100° F.

FOR USE IN INKS (NON-FOOD USE)

To inhibit the growth of microorganisms during storage or use of use of water-based inks.

In can preservation. Add BIOBAN P-1487 in the final step of the manufacturing process, after any heating and when the product has cooled to below 110° F. BIOBAN P-1487 should be dosed at 250-1000 ppm based on the final formulation volume. BIOBAN P-1487 may be added press side at a concentration of 250-1000 ppm.

FIRST AID:

Gently with water for 15-20 minutes. If the first five minutes, then continue rinsing eyes. For treatment advice.

Immediately for treatment advice. Do not swallow. Call a poison control center or doctor.

Water for 15-20 minutes. For treatment.

In ambulance, then give artificial respiration, for further treatment.

LINE NUMBER

Involving this product, call collect (989)636-4400. Have the product or doctor or going for treatment.

Indicate the use of gastric lavage.

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, LUBRICANTS, CORROSION INHIBITING METAL COATINGS AND MOLD-RELEASE AGENTS

To control the growth of microorganisms in fluids used as lubricants in metalworking operations, industrial lubrication systems, hydraulic fluids, corrosion inhibiting metal coatings, and 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.

Not Approved in California

FOR USE IN PAINT SPRAY BOOTH WASH WATER

BIOBAN P-1487 is used to control the growth of microorganisms in paint spray booth wash waters. Add tankside and circulate through the system to mix thoroughly. Concentrations of 250-1000 ppm BIOBAN P-1487 should be attained. One gallon of BIOBAN P-1487 to each 1000 gallons of wash water will achieve a concentration of approximately 1000 ppm

