

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

464-660

12/6/2005

Page 1 of 7

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

DEC - 6 2005

Attention: Abigail Trueblood
Regulatory Specialist

Subject: BIOBAN CS-1135 Antimicrobial
EPA Registration No. 464-660
Your Notification Dated November 4, 2005

This will acknowledge receipt of your notification for the following changes to the product label, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

- addition of warranty statement
- demarcation of enduses not registered for use in the State of CA
- modification of label name to BIOBAN CS-1135 Antimicrobial

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 (7510C)

CONCURRENCES

SYMBOL							
BURNAME							
DATE							

287

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060



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 464-660	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BIOBAN CS-1135 Antimicrobial	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 of addition of Warranty Statement, demarcation of enduses not approved for use in California, and modification of product name.
Please see attached sheet for additional information.

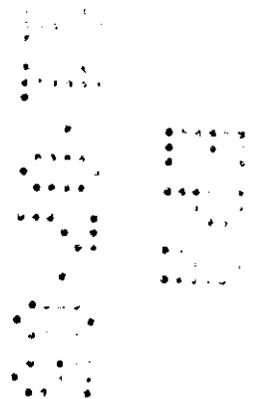
Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" 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"/> No	<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* 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 5 gallon and 55 gallon		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" 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 <i>Abigail Trueblood</i>	3. Title Regulatory Specialist	
4. Typed Name Abigail Trueblood	5. Date 11-04-05	

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.





487

November 4, 2005

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 (7504C)
U.S. Environmental Protection Agency
1801 Bell Street
Arlington, VA 22202

Re: Notification of Addition of Warranty Statement to label
Demarcation for uses not approved in the State of California
Modification of product label name
BIOBAN™ CS-1135 Antimicrobial (EPA Reg. No. 464-660)

Dear Mr. Swindell:

The Dow Chemical Company (Dow) seeks to notify USEPA of the following changes to the product label for BIOBAN CS-1135 Antimicrobial:

- addition of warranty statement
- demarcation of enduses not registered for use in the State of California
- modification of label name to BIOBAN CS-1135 Antimicrobial

The name of this product on product labels has sometimes carried the descriptor "Antimicrobial Agent" and at other times "Antimicrobial". The word "Preservative" appears on the currently approved label for this product. By this notification, Dow seeks to remove the word "Preservative" from the current label and add the word "Antimicrobial" to the product name line.

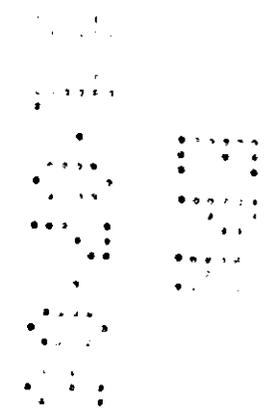
Enclosed are the following:

- 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



5 8 7

BIOBAN** CS-1135 Antim

FOR CONTROL OF BACTERIA IN AQUEOUS SYSTEMS

Active Ingredients:
 4,4-Dimethyloxazolidine 78.0%
 Inert Ingredients 22.0%
 Total 100%

E.P.A. Registration No. 464-660
 E.P.A. Est. 48301-LA-01

KEEP OUT OF REACH OF CHILDREN

DANGER

PRECAUTIONARY STATEMENTS
 Hazards to Humans and Domestic Animals
CAUSES IRREVERSIBLE EYE DAMAGE AND SKIN IRRITATION · HARMFUL IF SWALLOWED, ABSORBED THROUGH SKIN OR INHALED · COMBUSTIBLE LIQUID

Do Not Get In Eyes, On Skin, On Clothing · Avoid Breathing Vapor Or Spray Mist · Wear Goggles or Face Shield And Chemical Resistant Rubber Gloves When Handling · Wash Thoroughly With Soap And Water Immediately After Handling · Remove Contaminated Clothing and Wash Before Reuse · Remove Personal Protective Equipment And Launder or Otherwise Decontaminate It Immediately After Use · Do Not Use Or Store Near Heat Or Open Flame



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
 76980-5/24/2005-1751

FIRST AID:	
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes. • Call a poison control center or doctor for treatment advises.
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told by the 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 if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Circulatory shock, respiratory depression, and convulsion may be needed.	
HOT LINE NUMBER	
IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect product container or label with you when calling a poison control center or doctor or going for treatment.	

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.

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

PESTICIDE DISPOSAL
 Pesticide wastes are toxic. 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 description as contained on the purposes stated on this label. Seller has accepted the required data and the formulator has submitted in accordance with directions on the label. **WARRANTIES MADE IN THIS LABEL ARE SOLE WARRANTIES WITH AND ARE MADE EXPRESSLY WITHOUT ANY IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR IMPLIED REPRESENTATIONS OR WARRANTIES.**

DIRECTIONS FOR USE
 It is a violation of Federal Law to use this pesticide in a manner inconsistent with the labeling.

USE IN PAINTS, INKS, AND OTHER LIQUIDS
 BIOBAN CS-1135 is effective in water-containing systems, such as emulsions, at a concentration of 0.1 to 0.2 lb per 100 lb of formulation weight. BIOBAN CS-1135 may be used in a cycle. The recommended rate for paints is 0.1 to 0.2 lb per 100 lb of recommended rate for preservatives is approximately 0.2 lb per 100 lb of formulation weight.

677

CS-1135 Antimicrobial

FIRST AID:	
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes. • Call a poison control center or doctor for treatment advises.
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told by the 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, preferably mouth to mouth if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression, and convulsion may be needed.	
HOT LINE NUMBER	
IN CASE OF AN EMERGENCY endangering life or property involving this product, call collect (888)636-4400. Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

USE IN ADHESIVES (NON-FOOD CONTACT)
For control of microbial contamination, add 0.1 BIOBAN CS-1135 per 100 lb total formulation

USE IN OILFIELD WATER SYSTEMS
For controlling aerobic slime-forming bacteria (sp.) or iron-oxidizing bacteria (Gallionella sp.) sulfate-reducing bacteria (Desulfotvibrio desu water systems, such as subsurface injection v ppm of BIOBAN CS-1135 depending on the se contamination. Additions should be made with at the free water knockouts before or after the and injection well headers.

Continuous-feed method: if the system is fouled, or to maintain control of the system, add 20-150 ppm BIOBAN CS-1135 (1.7-12.8 gal of water) continuously until the desired degree achieved. Subsequently, treat with 5-150 ppm (0.43-12.8 gal per 2000 barrels of water) continuous to maintain control.

Intermittent or slug method: If the system fouled, or to maintain control of the system, add BIOBAN CS-1135 (1.7-12.8 gal per 2000 barrels) intermittently for 2-8 hours per day on from 1- depending on the severity of contamination.

USE IN METALWORKING FLUIDS
In Diluted Fluids: A concentration of 1000-2 BIOBAN CS-1135 is sufficient to control gross. Add 1.0 to 2.0 pints of BIOBAN CS-1135 per fluid.

Maintenance Dosage: Add 250-500 ppm BIOBAN weekly as required to maintain control of the addition of 8 ounces (1 cup) of BIOBAN CS-gallons of fluid will provide 500 ppm concentration.

In concentrates: BIOBAN CS-1135 may be metalworking fluid concentrate by the manufacturer. CS-1135 normally will be stable in concentration. pH is maintained above 6. However, long-term should be carried out by the manufacturer on formulations to ensure that the concentrate does ingredients incompatible with BIOBAN CS-1 amount to be incorporated will depend on the recommended to be used when the concentrate. For efficient bacteriostatic activity, a concentration 2000 ppm of BIOBAN CS-1135 in the diluted.

FOR USE IN PRESERVING DRILLING MUD WORKOVER AND COMPLETION FLUID:

Determine the volume of BIOBAN CS-1135 a concentration of 500-1000 ppm by weight in the drilling mud system, workover and completion example 21-42 gallons of BIOBAN CS-1135 barrels of drilling mud provides this concentration. As the system circulates, add the BIOBAN CS stream. Add additional BIOBAN CS-1135 to the system proper concentration as the total volume of fluid

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 of Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL

Pesticide wastes are toxic. 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.

USE IN PAINTS, INKS, AND EMULSIONS

BIOBAN CS-1135 is effective as a preservative in water-containing systems, such as latex paints and inks and resin emulsions, at a concentration of 0.1 to 0.5 lb per 100 lb total formulation weight.

BIOBAN CS-1135 may be added at any point in the manufacturing cycle. The recommended rate for preservation of inks and latex paints is 0.1 to 0.2 lb per 100 lb of the formulation. The recommended rate for preservation of resin emulsions is approximately 0.2 lb per 100 lb of the formulation.

