

464-660

12-09-2009

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



Office of Pesticide Programs

DEC 9 2009

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Abigail Trueblood
Senior Regulatory Specialist

Subject: BIOBAN™ CS-1135 Antimicrobial
EPA Registration No. 464-660
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

A handwritten signature in black ink that reads "Martha Terry" with a stylized flourish at the end.

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. 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 464-660	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 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 No		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Plastic	
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 5, 55 gal		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 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
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 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. 464-660**
BIOBAN™ CS-1135 Antimicrobial
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.

A typographical error in the FIRST AID Section (If in Eyes) has been corrected on the enclosed label.

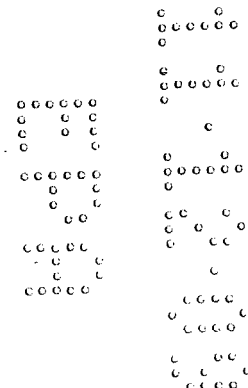
Enclosed are the following documents to support this Notification:

- 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
atueblood@dow.com



BIOBAN CS-1135 Antimicrobial
Master Label
December 4, 2009

BIOBAN™ CS-1135 Antimicrobial
FOR CONTROL OF BACTERIA IN AQUEOUS SYSTEMS

Active Ingredient(s):

4,4-Dimethylloxazolidine. 78.0 % by wt.
Inert Ingredients 22.0 % by wt
Total 100%

E.P.A. Registration No. 464- 660
E.P.A. Est. XXXX-XX-X

KEEP OUT OF REACH OF CHILDREN

DANGER

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, 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 and the give artificial respiration, preferably 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. Measures against circulatory shock, respiratory depression, and convulsion may be needed.	

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

BIOBAN CS-1135 Antimicrobial
Master Label
December 4, 2009

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.

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 plan 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:

Nonrefillable Container: Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities by burning. If burned, stay out of smoke.

DIRECTIONS FOR USE

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

USE IN ADHESIVES (NON-FOOD CONTACT)

For control of microbial contamination, add 0.1 to 0.5 lb of BIOBAN CS-1135 per 100 lb total formulation weight.

USE IN OILFIELD WATER SYSTEMS

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For controlling aerobic slime-forming bacteria (*Pseudomonas sp.*) or iron-oxidizing bacteria (*Gallionella sp.*) and anaerobic sulfate-reducing bacteria (*Desulfovibrio desulfuricans*) in oilfield water systems, such as subsurface injection water, add 5-150 ppm of BIOBAN CS-1135, depending on the severity of the contamination. Additions should be made with a metering pump at the free water knockouts before or after the injection pumps and injection well headers.

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

Intermittent or slug method: If the system is noticeably fouled or to maintain control of the system, add 20-150 ppm BIOBAN CS-1135 (1.7-12.8 gal per 2000 barrels of water) intermittently for 2-8 hours per day, 1-4 days per week, depending on the severity of contamination.

USE IN METALWORKING FLUIDS

In diluted fluids: A concentration of 1000-2000 ppm of BIOBAN CS-1135 is sufficient to control gross microbial growth. Add 1.0 to 2.0 pints of BIOBAN CS-1135 per each 100 gallons of fluid.

Maintenance dosage: Add 250- 500 ppm BIOBAN CS-1135 weekly as required to maintain control of the system. The addition of 8 ounces (1 cup) of BIOBAN CS-1135 to each 100 gallons of fluid will provide 500 ppm concentration.

In concentrates: BIOBAN CS-1135 may be incorporated in metalworking fluid concentrate by the manufacturer. BIOBAN CS-1135 normally will be stable in concentrates as long as the pH is maintained above 6. However, long-term stability studies should be carried out by the manufacturer on his specific formulations to ensure that the concentrate does not contain ingredients incompatible with BIOBAN CS-1135 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 to 2000 ppm of BIOBAN CS-1135 in the diluted fluid is suggested.

FOR USE IN PRESERVING DRILLING MUDS AND WORKOVER AND COMPLETION FLUIDS

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

USE IN DIE-CAST LUBRICANTS AND MOLD-RELEASE AGENTS

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

In Diluted Fluids: A concentration of 1000-2000 ppm of BIOBAN CS-1135 is sufficient to control gross microbial growth. Add 1.0 to 2.0 pints of BIOBAN CS-1135 per each 100 gallons of fluid.

Maintenance Dosage: Add 250- 500 ppm BIOBAN CS-1135 weekly as required to maintain control of the system. The addition of 8 ounces (1 cup) of BIOBAN CS-1135 per each 100 gallons of fluid will provide a 500 ppm concentration.

In Concentrates: BIOBAN CS-1135 may be incorporated in fluid concentrate by the manufacturer. BIOBAN CS-1135 normally will be stable in concentrates as long as the pH is maintained above 6. However, long-term stability studies should be carried out by the manufacturer on his specific formulation to ensure that the concentrate does not contain ingredients incompatible with BIOBAN CS-1135 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 1000-2000 ppm of BIOBAN CS-1135 in the diluted fluid is suggested.

NOT APPROVED FOR USE IN CALIFORNIA

CONSUMER, HOUSEHOLD AND INSTITUTIONAL PRODUCTS

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To inhibit bacterial spoilage during the production and shelf-life storage and use of consumer, household and institutional products, including dishwashing liquids, surface cleaners, laundry cleaners, and polishes. Dose at 0.04 to 0.2 lb per 100 lb (400-2000 ppm). Not for use where contact with food will occur.

MINERAL SLURRIES

For control of microbial contamination in mineral slurries, add 0.04 to 0.2 lb per 100 lb slurry (400-2000 ppm) BIOBAN CS-1135.

SURFACTANTS

To inhibit bacterial spoilage during shelf-life storage and the use of bulk anionic, nonionic amphoteric and cationic surfactants when supplied for the manufacture of industrial and consumer products. BIOBAN CS-1135 should be dosed at 0.04-0.2 lb per 100 lb based on the final formulation volume.

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 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.**

NET WT:

LOT:

Produced for:

THE DOW CHEMICAL COMPANY
Midland, Michigan 48674 USA
(989)636-4400