

464-667

12/09/2009

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

DEC 19 2009



United States  
Environmental Protection  
Agency

Office of Pesticide Programs

The Dow Chemical Company  
1803 Building  
Midland, MI 48674

Attention: Abigail Trueblood  
Senior Regulatory Specialist

**Subject:** BIOBAN™ CS-1246 Antimicrobial Agent  
EPA Registration No. 464-667  
Notification Dated November 6, 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 Karen-Munk at (703) 308-6237.

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 <b>Environmental Protection Agency</b> Washington, DC 20460	<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

<b>1. Company/Product Number</b> 464-667	<b>2. EPA Product Manager</b> M. Swindell	<b>3. Proposed Classification</b> <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
<b>4. Company/Product (Name)</b> BIOBAN CS-1246 Antimicrobial Agent	<b>PM#</b> 33	
<b>5. Name and Address of Applicant (Include ZIP Code)</b> The Dow Chemical Company 1803 Building Midland, MI 48674  <input type="checkbox"/> Check if this is a new address	<b>6. Expedited Review.</b> 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

<b>1. Material This Product Will Be Packaged In:</b>				<b>2. Type of Container</b>	
<b>Child-Resistant Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Unit Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Water Soluble Packaging</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Text <input type="checkbox"/> No	<b>If "Yes" Unit Packaging wgt.</b> No. per container	<b>If "Yes" Package wgt</b> No. per container	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
<b>* Certification must be submitted</b>					
<b>3. Location of Net Contents Information</b> <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		<b>4. Size(s) Retail Container</b> 55,5 gal;totes		<b>5. Location of Label Directions</b> <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
<b>6. Manner in Which Label is Affixed to Product</b> <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.)**

<b>Name</b> Abigail Trueblood	<b>Title</b> Senior Regulatory Specialist	<b>Telephone No. (include Area Code)</b> 847-808-3555
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<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.		<b>6. Date Application Received (Stamped)</b>
<b>2. Signature</b> 	<b>3. Title</b> Senior Regulatory Specialist	
<b>4. Typed Name</b> Abigail Trueblood	<b>5. Date</b> 11-06-09	



BIOBAN CS-1246 Antimicrobial Agent  
Master Label  
December 4, 2009

**BIOBAN™ CS-1246 Antimicrobial Agent  
FOR CONTROL OF BACTERIA IN AQUEOUS SYSTEMS**

Active Ingredient(s):

7 a-Ethyldihydro-1H,3H,5H-oxazolo [3,4,C] oxazole . . . 97.0 % by wt.

Inert Ingredients . . . . . 3.0 % by wt

Total 100%

E.P.A. Registration No. 464- 667

E.P.A. Est. XXXX-XX-X

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

<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 five 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.</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 the 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>	
<b>IN CASE OF AN EMERGENCY</b> 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.	
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans and Domestic Animals**

CAUSES EYE DAMAGE AND SKIN IRRITATION. HARMFUL IF INHALED OR SWALLOWED. MAY BE FATAL IF ABSORBED THROUGH SKIN.

Do not get in eyes, on skin, or on clothing. Wear goggles or face shield and rubber gloves when handling. Wash thoroughly with soap and water immediately after handling.

BIOBAN CS-1246 Antimicrobial Agent  
Master Label  
December 4, 2009

**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 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:** Store in a cool (less than 100°F) dry location. Keep container tightly closed when not in use. Do not store near strong (concentrated) acids. Do not contaminate water, food, or feed by storage or disposal.

**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:**

**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.

**FOR USE IN WATER-BASED METALWORKING FLUID**

To inhibit the growth of bacteria, add 0.04 to 0.2% (400-2000 ppm) of BIOBAN CS-1246 directly to the use diluted fluid. Not for use in non-aqueous concentrates.

**ADHESIVES (NON-FOOD CONTACT)**

For control of microbial contamination, add 0.04 to 0.2 lb of BIOBAN CS-1246 per 100 lb total formulation weight.

**PAINTS, INKS, EMULSIONS AND SLURRIES**

BIOBAN CS-1246 is effective as a preservative in water-containing systems, such as latex paints and inks, resin emulsions, wax emulsions, and slurries at a concentration of 0.04 to 0.2 lb per 100 lb total formulation weight. BIOBAN CS-1246 may be added at any point in the manufacturing cycle. The recommended rate for preservation of inks and latex paints is 0.04 to 0.2 lb per 100 lb of the formulation. The recommended rate for preservation of resin emulsions is approximately 0.1 lb per 100 lb of the formulation. For slurries recommended rates are 0.04 to 0.2 lb per 100 lb.

**SURFACTANT PRESERVATION**

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-1246 may be added at any convenient point during the manufacturing process. BIOBAN CS-1246 should be dosed at 0.04 to 0.2 lb per 100 lb based on the final formulation weight.

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**CONSUMER, HOUSEHOLD AND INSTITUTIONAL PRODUCTS**

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 of food will occur.

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