

464-682

12-28-2007

1/4

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

DEC 28 2007



United States
Environmental Protection
Agency

Office of Pesticide Programs

The Dow Chemical Company
1803 Building
Midland, MI 48674

Attention: Rhonda Vance-Moeser
Senior Regulatory Specialist

Subject: BIOBAN DXN
EPA Registration No. 464-682
Notification Dated December 4, 2007

This will acknowledge receipt of your notification to add the text "produced for" and revise the trademark language on 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.

The Notification dated December 4, 2007 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 Swindell" with a stylized flourish at the end.

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



The Dow Chemical Company
Midland, Michigan 48674

Larkin Laboratory
December 3, 2007

Overnight Mail

Office of Pesticide Programs (7504P)
Document Processing Desk (NOTIF)
U. S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 S. Crystal Drive
Arlington, Virginia 22202-4501
Attn: Adam Heyward

**RE: NOTIFICATION – EPA REG. NO. 464 – 682
BIOBAN™ DXN**

The Dow Chemical Company (Dow) hereby submits a Notification application to:

- 1) add the qualifier "Produced For" to the registrant name and address on the product label when produced by a contract manufacturer
- 2) revise the trademark language on the product label

In order for the application to be processed the required Notification statement is included.

"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 enforcement action and penalties under section 12 and 14 of FIFRA"

Enclosed are the following documents to support this notification

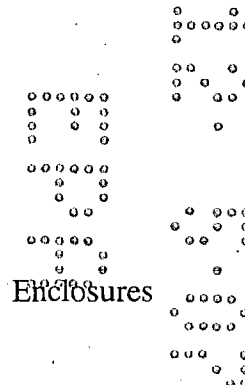
- 1) Completed application for Pesticide Registration, Form 8570-1
- 2) Required notification statement above
- 3) Two copies of product label with one indicating changes highlighted in yellow.

Please contact me if you have any questions or need additional information.

Sincerely,

Rhonda Vance-Moeser

Rhonda Vance-Moeser
Senior Regulatory Specialist
Phone: (989) 636-1884
e-mail: rgvmoeser@dow.com



Enclosures



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

3/4

EPA	United States Environmental Protection Agency 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

1. Company/Product Number 464 - 682	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow Chemical / BIOBAN(TM) DXN	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

- add "produced for" qualifier to product label when produced or relabeled/repacked by contract manufacturer.
- revise product trademark symbol and language
- Required Notification statement is on the enclosed cover letter

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	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input checked="" 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		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		55 gallon/5 gallon / 8 fl oz		<input checked="" type="checkbox"/>	
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 Rhonda Vance-Moeser	Title Senior Regulatory Specialist	Telephone No. (Include Area Code) (989) 636-8834
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) <div style="border: 1px dashed black; width: 100px; height: 100px; margin: auto;"></div>
2. Signature <i>Rhonda Vance-Moeser</i>		
3. Title <i>Senior Regulatory Specialist</i>		
4. Typed Name Rhonda Vance-Moeser	5. Date Dec. 4, 2007	

CHANGES IN YELLOW

BIOBAN™ DXN

(BRAND OF DIMETHOXANE) BACTERIOSTAT/FUNGISTAT

Active Ingredient(s):

2,6-Dimethyl-m-dioxane-4-ol acetate 87.0%

Inert Ingredient(s): 13.0%

Total 100.0%

E.P.A. Registration No. 464-682

E.P.A. Est. No. 083935-AR-001

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

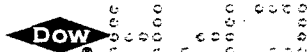
Hazards to Humans and Domestic Animals

HARMFUL IF SWALLOWED OR ABSORBED THROUGH THE SKIN • CAUSES MODERATE EYE IRRITATION

Avoid Contact With Eyes, Skin, Or Clothing • Prolonged or Frequently Repeated Skin Contact May Cause Allergic Reactions in Some Individuals • Wash Thoroughly With Soap And Water After Handling

Do not apply this product in a way that will contact workers or other persons. Only protected handlers may be in the area during application. When handlers use closed metering systems, the handlers requirements may be reduced or modified to long-sleeve shirt, long pants, shoes and socks. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washing, use detergent and hot water.

Produced for:



The Dow Chemical Company

Midland, Michigan 48674 U.S.A.

(989)636-4400

©TM Trademark of The Dow Chemical Company (Dow) or an affiliated company of Dow

Made in U.S.A.

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 eye. • Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING	<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 advice.
IF SWALLOWED	<ul style="list-style-type: none"> • Call 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 do so by the poison control center or doctor. • Never give anything by mouth to an unconscious person.
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.
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	
Respiratory symptoms, including pulmonary edema, may be delayed. Persons receiving significant exposure should be observed 24-48 hours for signs of respiratory distress. No specific antidote. Treatment of exposure should be directed at the control of symptoms and the clinical condition of the patient.	

Keep and wash PPE separately from other laundry. Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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 sewer treatment plant authority. For guidance contact your State Water Board of Regional Office of the EPA. Do not contaminate water by cleaning of equipment or disposal of wastes.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flames

PESTICIDE STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

Storage: Keep container covered. Store in a dry, cool, well ventilated area avoiding open flames or other source of ignition.



NOTICE

Do Not Ship or Store with Food, Feeds, Drugs, or Clothing

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Do not reuse empty container. Triple rinse (or equivalent) the container. 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.

DIRECTIONS FOR USE

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

Bioban DXN (Brand of Dimethoxane) is a microbial growth inhibiting agent for use only in industrial water-based products as outlined below. For use in the following applications, Bioban DXN should be used at a level of 0.1%-0.2% by weight of the system to be protected:

- Industrial adhesives
- Paints (emulsions)

USES NOT APPROVED IN THE STATE OF CALIFORNIA

- Emulsions (such as latex, PVA, silicone, oil acrylic, polyethylene, PVC)
- Coatings
- Specialty industrial products (such as pigment slurries, dyestuffs, inks, thickeners / gums, lignosulfonates)
- Textile chemicals and finishes (such as dye levelers, textile auxiliaries, softeners, lubricants, antistats, sizings, print pastes)
- Leather processing liquors (such as dyes and wet processing leather finishes)
- Distillation fuels

THIS PRODUCT HAS NOT BEEN CLEARED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT FOR USE IN THE MANUFACTURE OF COATINGS THAT MAY COME IN CONTACT WITH FOOD.

Net Contents:

LOT

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7/14