

464-687

12-09-2009

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

DEC 19 2009



Office of Pesticide Programs

The Dow Chemical Company  
1803 Building  
Midland, MI 48674

Attention: Abigail Trueblood  
Senior Regulatory Specialist

**Subject:** BIOBAN™ BP-M Preservative  
EPA Registration No. 464-687  
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 Leavy-Munk (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. 2070-0060, 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 464-687	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BIOBAN BP-M Preservative	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 type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input checked="" type="checkbox"/> Other (Specify) Fiber drum	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container		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 11-06-09	



November 6, 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. 464-687  
BIOBAN™ BP- M Preservative  
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.**

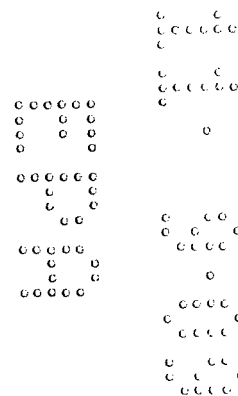
Enclosed are the following documents to support this Notification:

- 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  
atrueblood@dow.com



BIOBAN BP-M Preservative  
Final MASTER LABEL  
December 4, 2009

5/5

## BIOBAN™ BP-M Preservative

### Active Ingredient(s)

2-Bromo-2-nitropropane-1,3-diol . . . 99.0%

Inert Ingredient(s) . . . . . 1.0%

Total 100.0%

E.P.A. Registration No. 464-687

E.P.A. Est. No. XXXX-XX-XX

**KEEP OUT OF REACH OF CHILDREN**

## DANGER

<b>FIRST AID</b>	
<b>IF IN EYES</b>	<ul style="list-style-type: none"><li>• Wash immediately and continuously with flowing water for at least 30 minutes.</li><li>• Remove contact lenses if present after the first 5 minutes and continue washing.</li><li>• Obtain prompt medical consultation, preferably from an ophthalmologist</li></ul>
<b>IF SWALLOWED</b>	<ul style="list-style-type: none"><li>• Call 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 do so by the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
<b>IF ON SKIN OR CLOTHING:</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, then 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>	
IN CASE OF AN EMERGENCY CASE endangering life or property involving this product, call collect (989) 636-4440. 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	

5  
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BIOBAN BP-M Preservative  
Final MASTER LABEL  
December 4, 2009

## **PRECAUTIONARY STATEMENTS**

### **Hazards to Humans and Domestic Animals**

**CORROSIVE • CAUSES IRREVERSIBLE EYE DAMAGE. • MAY BE FATAL IF SWALLOWED OR ABSORBED THROUGH SKIN. • CAUSES SKIN IRRITATION • HARMFUL IF INHALED • PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC REACTIONS IN SOME INDIVIDUALS**

Do not get in eyes, on skin, or on clothing. Do not breathe dust. Wear goggles and chemical resistant rubber gloves. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

### **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish. 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. Do not contaminate water by cleaning of equipment or disposal of waste.

### **PHYSICAL AND CHEMICAL HAZARDS**

Avoid contact with metal equipment such as scoops, mills or sieves.

### **STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Keep away from heat.

**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 of the nearest EPA Regional Office for guidance.

### **Container Disposal:**

**Nonrefillable container:** Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling, if available or dispose of liner in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

BIOBAN BP-M Preservative  
Final MASTER LABEL  
December 4, 2009

**DIRECTIONS FOR USE**

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

For use by manufacturers in formulating products to control the growth of slime-forming, spoilage, odor-causing and corrosion inducing bacteria and algae in industrial applications. **Not for control of algae in California.** Formulators using this product are responsible for obtaining EPA registration for their formulated product and for providing appropriate data.

For use in formulation of antimicrobial products as follows:

- Industrial recirculating water cooling towers and evaporative condensers
- Produced water
- Industrial process water
- Oil production:
  - o Drilling fluids and workover and completion fluids
  - o Pipeline maintenance
  - o Oilfield waterflooding
  - o Injection fluids
  - o Enhanced oil recovery fluids
  - o Well squeeze fluids
  - o Fracturing fluids
  - o Water bottoms in oil or transportation tanks
- Paper production:
  - o Paper mill process water
  - o Paper mills- bulk pulp
- Water-based printing inks and fountain solutions
- Industrial and/or commercial air washers
- Industrial and/or commercial air conditioning and humidifying systems
- Metalworking fluids
- Absorbent clay, corn cobs, and ground wood
- Paints, water-based coatings application tanks, and latex and antifoam emulsions
- Chemical toilet deodorants
- Starch, pigment and extender slurries
- Adhesives
- Raw materials
- Surfactants
- Consumer, household and institutional products
- Water based agricultural pesticide concentrates

**LIMITED WARRANTY AND DISCLAIMER**

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.

NET WT:  
Lot:

2/7  
BIOBAN BP-M Preservative  
Final MASTER LABEL  
December 4, 2009

Produced For  
**Dow Diamond TM**  
**THE DOW CHEMICAL COMPANY**  
Midland, Michigan 48674  
989-636-4440

<sup>TM</sup> Trademark of The Dow Chemical Company ("Dow") or an affiliated company of Dow