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



### **SEPA** United States Environmental Protection Office of Pesticide Programs Agency

SEP 02 2009

The Dow Chemical Company 1803 Building Midland, MI 48674

Attention: Rhonda Vance-Moeser

Senior Regulatory Specialist

Subject: AQUCAR THPS 75 MFG Water Treatment Microbiocide

EPA Registration No. 464-8127 Notification Dated August 3, 2009

This will acknowledge receipt of your notification to revise the container disposal statement 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

Marshall Swindell Product Manager (33)

Regulatory Management Branch 1

Antimorobials Division (7510P)

•		- _!						Print Form
SEPA	υ Environmental	nited States	_	ncy		Registr Amend  Other	ation	OPP Identifier Number
		Application	o for F	estici	de - Sectio	on I		
1. Company/Product Num 464-8127	ber			2. EPA Product Manager Marshall Swindell  3. Proposed Classification				
4. Company/Product (Nam Dow Chemical / AQUC	ne) AR THPS 75 MFG Wate	er Treatment M	1icrobi	<b>PM#</b> 33				None Restricted
5. Name and Address of A The Dow Chemical Co 1803 Building Midland, MI 48674		dej	Ð	(b)(i), m to: EPA F	y product is		ntical in co	FIFRA Section 3(c)(3) mposition and labeling
			Sect	tion - I				
Amendment - Explain below.  Resubmission in response to Agency letter dated  Notification - Explain below.				Final printed labels in response to Agency letter dated "Me Too" Application.  Other - Explain below.				
Notification in respons cover letter. With this registration to AQUCAI	submission we are sul	bmitting our f	inal prir robiocio	nted labe	els in respons			
A DE L. Sal This Design A	AMI De Destroy d'Iss		Sect	ion - I	<b> </b> 			
1. Material This Product \ Child-Resistant Packaging Yes* No * Cartification must be submitted	<u> </u>	No. per container			No. per container	2. Type o	f Container  Metal Plastic Glass Paper Other (S	pecify)
3. Location of Net Conten	ts Information  Container	4. Size(s) Retai	l Contair	ner	5	Location of Laboration On Laboration	el	ns panying product
6. Manner in Which Label	is Affixed to Product	Lithogra Paper gl Stencile	ph lued		Other			
				ion - I\	/			
1. Contact Point /Comple	te items directly below f	or identification	of indivi	dual to be	contacted, if	necessary, to p	rocess this	application.)
Name Rhonda Vance-Moeser			Title Sr. Regulatory Specialist			Telephone Ne. c(lînclude Area Code) 989-636-1884		
	itements I have made on any knowingly felse or m ile law.		ll attach			or imprisonmen		6. Date Application Received (Stamped)
			Sr. Regulatory Specialist			00 00 00 00	0000 6 0000 6	

5. Date

Oug. 3,2009

4. Typed Name

Rhonda Vance-Moeser





August 3, 2009

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The Dow Chemical Company Midland, Michigan 48667

Overnight Mail

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, Virginia 22202-4501

RE: AQUCAR™ THPS 75 MFG Water Treatment Microbiocide, EPA REG. NO. 464 – 8127 NOTIFICATION and FINAL LABEL SUBMISSION

Dear Mr. Swindell,

The Dow Chemical Company (Dow) hereby submits a Notification application to revise the container disposal statement on the label 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 enforcement action and penalties under section 12 and 14 of FIFRA"

In addition, enclosed are our final printed labels in response to the Agency letter of July 7, 2009 granting registration.

Enclosed are the following documents to support this Notification

1) Completed application for Pesticide Registration, Form 8570-1.

2) One marked copy of the label indicating the change highlighted in yellow.

3) Two copies of final printed label.

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

Sincerely,

Rhanda Vauce-Mensi

Rhonda Vance-Moeser Senior Regulatory Specialist 574 Building, Office 2044 Midland, MI 48667 Phone: (989) 636-1884

e-mail: rgvmoeser@dow.com

Enclosures

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

AQUCAR™ THPS 7

## KEEP OUT OF REACH OF CHILDREN DANGER

#### PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

#### DANGER

Danger • Corrosive• Causes Eye Damage And Skin Irritation • Do Not Get In Eyes, On Skin, Or On Clothing. • Wear Long-Sleeved Shirt And Long Pants Or Coveralls, Goggles, Face Shield And Chemical Resistant Gloves When Handling • Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Reactions In Some Individuals • Harmful If Inhaled • Avoid Breathing Vapor Or Mist • Harmful Or Fatal If Swallowed • Avoid Contamination Of Food • Wash Thoroughly With Soap And Water After Handling And Before Eating, Drinking, Chewing Gum, Using Tobacco Or Using The Toilet • Remove And Wash Contaminated Clothing Before Reuse.

#### **USER SAFETY RECOMMENDATIONS**

Users must remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must wash hands before eating, drinking, chewing gum, or using the toilet. Users must remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### **ENVIRONMENTAL HAZARDS**

This product 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.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **Storage:** Store this product in a cool, dry area away from direct sunlight and heat to avoid deterioration. Keep container tightly closed when not in use. In case of a spill, flood the area with large quantities of water..

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 quidance.

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 or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

# 75 MFG Water Treatment Mid

For Manufacturing Use Only

Tetrakis(hydroxym	nethyl) phosphonium sulfate		76.5%
Other Ingredients			23.5%
	Total	***************************************	100%

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 nsing eye.  Call a poison control center or doctor for treatment advice.  Take off contaminated clothing.  Rinse skin immediately with plenty of water for 15–20 minutes.
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Call a poison control center or doctor for treatment advice.
Move person to fresh air.  If person is not breathing, call 911 or an ambulance, then give artificial espiration, preferably by mouth-to mouth, if possible.  Call a poison control center or doctor for further treatment advice. If reathing is difficult, oxygen should be administered by qualified personnel.
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 omiting unless told to do so by the poison control center or doctor.  Do not give anything by mouth to an unconscious person.
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#### **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. Maintain adequate ventilation and oxygenation of the patient. No specific antidote. Treatment of exposure should be directed at the control of symptoms and the clinical condition of the patient.

E.P.A. Est. 085240-CHN-001 E.P.A. Registration No. 464-8127

Produced for



The Dow Chemical Company

Midland, Michigan 48674 989-636-4400

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### crobiocide

#### **DIRECTIONS FOR USE**

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

This product may be used for the formulation of pesticide products. Formulators using this product are responsible for obtaining EPA registrations for their formulated products. Formulators are responsible for retaining their own licenses for any uses or formulations for this material covered by patents. This label is not to be taken as license to operate under or recommendations to infringe any patent.

For repackaging and formulation of pesticide products used in:

- oil and gas field operations and systems, oil and gas drilling muds, and packer fluids
- · paper and paperboard manufacturing
- · recirculating commercial and industrial water cooling systems
- · air washing systems
- · air conditioning and refrigeration condensate water systems
- heat exchanger water systems
- · industrial processing water
- · industrial fresh water systems
- · industrial waste water systems
- · service water and auxiliary systems
- fire protection systems
- · solutions/emulsions
- · laboratory equipment water baths

Notice: Seller warrants that this product conforms to the chemical description on the label and is reasonably lift for the purposes stated on the label when used in strict accordance with the directions. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.