

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 02 2003

Buckman Laboratories, Inc.
1256 North McLean Blvd
Memphis, TN 38108

Attention: Kristin M. Miller
Regulatory Affairs Specialist

Subject: NM-35-1
EPA Registration No. 1448-128
Notification Dated February 26, 2003

This will acknowledge receipt of your notification to include additional label layout comments, 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
Antimicrobial Division (7510C)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Buckman Laboratories, Inc./1448-128	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Buckman Laboratories, Inc./NM-35-1	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Buckman Laboratories, Inc. 1256 North McLean Blvd. Memphis, TN 38108 <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.)

New label format

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> 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 type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input 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 Crystal W. Brown	Title Regulatory Affairs Specialist, III	Telephone No. (include Area Code) 901-272-8258
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 Regulatory Affairs Specialist, III	
4. Typed Name Crystal W. Brown	5. Date 26 February 2003	

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BUCKMAN LABORATORIES INTERNATIONAL, INC.

1256 NORTH McLEAN BLVD.
MEMPHIS, TN 38108-1241 U.S.A.
TELEPHONE (901) 278-0330
FAX (901) 276-5343
www.buckman.com
e-mail: knetix@buckman.com

26 February 2003

Mr. Marshall Swindell
Product Manager 33
Management Regulatory Branch I
Antimicrobial Division (7510C)
US Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202 - 4501

Re: NM-35-1, EPA Reg. No. 1448-128
Letter Correspondence dated: 23 January 2003

Dear Mr. Swindell:

The NM-35-1 (EPA Reg. # 1448-128) product label layout has been revised to include additional label layout comments from the EPA product managers. The label format has been revised to more closely reflect the requirements of 40 CFR 156.10. Since our current software package does not efficiently handle multiple layouts, we are revising all pesticide product label layouts.

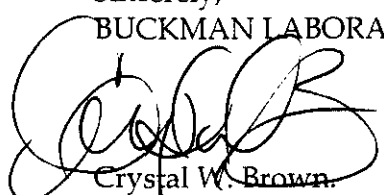
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of these products. I understand that it is a violation of 18 USC. § 1001 to willfully make any false 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 please find the following information to support this request:

- Completed EPA Form 8570-1
- Five (5) copies of the draft labels for each product.

If you have any questions or require any additional information, please contact me at (901) 272-8258.

Sincerely,
BUCKMAN LABORATORIES INTERNATIONAL, INC.



Crystal W. Brown
Regulatory Affairs Specialist



Directions for Use

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

COOLING WATER SYSTEMS: NM-35-1 is used to inhibit the growth of microorganisms in industrial, commercial, and institutional cooling water systems. In noticeably fouled systems, NM-35-1 should be added at a rate of 1.5 to 3.0 fl oz of NM-35-1 per 1000 gallons of system water (15-30 ppm) until control is evident. Subsequent additions of NM-35-1 should be made to the system as needed at a rate of 0.5 to 3.0 fl oz of NM-35-1 per 1000 gallons of system water (5-30 ppm) to maintain control. The required frequency of treatment depends upon the severity of the microbiological problem. For the best results, the system should be cleaned prior to treatment.

INDUSTRIAL WATER PURIFICATION SYSTEMS: NM-35-1 is used to control microbiological fouling in industrial water purification systems including reverse osmosis systems, filters, clarifiers, and ion exchange equipment. For off-line treatment, NM-35-1 should be fed at a concentration of 5.0 to 10.0 fl. oz. of NM-35-1 to 1000 gallons of water (50 - 100 ppm) for 4 to 8 hours. For on-line maintenance treatment, dosing 1.0 to 2.0 fl. oz. of NM-35-1 per 1000 gallons of water (10 - 20 ppm) for 6 to 12 hours should be made once a week or as needed to maintain control. **Not intended for use in potable water systems.**

KEEP OUT OF REACH OF CHILDREN DANGER

FIRST AID

if in Eyes	- Hold eyes 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 further treatment advice.
if on Skin, Clothes	- Take off contaminated clothing. - Rinse skin immediately with plenty of water for 15-20 minutes. - Call a poison control center for treatment advice.
if Ingested	- 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. - Do not give anything by mouth to an unconscious person.
if Inhaled	- Move person to fresh air. - If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible. - Call a poison control center or doctor for further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a Poison Control Center or doctor or going for treatment. You may also contact 901-278-0330 or 1-800-BUCKMAN for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

Precautionary Statements

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes irreversible eye damage and skin burns. Harmful if absorbed through skin or inhaled. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield, rubber gloves and protective clothing. Harmful or fatal if swallowed. Avoid contamination of food. Wash thoroughly after handling and before eating, drinking, or using tobacco. Remove contaminated clothes and wash 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.
PESTICIDE STORAGE: Do not store more than five drums high. Damaged drums should be absorbed in sawdust or similar material when not in use.
PESTICIDE DISPOSAL: Do not reuse pesticide, spray mixture, or other material. Be disposed of by use as directed by the Environmental Control Agency, Regional Office for guidance.
CONTAINER DISPOSAL: Metal: Triple rinse (or equivalent) and dispose of in a sanitary manner, by burning, etc.
Plastic: Triple rinse (or equivalent) and dispose of in a sanitary manner, by burning, etc.

Manufactured by

1256 North McL...

EPA Est. No.

EPA Reg. No.

Product Weight

HMS /

Health 3 Flam