

1529-31

11/18/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOV 18 2013

Kaci Rosario
International Specialty Products
1361 Alps Road
Wayne, New Jersey 07470

Subject: Addition of 'Not Approved for Use in California' Statement
EPA Reg. No. 1529-31
Notification Letter Dated September 10, 2013

This letter acknowledges receipt of the Notification identified above submitted under the provisions of section 3(c)(9) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10. This Notification requests to add a 'Not Approved for Use in California' statement to certain uses.

Based on a review of the submitted information, this notification is acceptable. This information has been made a part of your file.

Should you have any questions concerning this letter, please contact Elizabeth Watkins at (703) 347-0241.

Sincerely,


A handwritten signature in cursive script, appearing to read "M. Swindell", is written over the typed name.

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

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 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 1529-31	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nuosept 91 Preservative	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) International Specialty Products An Ashland Inc. business 1005 U.S. 202/206 Bridgewater, NJ 08807 <input checked="" 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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated <u>2/24/2009</u> . <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
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Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

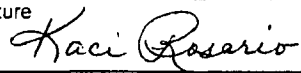
Notification of minor label revision per PR Notice 98-10. Label is being revised to include statement in reference to certain use applications that are not approved in the state of California.

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 a violation of 18 U.S.C. Sec 1001 to willfully make any false statements 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 section 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted			
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"/> On Label <input type="checkbox"/> On labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)			
Name Kaci Rosario	Title Product Regulatory Specialist	Telephone No. (Include Area Code) 908-243-3546	
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 Product Regulatory Specialist		
4. Typed Name Kaci Rosario	5. Date September 10, 2013		

ASHLAND.

Kathryn Rosario
Product Regulatory Specialist

3/5
International Specialty Products
An Ashland Inc. Business

1005 U.S. 202/206
Bridgewater, NJ 08807
Tel: 908-243-3546, Fax: 908-243-3582

krosario@ashland.com

September 10, 2013

via FEDEX

Mr. Marshall Swindell
Product Manager 33
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Notification per PR Notice 98-10
Nuosept 91 Preservative (EPA Reg. No. 1529-31)

Dear Mr. Swindell:

Please find enclosed notification in reference to minor revisions to the product label for Nuosept 91 Preservative (EPA Reg. No. 1529-31). The label is being revised to include a statement in reference to certain use applications that are not approved in the state of California.

To support this Notification, I am submitting the following documents for review:

1. Application for Pesticide Notification which includes a statement certifying compliance with PR Notice 98-10; and
2. One (1) copy of the labeling with changes highlighted.

Thank you in advance for your assistance with this Notification. If you have any questions, you can reach me at 908-243-3546 or by e-mail at krosario@ashland.com.

Sincerely,



Kaci Rosario
Product Regulatory Specialist

ASHLAND®

NUOSEPT™ 91 PRESERVATIVE

ACTIVE INGREDIENTS: 78.00%
Hexahydro-1,3,5-tris-(2-hydroxyethyl)-s-triazine 22.00%
INERT INGREDIENTS: 100.00%
TOTAL 100.00%

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear goggles or shield when handling. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapor or spray mist. Avoid contact with skin or clothing. Wear protective clothing and chemical resistant rubber gloves when handling, and thoroughly with soap and water after handling, and before eating, drinking, chewing gum, and using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)
All mixers and other handlers must wear the following PPE:
- long-sleeved shirt and long pants,
- shoes plus socks,
- chemical-resistant gloves, and
- goggles, face shield, or safety glasses.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions are available, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS:

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then thoroughly wash and put on clean clothing after handling this product.
- 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.

KEEP OUT OF REACH OF CHILDREN
DANGER
PELIGRO

FIRST AID

IF IN EYES:
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 ON CLOTHING:
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 INHALED:
Move the 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.
IF SWALLOWED:
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 vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.
EMERGENCY MEDICAL INFORMATION:
800-241-7439

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE AND DISPOSAL

PESTICIDE STORAGE: Product should be stored in an area that is not subject to extreme temperatures. Proper protective equipment, as indicated above, should be worn when opening, transferring and using product. Close drum bungs tightly when not in use. Spill-leak procedures and additional handling information are contained in the Material Safety Data Sheet. Do not transport in unlined metal container.

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:

Instructions for non-refillable containers 5 gallons or less:

Do not reuse or refill this non-refillable container. Offer for recycling, if available. Triple rinse (or equivalent) container promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. 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.

NOTE: READ THE MATERIAL SAFETY DATA SHEET BEFORE USING THIS PRODUCT.

IN CASE OF TRANSPORTATION EMERGENCY
CALL CHEMTREC 800-424-9300 (703-527-3887)

CONTAINER DISPOSAL:

Instructions for non-refillable containers greater than 5 gallons:

Do not reuse or refill this non-refillable container. Offer for recycling, if available. Triple rinse (or equivalent) container promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. 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.

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 into 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.

Nuosept® 91 Preservative is a liquid antimicrobial agent for use in controlling microbial contamination in materials such as caulks, sealants, resin emulsions, adhesives, water based metal working fluids, and drilling muds and workover and completion fluids.

Use of this product in paints, stains, coatings, and institutional and household cleaning products is prohibited.

DIRECTIONS
It is a violation in a manner inc

End Use:	Adhesives (N use)
	Caulks
	Sealants
	Grouts
	Spackling
	Ready-mixed wallboard compound
	Resin Emulsions
	Dispersed color pigments (N)
	Ready-mixed
	Inks (non-food and complete)
	Drilling Muds
	Aqueous metal fluids (N)
	Metalworking fluids (N)
	Wood fillers (N)
	Glazing compound
	Floor preparation plaster/cement compounds (N)
	Fuel systems
	Scavenger systems
	Sulfide (H2S) streams
	Oilfield water (N)
	Emulsifiable

- (1) Percent by recommendation
- (2) For oilfield concentration
- (3) For metal
- (4) Add to fuel oil, fuel oil, or non-
- (5) For non-
- (6) Not for

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NUOSEPT™ 91 PRESERVATIVE

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE AND DISPOSAL

PESTICIDE STORAGE: Product should be stored in an area that is not subject to extreme temperatures. Proper protective equipment, as indicated above, should be worn when opening, transferring and using product. Close drum bungs tightly when not in use. Spill-leak procedures and additional handling information are contained in the Material Safety Data Sheet. Do not transport in unlabeled metal container.

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:

[Instructions for non-refillable containers 5 gallons or less:]

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse (or equivalent) container promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or sanitary landfill or by other procedures approved by state and local authorities.

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CONTAINER DISPOSAL:

[Instructions for non-refillable containers greater than 5 gallons:]

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse (or equivalent) container promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. 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.

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Nuosept® 91 Preservative is a liquid antimicrobial agent for use in controlling microbial contamination in materials such as caulks, sealants, resin emulsions, adhesives, water based metal working fluids, and drilling muds and workover and completion fluids.

Use of this product in paints, stains, coatings, and institutional and household cleaning products is prohibited.

DIRECTIONS FOR USE

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

End Use	Recommended Use Level ⁽¹⁾ of NUOSEPT® 91 PRESERVATIVE
Adhesives (non-food use)	0.05 - 0.2
Caulks	0.05 - 0.3
Sealants	0.05 - 0.3
Grouts	0.05 - 0.3
Spackling	0.05 - 0.3
Ready-mixed wallboard compounds	0.05 - 0.3
Resin Emulsions	0.05 - 0.2
Dispersed colors and pigments ⁽⁵⁾	0.05 - 0.2
Ready-mixed cements	0.05 - 0.2
Inks (non-food use)	0.05-0.2
Drilling Muds; workover and completion fluids ⁽⁴⁾	0.05-0.1
Aqueous metalworking fluids ⁽¹⁾	0.04-0.15
Metalworking, cutting, cooling and lubricating fluids ⁽¹⁾⁽⁵⁾	0.05-0.12
Wood fillers ⁽⁵⁾	0.05 - 0.15
Glazing compounds ⁽⁵⁾	0.05 - 0.15
Floor preparation plaster/cement compounds ⁽⁵⁾	0.05 - 0.15
Fuel systems ⁽¹⁾⁽⁵⁾	0.05 - 0.15
Scavenge hydrogen sulfide (H ₂ S) from air streams	6.44 lb of this product / lb of H ₂ S
Oilfield water systems ⁽⁵⁾	0.005-0.015
Emulsifiable asphalt ⁽⁵⁾	0.05-0.2

(1) Percent by weight of the final formulation. For specific recommendations on specific amounts of product to use please contact ISP.

(2) For oilfield secondary recovery use, the maximum use concentration is 0.12% active ingredient.

(3) For metal working fluids, the maximum concentration is 500 parts per billion (ppb) of active ingredient.

(4) Add to fuel tanks to control microbial growth in diesel oil, fuel oil, gasoline or kerosene fuel systems.

(5) For non-paint use

(6) Not for use in California

INTERNATIONAL SPECIALTY PRODUCTS
AN ASHLAND INC. BUSINESS
1361 ALPS ROAD
WAYNE, NJ 07470
(973) 628-4000

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