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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

July 21, 2003

Vivienne Gaudette
Staff Product & Regulatory Info. Specialist
Drew Industrial Division
Ashland Chemical Company
Division of Ashland Inc.
One Drew Plaza
Boonton, NJ 07005

Subject: BIOSPERSE 244
EPA Registration No. 1757-71
Application Date: April 29, 2003
EPA Received Date: May 6, 2003

Dear Ms. Gaudette:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

Proposed Amendment

- Revise First Aid Statements per PR Notice 2001-1
- Amend label with transferred use claims (from previously approved product literature)
- Removal of establishment number: 18533-KS-2
- Addition of trademark references

Conditions

Revise the label as follows:

1. Revise the Precautionary Statements to read:

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER. Corrosive. Causes severe eye damage or skin burns. Harmful if swallowed or

CONCURRENCES

SYMBOL	7510c						
URNAME	821cy						
DATE	7-21-03						

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absorbed through skin or inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing fumes or vapor. Chemical worker's goggles must be worn when handling. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

2. Revise the First Aid Statements by including the following section:

IF INHALED: 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.

3. Revise the "If Swallowed" section of the First Aid Statements by including the statement "Do not give anything by mouth to an unconscious person." at the end of this section.
4. Revise the First Aid Statements by including the statement "Have the product container or label with you when call a poison control center or doctor, or going for treatment."
5. Revise the Algal Control directions by changing the statement "When the system is noticeable fouled, add 0.6 to 1.2 fluid ounces (60 -120 ppm)..." to read "When the system is noticeably fouled, add 6.0 to 12.0 fluid ounces (60 -120 ppm)..." to agree with the last stamped label dated December 13, 1984.
6. Remove the statement "Do not contaminate water, food, or feed by storage or disposal." from the "Storage" section and place it directly following the heading "Storage and Disposal."
7. Revise the heading "Storage" to read "Pesticide Storage."
8. Revise the heading "Disposal" to read "Pesticide Disposal."
9. Include the heading "Container Disposal" directly preceding the statement "Triple rinse (or equivalent)...If burned, stay out of smoke."
10. Delete the word "highly" from the statement "This product is highly effective in controlling the growth of bacteria, fungi and algae in industrial recirculating water cooling towers and evaporative condensers."

General Comments

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,



Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510 C)

BIOSPERSE[®] 2

MICROBIOCIDAL FOR INDUSTRIAL USE ONLY

- DIRECTIONS FOR USE

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

**CAUSES SEVERE BURNS TO EYES.
EYE CONTACT MAY CAUSE LOSS OF VISION.
MAY BURN THE SKIN.
MAY BE HARMFUL OR FATAL IF SWALLOWED.**

Do not get in eyes, on skin, or on clothing. Chemical worker's goggles must be worn when handling. Do not inhale fumes or vapor. Wash thoroughly after handling. Keep container tightly closed.

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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. Apply this product only as specified on this label.

This product is highly effective in controlling the growth of bacteria, fungi and algae in industrial recirculating water cooling towers and evaporative condensers. It also controls slime-forming bacteria and fungi in airwasher systems; and controls bacteria, fungi and yeasts in enhanced oil recovery systems and in metalworking fluids containing water.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. The dosage of BIOSPERSE 244 required for any specific application will depend upon a number of factors including: the nature and extent of the microbiological contamination, the type and volume of the system being treated, the degree of control desired, and retention time in the system. Where necessary, your Ashland Representative will arrange for microbiological and chemical analysis, so that technical advice can be given concerning specific site problems.

COOLING TOWERS AND EVAPORATIVE CONDENSERS

Dosages for industrial recirculating water cooling towers will depend on the condition of the system prior to the initiation of treatment. Heavily contaminated systems should be cleaned prior to treatment. Apply BIOSPERSE 244 to the cleaned system or when growth is first noticed according to the following schedule:

BACTERIAL AND FUNGAL CONTROL

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, add 0.8 to 1.2 fluid ounces (6-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

- DIRECTIONS FOR USE CONTINUED ON 3RD PANEL

Manufactured in the United States
PRI BS-244 FA 4-3-03

ACTIVE INGREDIENT

2,2-dibromo-3-nitropropionamide 20.0%

INERT INGREDIENTS*

..... 80.0%

*Inert ingredients include solubilizing and dispersing agents.

KEEP OUT OF REACH OF CHILDREN

DANGER

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 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 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.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Have the product container or label and MSDS with you when calling a poison control center or doctor, or going for treatment.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg. No. 1757-71

EPA Est. No. 1757-NJ-1
1757-TX-1

NET CONTENTS MARKED ON DRUM

Sold by:



Drew Industrial Division



Ashland Chemical Company
Division of Ashland Inc.

One Drew Plaza, Boonton, New Jersey 07005
Phone (973) 263-7600
24 Hour Emergency Telephone Number
1-800-274-5263 or 1-800-ASHLAND
© Registered trademark of Ashland Inc.

*Registered trademark of Elf Atochem North America, Inc.
*Registered trademark of El duPont de Nemours and Company

FOR INDUSTRY USE ONLY

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeably fouled, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

ALGAL CONTROL

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeably fouled, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

AIR WASHER SYSTEMS

Add 0.15 to 12.0 fluid ounces (1.5 to 120 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system, depending upon the severity of contamination. Additions should be made at intervals of 2 to 4 weeks, or as needed to maintain good control.

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

CONTINUOUS FEED METHOD

Initial Dose: When the system is noticeably fouled, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

NOTE: For use only in industrial air washer systems.

ENHANCED OIL RECOVERY

For controlling slime forming bacteria, sulfide polymer or mycelial flocs, water disposal systems, add 0.8 to 1.2 fluid ounces (6-12 ppm) BIOSPERSE 244 (0.08 to 6.4 gallons BIOSPERSE 244 per each 1000 gallons of water) to the system. Additions should be made at intervals of 2 to 4 weeks, or as needed to maintain good control.

INTERMITTENT OR SLUG FEED METHOD

Initial Dose: When the system is noticeably fouled, or to maintain good control, add 244 per each 1000 gallons of water in the system. This dose may be repeated once, twice or three times weekly or as required to control the growth of slime forming organisms.
Subsequent Dose: When microbial control is evident, add 0.3 to 1.2 fluid ounces (3-12 ppm) BIOSPERSE 244 per each 1000 gallons of water in the system every four days, or as needed to maintain good control.

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Under the Federal Insecticide, Fungicide, and Rodenticide Act, this product is registered under EPA

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NOTE: For control of bacteria, yeast, and fungi in aqueous solutions of biopolymer (xanthan gum) used in flooding operations, add 15-80 ppm BIOSPERSE 244 (1.2-6.4 gallons BIOSPERSE 244 per 2400 gallons of water). Additions of BIOSPERSE 244 should be made with a metering pump immediately after preparation of the aqueous biopolymer solution to prevent loss of viscosity.

CONTINUOUS FEED METHOD

When the system is noticeably fouled, add 10-80 ppm BIOSPERSE 244 (0.8-6.4 gallons BIOSPERSE 244 per 2400 barrels of water) continuously until the desired degree of control is achieved. Subsequently, treat with 1-15 ppm BIOSPERSE 244 (.08-1.2 gallons BIOSPERSE 244 per 2400 barrels of water) continuously, or as needed to maintain control.

METALWORKING FLUIDS CONTAINING WATER

BIOSPERSE 244 is effective in metalworking fluid concentrates which have been diluted in water at ratios of 1:100-1:4.

For controlling (or inhibiting) the growth of bacteria, fungi and yeasts that may deteriorate metalworking fluids containing water, add BIOSPERSE 244 to the fluid in the collection tank. Additions should be made with a metering pump.

Initial or Slug Dose: When the system is noticeably fouled, add 32 fluid ounces (250 ppm) BIOSPERSE 244 per each 1000 gallons of metalworking fluid in the system. Repeat until control is achieved.

Subsequent Dose: When microbial control is evident, add 12.8 to 25.6 fluid ounces (100 to 200 ppm) BIOSPERSE 244 per each 1000 gallons of metalworking fluid per day, or as needed to maintain control. Additions can be made continuously or intermittently. Slug feed the system as required.

FEEDING: BIOSPERSE 244 may be fed directly from the drum or diluted with water and fed by any suitable feed system. BIOSPERSE 244 should be dosed directly into the sump or basin or any other location where good distributions can be assured.

The following construction materials are acceptable for feeding BIOSPERSE 244:

Pumps:	Titanium, solid Kynar ¹ , solid Teflon ² .
Gaskets:	Chlorinated polyethylene, Viton ² , Teflon, Asbestos
Pipes and Hosing:	Polypropylene lined pipe, Derakane resin lined pipe, Teflon lined pipe, Saran resin lined pipe, braided reinforced Teflon hosing.

The use of uncoated or unlined stainless steel is not recommended.

When required, your Ashland Representative will arrange for microbiological and chemical analyses and offer technical advice concerning your specific problems.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage or disposal. Avoid dilution with water. To maintain product quality, store at temperatures below 60°C. Keep container tightly closed when not in use.

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. Do not reuse empty container. Triple rinse (or equivalent) all containers 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. Plastic containers may also be disposed of by incineration or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT NOTICE: Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label under normal conditions of use. THE FOREGOING WARRANTIES ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER WRITTEN, ORAL OR IMPLIED. THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, IN OTHER RESPECTS THAN AS EXPRESSLY SET FORTH HEREIN, ARE EXPRESSLY EXCLUDED AND DISCLAIMED.

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