

1757-100

07/27/2009

1/7

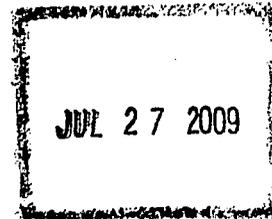


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Kathryn Ingram, Regulatory Specialist
Drew Industrial Division, Ashland Chemical Company
Division of Ashland Inc.
One Drew Plaza
Boonton, NJ 07005

Subject: Notification per PR Notice 2007-4
Biosperse 3204
EPA Registration Number: 1757-100
Application Date: July 1, 2009
Receipt Date: July 6, 2009



Dear Ms. Ingram:

This is to acknowledge the notification submitted under the provisions of PR Notice 2007-4, FIFRA section 3(c) 9.

Proposed Notification:

Label change as per PR Notice 2007-4.

Comment:

The notification is acceptable. A copy has been inserted in your file for future reference.

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-6415 or by e-mail at lantz.tracy@epa.gov or Killian Swift of my staff by telephone at (703) 308-6346 email address at: swift.killian@epa.gov during the hours of 8:00 am to 4:00 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely yours,

A handwritten signature in cursive script that reads "Tracy Lantz".

Tracy Lantz
Acting Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1757-100	2. EPA Product Manager Adam Heyward - #34	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Biosperse 3204	PM# # 34	
5. Name and Address of Applicant (Include ZIP Code) Drew Industrial Division, Ashland Chemical Company, Division of Ashland Inc. One Drew Plaza Boonton, NJ 07005 <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 of a label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. See attached letter for additional statements.

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	If "Yes" Unit Packaging wgt. No. per 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		If "Yes" Package wgt No. per container			
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"/> 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 Kathryn Ingram	Title Regulatory Specialist	Telephone No. (Include Area Code) 904/256-0311
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 <i>Kathryn Ingram</i>	3. Title Regulatory Specialist	
4. Typed Name Kathryn Ingram	5. Date July 1, 2009	

Name Kathryn Ingram
Title Regulatory Specialist

7910 Baymeadows Way Jacksonville, FL 32256

KRIgram@Ashland.com

July 1, 2009

Document Processing Desk (NOTIF)
Office of Pesticides Programs (7504P)
Antimicrobials Division
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Biosperse 3204; EPA Registration # 1757-100
Notification per PR Notice 2007-4

Dear Mr. Heyward:

This submission is to notify the EPA of a label change to the Storage & Disposal section of the Biosperse 3204 label per PR Notice 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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:

- Application form, EPA Form 8570-1
- Revised product label with changes clearly marked

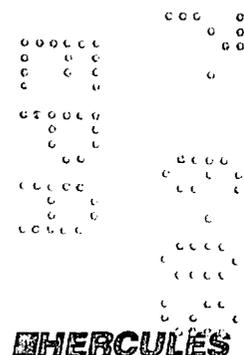
Please send all correspondence to the following address:

Ashland Inc
7910 Baymeadows Way
Jacksonville, FL 32256
Attn: Kathryn Ingram

Please contact me at 904-256-0311 or via email at KRIgram@Ashland.com with questions or comments regarding this submission. Thank you for your assistance.

Thank you,

Kathryn Ingram
Kathryn Ingram



BIOSPERSE[®] 3204

INDUSTRIAL MICROBIOCIDE
FOR INDUSTRIAL USE ONLY

NOTIFICATION
Date Reviewed: *2/27/09*
Reviewed By: *R. Wright*

ACTIVE INGREDIENTS

Poly [oxyethylene (dimethyliminio) ethylene (dimethyliminio) ethylene dichloride].....	15%
INERT INGREDIENTS.....	85%
TOTAL.....	100.0%

CONTAINS 1.3 POUNDS OF ACTIVE INGREDIENT PER GALLON

KEEP OUT OF REACH OF CHILDREN

CAUTION

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. 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 mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

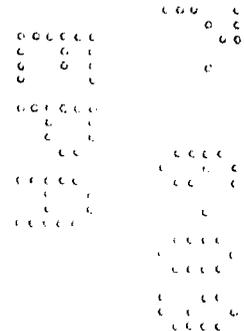
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Have the product container or label and MSDS with you when calling a poison control center or doctor, or going for treatment.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg. No. 1757-100

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

GAL NET CONTENTS _____
BATCH NO. _____



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid contact with eyes, skin or clothing. Avoid breathing vapor. Wash thoroughly with soap and water after handling. 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.

STORAGE AND DISPOSAL
Do not contaminate water, food, or feed by storage or disposal

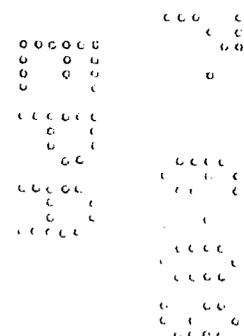
STORAGE:
Keep container closed when not in use. Do not stack more than four drums high. Leaking or damaged drums should be placed in overpack drums for disposal. Spills should be absorbed in sawdust or sand and disposed of in a sanitary landfill. Do not reuse empty container.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Offer for reconditioning, if appropriate. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, 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.



BEFORE HANDLING OR USING, READ AND UNDERSTAND CURRENT MATERIAL SAFETY
DATA SHEET FOR THIS PRODUCT



DIRECTIONS FOR USE

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

RECIRCULATING COMMERCIAL AND RECIRCULATING INDUSTRIAL WATER COOLING TOWERS

BIOSPERSE 3204 is used to control algae, bacteria, and fungi in recirculating commercial and recirculating industrial water cooling towers. It is also employed for the control of algae, bacteria and fungi in fresh water used in industrial processes. Prior to the use of BIOSPERSE 3204, systems must be cleaned to remove algae growth, microbiological slime, and other deposits. An initial slug addition of 3.6 to 9.0 fluid ounces of BIOSPERSE 3204 per 1000 gallons of contained water, to provide a concentration of 29 to 73 ppm of BIOSPERSE 3204 based on the total weight of water in the system. Repeat until control is achieved.

MOLLUSK CONTROL

BIOSPERSE 3204 is also used for control of mollusks in recirculating cooling water and industrial process water systems. Prior to BIOSPERSE 3204 use, system should be cleaned to remove mollusk and other deposits. Feed BIOSPERSE 3204 at a dosage of 1-10 fl. oz. per 1000 gallons of water (8-80 ppm). Additions should be made continuously or intermittently to the intake water. Continuous addition is required for noticeably fouled systems. Intermittent feeding is used to maintain control.

AIR WASHER SYSTEMS

BIOSPERSE 3204 is used to control bacteria in industrial air-washing systems that maintain effective mist eliminating components. Prior to its use, systems should be cleaned to remove bacterial slime and other deposits. An initial slug dose of 13.32 to 22.20 fl.oz. of BIOSPERSE 3204 per 1000 gal. of water (107-180 ppm of BIOSPERSE 3204). Repeat initial dosage until control is evident. Subsequent slug additions of 6.75 to 16.65 fl. oz. of BIOSPERSE 3204 per 1000 gallons of water should be used every 1 to 5 days or as needed. The frequency of addition depends on the relative bleedoff and severity of the bacterial problem. Slug additions may be made to the sump or water collection trays of the airwash system.

COOLING TOWER WOOD

BIOSPERSE 3204 is used to protect cooling tower wood against soft or surface rot and internal dry rot. It is applied by spraying or painting a dispersion containing 2.0 to 2.8% BIOSPERSE 3204 in water onto the clean wood surfaces. The amount applied should provide .75 to 3.2 lbs. BIOSPERSE 3204 per 1000 sq.ft. of wood surface. Soft or surface rot can also be inhibited by periodic shock doses of BIOSPERSE 3204 to the recirculating cooling water at the tower basin or cold well. The dosage should provide 5.0 lbs of BIOSPERSE 3204 per 1000 gallons of water and the bleedoff should be stopped for 4 to 6 hrs. after treatment. The shock treatment should be repeated every four months.

DECORATIVE FOUNTAINS AND PONDS

BIOSPERSE 3204 is used to control the growth of algae in decorative fountains and ponds that do not contain fish. Heavy growth of algae should be manually cleaned prior to treatment.

Fountains and ponds with just visible algae growth require an initial dose of 4.0-8.0 fl.oz. BIOSPERSE 3204 per 1,000 gallons of water. To freshly cleaned and filled fountain add 2.0-6.0 fl.oz. of BIOSPERSE 3204 per 1,000 gallons of water. Subsequent dose of 0.8-2.0 fl.oz. of BIOSPERSE 3204 per 1,000 gallons of water should be added every 5 to 7 days as needed. BIOSPERSE 3204 may be used in fountains and ponds treated with chlorine chemicals, but do not mix BIOSPERSE 3204 with concentrated dry or liquid chlorine products.

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 or use. THE FOREGOING WARRANTIES ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, WHETHER WRITTEN, ORAL OR IMPLIED. THE WARRANTIES OF

1757-100
Biosperse 3204

7/7

MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, IN OTHER RESPECTS THAN AS EXPRESSLY SET FORTH HEREIN, ARE EXPRESSLY EXCLUDED AND DISCLAIMED.

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.

