

2829-109

04/28/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

APR 28 2010

OFFICE OF
PREVENTION,
PESTICIDES
AND TOXIC SUBSTANCES

Valerie T. Phillip
Regulatory Specialist
Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399

Subject: **VINYZENE™ BP 5-2 MS**
EPA Registration No. 2829-109
Application Date: January 30, 2010
Receipt Date: February 2, 2010

Dear Ms. Phillip:

The following amendment, submitted in connection with registration under section 3(c)(7)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

- Update Storage and Disposal statements to be in compliance with PR Notice 2007-4

Conditions

Revise the label as follows:

1. On page 1 in the ingredients section, change the word "INERT" to "OTHER".
2. On page 1 under the Precautionary Statements, the language in bold must be in the following order due to toxicity category:

DANGER
CORROSIVE
CAUSES IRREVERISBLE EYE DAMAGE OR SKIN BURNS
MAY BE FATAL IF INHALED
HARMFUL IF SWALLOWED OR ABSORBED THROUGH THE SKIN

3. The Precautionary Statements section is not correct. This section must read as follows:

Do not get in eyes, on skin, or on clothing. Do not breathe spray mist. Wear goggles or face shield. Wear protective clothing and chemical resistant gloves such as barrier laminate, nitrile rubber, neoprene rubber or viton. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C or R95). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or

using the toilet. Remove contaminated clothing and wash clothing before reuse.

4. On page 2, under the Storage and Disposal section, the subheading "Container Disposal" must be changed to "Container Handling".
5. The last sentence under the Directions for Use must be in compliance with PR Notice 2000-5. Hence, the word "should" must be changed to the word "must" so that the sentence reads, "...2.5% VINYZENE BP 5-2 MS must be used."

General Comments

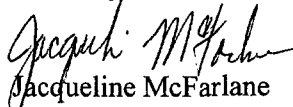
A stamped copy of the labeling accepted with conditions is enclosed. Submit three (3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.

If the above conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

Should you have any questions or comments concerning this letter, please contact me by telephone at (703) 308-6416 or email at: campbell-mcfarlane.jacqueline@epa.gov or Heather Garvie by telephone at (703) 308-0034 or email at: garvie.heather@epa.gov

Sincerely,



Jacqueline McFarlane
(Acting) Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

VINYZENE™ BP 5-2 MS

Bacteriostatic and Fungistatic Additive for Plastics



ACTIVE INGREDIENT:

10,10'-Oxybisphenoxarsine	2.0%
(Total arsenic as elemental As - 0.6%)	
(Water soluble Arsenic as Elemental As - Less than 0.01 %)	

INERT INGREDIENTS:

	98.0%
Total:	100.0%
Contains the toxic ingredient Nonyl Phenol	
Contains Petroleum Distillates	

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 28 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. **2829-109**

**KEEP OUT OF REACH OF CHILDREN
DANGER
FIRST AID**

IF ON SKIN:

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 min.
- Call a poison control center or doctor for treatment advice.

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 min.
- Remove contact lenses, if present, after first 5 min. then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

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.

IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Have person sip a glass of water if able to swallow. Do not give anything to an unconscious person.

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

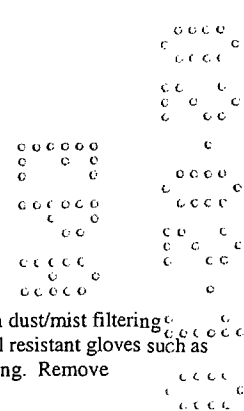
IN CASE OF EMERGENCY CALL ROHM AND HAAS COMPANY 215-592-3000

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**DANGER
CORROSIVE
MAY BE FATAL IF INHALED
CAUSES IRREVERSIBLE EYE DAMAGE OR SKIN BURNS
HARMFUL IF SWALLOWED OR ABSORBED THROUGH THE SKIN**



Do not breathe spray mist. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C or R95). Wear protective clothing and chemical resistant gloves such as barrier laminate, nitrile rubber, neoprene rubber or viton. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

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ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, birds and mammals. 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
PESTICIDE STORAGE**

Do not contaminate water, food, or feed by storage or disposal. Triple rinse empty containers and offer for recycling.

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

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 procedures approved by state and local authorities.

GENERAL

CONSULT FEDERAL, STATE, OR LOCAL DISPOSAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES

CONDITIONS OF SALE AND WARRANTY

Rohm and Haas warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions and as defined the Directions for Use on this label. ROHM AND HAAS MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES, EITHER OF MERCHANTABILITY OR FITNESS, FOR A PARTICULAR USE. Handling, storage, and use of the product by Buyer or User are beyond the control of Rohm and Haas and Seller. Risks such as ineffectiveness or other unintended consequences resulting from, but not limited to, failure to follow directions will be assumed by the Buyer or User. TO THE EXTENT PERMITTED BY LAW, NEITHER ROHM AND HAAS NOR SELLER SHALL BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT

Date of Manufacture: location for date
EPA Reg. No. 2829-109
EPA Est. No.

DIRECTIONS FOR USE

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

For interior applications, shower curtains, floor coverings, wall coverings, coated fabrics, marine upholstery, automotive vinyl trim, vinyl molding, tarpaulins, awnings, gaskets, weather stripping, caulking, ditch liners, swimming pool liners, adhesives, coatings and specialty products, paper products, paper and plastic products, textiles, fibers and cordage, carpets and other pesticides.

A level of 1.5% VINYZENE BP 5-2 MS based on total weight of formulation will give excellent control against bacteria and mold organisms. For items which may be subjected to extended outdoor weathering, a level of 2.5% VINYZENE BP 5-2 MS should be used.

U.S. Patent No. 3,288,674
Licensed for use under US Patent No. 3,069,252

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 28 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 2829-109

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