

5204-1

4-15-2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 15 2004

John Batt/Marla Cochran  
Atofina Chemicals, Inc.  
2000 Market Street  
Philadelphia, PA 19103-3222

**Subject: Biomet TBTO (Manufacturing Use Product)**  
**EPA Reg. No. 5204-1**  
**Re-submission Dated 3/19/04**

The re-submission referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide a revised label which voluntarily **deletes** the broad use for "Antifoulant Coatings" (except for antifoulant protection of ocean conductivity instruments), due to the agreement with the Agency and to the world-wide phase out of the active ingredient for these antifoulant uses, and clarifies other uses, is acceptable providing you submit, within 90 days of this letter, three copies of a final printed label which makes the following label changes:

1. Under the product name, the following statement is not acceptable and must be clarified, "For use in the formulation of wood preservatives, microbiocides, and fungicides".

As stated, it can imply application for formulating this product into microbiocide and fungicide uses which are not listed on this Manufacturing Use label (MP). MP's can be used only for the uses listed on their labels, and these uses must be as specific as possible. The MP can not be used for uses which are not listed on the MP label. These other uses must be listed on the End Use label and supported by that product. Therefore, restate as "For use in the formulation of wood preservatives, microbiocides, and fungicides for the uses listed on this label", or "For formulating use only". You can always add any of the currently approved specific TBT uses from the extensive list that was provided to you.

A copy of the label stamped "Accepted with comments" is attached. This label supercedes all prior versions. If you have any questions about the comments in this letter, please feel free to contact Tony Kish at 703-308-9443, or myself at 703-308-6341.

Sincerely,



Marshall Swindell,  
Product Manager Team 33,  
Regulatory Management Branch I  
Antimicrobials Division (7510C)

CONCURRENCES

SYMBOL								
SURNAME								
DATE								



# ATOFINA

# BIOMET<sup>®</sup> TBTO<sup>®</sup>

FOR USE IN THE FORMULATION OF WOOD PRESERVATIVES, MICROBIOCIDES, AND FUNGICIDES

## PRECAUTIONARY STATEMENTS

**HAZARD TO HUMANS AND DOMESTIC ANIMALS**

**CORROSIVE.** Causes irreversible eye damage and skin burns. May be fatal if swallowed or inhaled. Harmful if absorbed through the skin. Do not get in eyes, skin or on clothing. Wear protective eyewear such as goggles, safety glasses or face shield. Wear chemical resistant gloves, long sleeved shirt and long pants, socks and shoes. Do not breath dust, vapor, or spray mist. Wear a respirator with an organic vapor removing cartridge with a pre-filter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor cartridge or canister with any N, R, P, or HE pre-filter. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

## ENVIRONMENTAL HAZARD

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. This pesticide is toxic to fish, aquatic invertebrates, oysters and shrimp. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate.

## PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame. Avoid contact with acids and oxidizers.

In Case of Emergency: Call Chemtrec 1-800-424-9300 (24 hrs) Outside of the US call collect: (703) 527-3887

ATOFINA CHEMICALS INC., 2000 Market Street, Philadelphia, PA 19103-3222. Made in U.S.A.

**LOT NO:**

**GROSS: 0**

**TARE: 0**

**CONT#: 1**

**NET: 0**

### ACTIVE INGREDIENTS:

Bis (tributyltin) oxide.....93.3%

OTHER INGREDIENTS: .....6.7%

TOTAL .....100.0%

# KEEP OUT OF REACH OF CHILDREN DANGER!

## FIRST AID

**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 drink several glasses of water. Do not induce vomiting. Do not give anything by mouth to an unconscious person.

**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 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 treatment advice.

**Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact Chemtrec 1-800-424-9300 (24 hours). Outside of the United States call collect: (703)-527-3887 for emergency treatment information.

EPA Registration No.: 5204-1

EPA Establishment No.: 5204-AL-1

### PROPER SHIPPING NAME:

Corrosive liquid, toxic, n.o.s.; (Tributyltin oxide); UN 2922; Marine Pollutant  
Please affix **CORROSIVE, TOXIC** and **MARINE POLLUTANT** labels immediately to the right of this label.

**DIRECT**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not use this product as a wood preservative; in microbiocidal formulations for industrial water cooling systems and subsurface injection systems; in formulations for industrial microbiocides and fungicides in laboratory and institutional and livestock premises, and in aquaculture and breeder facilities; and in a manner that requires the use of conductivity sensors in oceanographic applications. Do not use this product to formulate the MP label if the formulation does not meet the submission requirements of the MP label. For Commercial Use Only!

## STORAGE

**PESTICIDE STORAGE:** Store in a cool, dry place. Prevent exposure to heat and oxidizers. Keep container tightly closed.

**PESTICIDE SPILL PROCEDURE:** Absorb spill with absorbent material. Put spill material in container for treatment or disposal.

**PESTICIDE DISPOSAL:** Follow all instructions on the label. State procedures under Superfund and Resource Conservation and Recovery Act.

**CONTAINER DISPOSAL:** Do not reuse. Recycle, if possible, or by other approved method. Local procedures apply.