

5383-103

3/31/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Peko Rasic
Product Registration Specialist for,
Troy Chemical Corporation c/o
Troy Corporation
8 Vreeland Road
Florham Park, NJ 07932

MAR 31 2010

Subject: Troy Mergal® K9N
EPA Registration Number 5383-103
Your Notification Dated March 4th, 2010
EPA Received Date March 8th, 2010

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to update and revise product labeling as per PR Notice 2007-4, is acceptable.

This notification has been made part of the permanent record of this file.

If you have any questions concerning this letter, please contact Karen M. Leavy-Munk at (703)-308-6237.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen M. Leavy-Munk".

Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobial Division(7510P)

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

Corrosive. Causes irreversible eye damage and skin burns. Do not get in eyes, skin or clothing. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. This product may cause skin sensitization reactions in some people. Do not breathe vapor or spray mist. Wear goggles or face shield. Wear a mask or pesticide respirator approved by the National Institute for Occupational Safety and Health.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Mixers, loaders and others exposed to methylisothiazolinone products must wear:

- Long-sleeve shirt and long pants
- Chemical-resistant apron
- Chemical-resistant gloves
- Shoes plus socks

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

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove personal protective equipment immediately after handling this product. Wash the outside of gloves before removing. As soon as possible wash thoroughly.

FIRST AID

IF IN EYES:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the 5 minutes, then continue rinsing the eye.• Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none">• 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:	<ul style="list-style-type: none">• Call a poison control center or doctor 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:	<ul style="list-style-type: none">• 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.

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

NOTE TO PHYSICIAN:

Probable mucosal damage may contraindicate the use of gastric lavage.

TROY MERGAL® K9N

Industrial Microbiocide for Adhesives, Building Materials,
Emulsions, Pigment Dispersions, Paints and Coatings

EPA Reg. No.	5383-103
EPA Establishment Number	5383-DEU-001

ACTIVE INGREDIENT:% Weight
5 Chloro-2-Methyl-4-isothiazolin-3-one **1.06%**
2-Methyl-4-isothiazolin-3-one **0.38%**
INERT INGREDIENTS **98.56%**
TOTAL **100.0%**

DANGER

SOLD FOR INDUSTRIAL USE ONLY

See Side Panel for Additional Precautionary Statements

KEEP OUT OF REACH OF CHILDREN

IN CASE OF EMERGENCY:

CALL 1-800-424-9300

Net Weight:

Troy Chemical Corporation

One Avenue L, Newark, N.J. 07105

MERGAL® and POLYPHASE® are registered trademarks

ENVIRONMENTAL HAZARDS

This chemical is toxic to terrestrial and aquatic plants, fish and aquatic invertebrates. 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.

DIRECTIONS FOR USE

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

Troy Mergal®K9N is a microbiocide that is effective against bacteria, yeasts, molds and algae. It is used as an industrial microbiocide for adhesives, building materials, pigment dispersions, emulsions, paints and coatings.

Troy Mergal®K9N is used to control bacteria and fungi in dispersed pigments such as kaolin clay, montmorillite clay, titanium dioxide, calcium carbonate, calcium sulfate, barium sulfate, and magnesium silicate used in paint and paper production. Typical emulsions include printing components (inks, resins, waxes, and surfactants). Building materials include mastics, caulks, joint cements, spackling, plasters and stuccos. Use as an in-can preservative in paints and coatings.

It is best if Troy Mergal®K9N is added to the initial phase of production; however, if excessive temperatures or pH values occur, addition at the end of the manufacturing process is recommended.

Typical usage rates are 0.05-0.40% based on the total weight of the formulation.

Do not apply this product in a way that will contact workers or other persons.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Storage between 32°F (0°C) and 90°F (32°C) and is recommended.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, 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. Clean container promptly after emptying. Triple rinse as follows: Empty the 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 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. Then offer for recycling or reconditioning if available, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**EPA**
 United States
Environmental Protection Agency
 Washington, DC 20460

☐ **Registration**
☐ **Amendment**
☒ **Other:**

 OPP Identifier Number
289755
Application for Pesticide - Section I

1. Company/Product Number 5383-103	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Troy Mergal® K9N	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Troy Chemical Corporation 8 Vreeland Road Florham Park, NJ 07932 <u>PLEASE SEND ALL CORRESPONDENCE TO</u> <u>"CONTACT POINT" LISTED BELOW</u> <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 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. 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.

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		<input type="checkbox"/> Metal	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Plastic
*Certification must be submitted					<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify)
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 Peko Rasic		Title Product Registration Specialist		Telephone No. (Include Area Code) (973) 443-4200 ext 2285	
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.					
2. Signature 		3. Title Product Registration Specialist		6. Date Application Received (Stamped)	
4. Typed Name Peko Rasic		5. Date 03/04/2010			



TROY CORPORATION

Via FedEx Courier

March 4, 2010

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

Attention: Mr. Marshall Swindell
PM Team 33

Subject: Troy Mergal® K9N
EPA Reg. No.: 5383-103
Submission of Labeling Revisions per PR Notice 2007-4

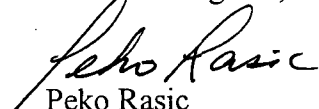
Dear Mr. Swindell:

Enclosed, please find the revised labeling for the subject product in accordance with the provisions of PR notice 2007-4. Please note that no other labeling changes have been made outside the scope of said PR Notice. Included under this cover please find:

- application form 3570-1 (OPP Identifier No.: 289755);
- one copy of product label with revisions underlined.

Please contact me at either 973-443-4200, ext. 2285 or at rasicp@troycorp.com should you have any questions or require any additional information.

With kind regards,



Peko Rasic
Product Registration Specialist

Enclosure

