

5383-106

7/8/2014

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

JUL 08 2014

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Maureen Mikszal
Senior Regulatory Manager for,
Troy Corporation
8 Vreeland Road
Florham Park, NJ 07932-0955

Subject: Mergal K12N
EPA Registration Number 5383-106
Your Notification Dated June 13, 2014
EPA Received Date June 16, 2014

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, to clarify the scope of use for metalworking fluids, textile finishes and lubricants in the state of California and to correct typographical errors, is acceptable.

This notification has been made a permanent part of the 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 that reads "Eric Miederhoff".

Eric Miederhoff
Acting Product Manager, Team 33
Regulatory Management Branch I
Antimicrobials Division (7510P)
Office of Pesticide Programs
Environmental Protection Agency

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 5383-106	2. EPA Product Manager Mr. Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MERGAL K12N	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Troy Chemical Corp c/o Troy 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

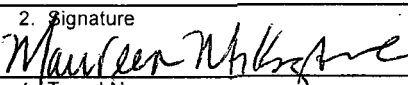
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below

Explanation: This notification corrects typos and adds wording for uses that are not approved in the state of California. These label changes include CA restrictions for metal working fluids, textile finishes and lubricants. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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	<input type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<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"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Maureen Miksztal	Title Senior Regulatory Manager	Telephone No. (include Area Code) 973-443-4200 ext. 2285
Certification		6. Date Application Received (Stamped)
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 Senior Regulatory Manager	
4. Typed Name Maureen Miksztal	5. Date 6/12/2014	

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TROY CORPORATION

June 13, 2014

FEDEX Delivery

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

Attention: Mr. Marshall Swindell, PM 33

Subject: MERGAL® K12N, EPA Reg. No. 5383-106
Label Notification to add CA phrase
Notification per PR Notice 98-10

Dear Mr. Swindell:

Troy Corporation hereby submits a label Notification in accordance with PR Notice 98-10 for MERGAL K12N, EPA Reg. No. 5383-106. This label notification is to clarify the scope of use for metalworking fluids, textile finishes and lubricants in the state of California and to correct typographical errors.

Included under this cover, please find the following support documents:

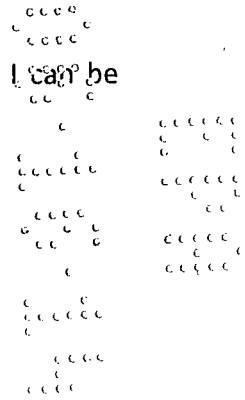
- Application form 8570-1
- 1 copy of updated label
- 1 copy of label with revised wording highlighted

Please contact me directly if you have any questions concerning this notification. I can be reached via email or phone at mikszta@mikszta.com or at 973-443-4200, ext.2285.

Sincerely,

Maureen Mikszta
Senior Regulatory Manager

Enclosure



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MERGAL® K12N

Industrial Microbiocide for use in Emulsions, Paints and Coatings, Building Materials, Metalworking Fluids***, Adhesives***, Pigment/Clay Slurries, Waterborne Paints, Starch and Thickener Solutions, Sealants (including Caulks), Textile Finishes and Lubricants***, Thickeners, Joint Cements, Inks***, Home Care Cleaning Products including Floor Cleaners, Waxes, Polishes*, and Surface Cleaners, Laundry Additives including Liquid Laundry Detergents, Fabric Softeners and Stain Removers.

**POLISHES are not approved for use in the state of California*

****Adhesive, Inks, Lubricants, Metalworking fluids and Textile Finishes are not approved for use in state of California against yeast and mold*

MASTER LABEL

[Sub-label A: Industrial Microbiocide for use in Emulsions, Paints and Coatings, Building Materials, Metalworking Fluids***, Adhesives***, Pigment/Clay Slurries, Waterborne Paints, Starch and Thickener Solutions, Sealants (including Caulks), Textile Finishes and Lubricants***, Thickeners, Joint Cements and Inks***.

[Sub-label B: Industrial Microbiocide for use in Home Care Cleaning Products including Floor Cleaners, Waxes, Polishes*, and Surface Cleaners, Laundry Additives including Liquid Laundry Detergents, Fabric Softeners, Stain Removers and Thickeners.]

ACTIVE INGREDIENT:	% Weight
5 Chloro-2-Methyl-4-isothiazolin-3-one	0.81%
2-Methyl-4-isothiazolin-3-one	0.26%
2-Bromo-2-nitro-1,3-propanediol	7.10%
INERT INGREDIENTS	91.83%
TOTAL	100.00%

EPA Reg. No.	5383-106
EPA Establishment Number	5383-NJ-001

KEEP OUT OF REACH OF CHILDREN
DANGER

SOLD FOR INDUSTRIAL USE ONLY

See Side Panel for Additional Precautionary Statements

IN CASE OF EMERGENCY: CALL 1-800-424-9300

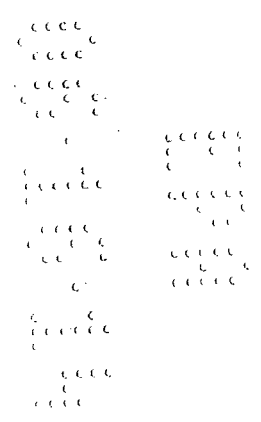
Net Weight:

[Manufactured for / Produced for / Sold by:]

Troy Chemical Corporation

One Avenue L, Newark, N.J. 07105

MERGAL® and TROYGUARD® are registered trademarks



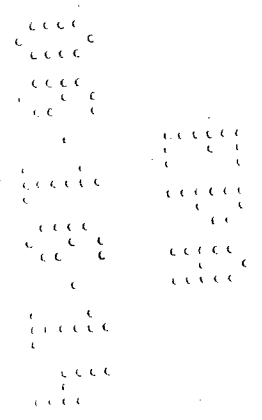
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MERGAL[®] K12N

SUB-LABEL A

Industrial Microbiocide for use in Emulsions, Paints and Coatings, Building Materials, Metalworking Fluids^{***}, Adhesives^{***}, Pigment/Clay Slurries, Waterborne Paints, Starch and Thickener Solutions, Sealants (including Caulks), Textile Finishes and Lubricants^{***}, Thickeners, Joint Cements, and Inks^{***}.

****Adhesive, Inks, Lubricants, Metalworking fluids and Textile Finishes are not approved for use in state of California against yeast and mold*



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MERGAL[®] K12N

Industrial Microbiocide for use in Emulsions, Paints and Coatings, Building Materials, Metalworking Fluids^{***}, Adhesives^{***}, Pigment/Clay Slurries, Waterborne Paints, Starch and Thickener Solutions, Sealants (including Caulks), Textile Finishes and Lubricants^{***}, Thickeners, Joint Cements, and Inks^{***}.

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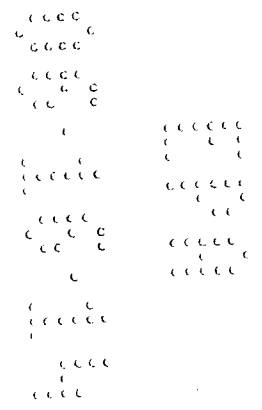
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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER**

Corrosive. Causes irreversible eye damage and skin burns. Do not get in eyes, on 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 a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and 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. • 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 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:	<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.	

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.

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

MERGAL® K12N is a microbiocide which is effective against a broad spectrum of bacteria, yeast and molds. It may be used as an industrial preservative for emulsions, dispersion paints and coatings, adhesives and building materials.

MERGAL® K12N is a liquid and may be added at any point in the production process. For best results, it should be added as early in the manufacturing process as possible. If high temperature or high alkalinity is expected in the manufacturing process, it is recommended that MERGAL® K12N be added after these conditions have been controlled.

Usage rates may vary depending on the application and the user is advised to test the material to determine the exact usage in an individual application. Typical usage rates are 0.05 to 0.20% in emulsions, paints and coatings and joint cements based on the total weight of the formulation. Usage rates of 0.02 to 0.20% are typical for adhesives^{***} based on the total weight of the formulation.

Pigment/clay slurries: 0.1 – 0.5%.

Waterborne paints: 0.05 – 0.3%.

Thickeners, Starch and thickener solutions and sealants (including caulks): 0.05 – 0.2%.

Textile finishes, metal working fluids and lubricants^{***}: 0.1 – 0.5%.

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Inks^{***}: 0.05 – 0.2% (0.05-0.2 lbs/100 lbs formulation).

***** Adhesive, Inks, Lubricants, Metalworking fluids and Textile Finishes are not approved for use in state of California against yeast and mold**

MERGAL® K12N is not to be used for coatings, adhesives or other materials that will come into contact with food and food surfaces.

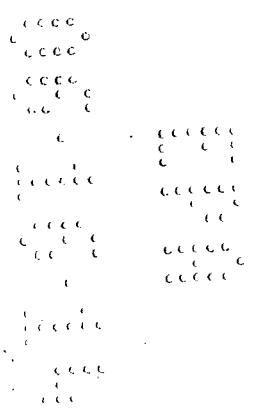
STORAGE AND DISPOSAL

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

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



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MERGAL[®] K12N

Industrial Microbiocide for use in Home Care Cleaning Products including Floor Cleaners, Waxes, Polishes*, and Surface Cleaners, Laundry Additives including Liquid Laundry Detergents, Fabric Softeners, Stain Removers and Thickeners.

**POLISHES are not approved for use in the state of California*

ACTIVE INGREDIENT:.....	% Weight
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INERT INGREDIENTS.....	91.83%
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EPA Reg. No.

5383-106

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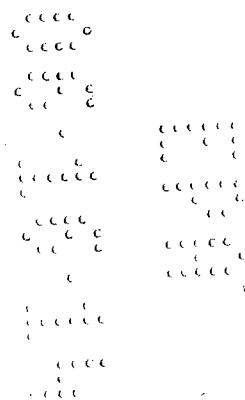
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DANGER**

Corrosive. Causes irreversible eye damage and skin burns. Do not get in eyes, on 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 a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and 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. • 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 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.

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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.	

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.

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

Troy's MERGAL® K12N is a microbiocide, which is effective against a broad spectrum of bacteria, yeast and molds. It may be used as an industrial preservative for home care cleaning products.

MERGAL® K12N is a liquid and may be added at any point in the production process. For best results, it should be added as early in the manufacturing process as possible. If high temperature or high alkalinity is expected in the manufacturing process, it is recommended that MERGAL® K12N be added after these conditions have been controlled.

Usage rates may vary depending on the application and the user is advised to test the material to determine the exact usage in an individual application. Typical usage rates are 0.05 to 0.20%.

Home Cleaning Products/Laundry Additives: 0.05 – 0.2% (0.05-0.2 lbs/100 lbs formulation).

MERGAL® K12N is not to be used for coatings, adhesives or other materials that will come into contact with food and food surfaces.

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) 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 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. 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.

MM 13 June 2014

