

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



Office of Pesticide Programs

Troy Chemical Corporation
8 Vreeland Road
Florham Park, N. J. 07932

SEP 25 2008

Attention: Auria Trelles
Registration Coordinator

Subject: Mergal K10N
EPA Registration No. 5383-107
Notification Dated September 12, 2008

This will acknowledge receipt of your notification to include the phrase "Produced for/Manufactured for" on the label, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification dated September 12, 2008 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely,

A handwritten signature in cursive script that reads "M Swindell".

Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobials Division (7510P)

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 <div style="text-align: center; font-size: 1.2em;">304960</div>
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Application for Pesticide - Section I

1. Company/Product Number 5383-107	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Mergal K10N	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.)

Labeling revision notification

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
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 Auria Trelles	Title Registration Coordinator	Telephone No. (Include Area Code) (973) 443-4200 ext 2206
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 	3. Title Registration Coordinator	
4. Typed Name Auria Trelles	5. Date 9/12/08	

Notification of Labeling revision: Mergal K10N
EPA Reg. No.: 5383-107
Per PR Notice 98-10:

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 this notification is not consistent with the terms of PR Notices 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.

Auria Trelles
Auria Trelles

9/12/08
Date

**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. Wear protective face shield, protective clothing and waterproof gloves. Harmful if swallowed or inhaled. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

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 first 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. Emergency Phone Number: 800-424-9300

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

MERGAL® K10N

Industrial Preservative To Prevent Deterioration and Degradation Caused By Bacteria and Fungi in Aqueous Systems, Such As Polymer Emulsions And Dispersions, Paints and Coatings, Plasters, Caulks, Sealants, Adhesives, Thickeners, Joint Cements, Metalworking Fluids, Mineral and Pigment Slurries, Oil-Water Emulsions, Textile Coatings and Inks

EPA Reg. No.	5383-107
EPA Establishment Number	5383-NJ-01

ACTIVE INGREDIENT: % Weight
 1,2-benzisothiazolin-3-one **9.5%**
INERT INGREDIENTS **90.5%**
TOTAL **100.0%**

ENVIRONMENTAL
 This pesticide is toxic to fish, lakes, streams, ponds, estuaries requirements of a National Pollution Discharge Elimination Act and the permitting authority, and the local sewage treatment Water Board or Regional Office.

It is a violation of Federal Law labeling. MERGAL® K10N is an industrial emulsions, paints, coatings, pigments, pigment and mineral coatings and inks. MerGal® K10 used at pHs of 3-13. Since MerGal® K10N component Administration in accordance with of the Code of Federal Regulations Section 175.105 - Compt Section 176.170 - Aqueous Food

Mergal® K10N can be added in addition be made to the water. **Note:** Strong oxidizing agents determine the most appropriate For Polymer Emulsions & Dispersions, Mineral & Pigment Slurries, Textile Industries, Inks, Metal and Plasters: Use 0.05 - 0.5% the final formulation.

For Food-Contact Paper and exceed 0.21 mg/in² (0.0326 mg/in²) contact with dry foods and contact paperboard intended for contact

STC
STORAGE: Protect from freezing.
PESTICIDE DISPOSAL: Do not Pesticide wastes are acutely hazardous or incineration is a violation of Federal law. To label directions, contact your Hazardous Waste Representative dumping is prohibited.
CONTAINER DISPOSAL: Return to shipper or to Troy Chemical Corporation (or equivalent). Then place in a sanitary landfill, or incineration, stay out of smoke.

DANGER

SOLD FOR INDUSTRIAL USE ONLY
 See Side Panel for Additional Precautionary Statements

KEEP OUT OF REACH OF CHILDREN
 Net Weight:

[Produced for/Manufactured for]
Troy Chemical Corporation
 One Avenue L, Newark, N.J. 07105.
 ®TROYSAN AND MERGAL are registered trademarks

**SYMPTOMS
IN PESTIC ANIMALS**

1. skin burns. Do not get in field, protective clothing and shoes.
2. Avoid breathing vapor or dust after handling. Remove clothing and shoes.
3.

slowly and gently with water. Remove contact lenses, and flush eyes for 15 minutes then continue.
or doctor for treatment.
with plenty of water for 15 minutes.
or doctor for treatment.
or doctor for treatment.
if water is able to swallow, drink plenty of water to do so by a doctor.
to an unconscious person.
call 911 or an ambulance, if possible preferably mouth-to-mouth resuscitation.
or doctor for further treatment.
in calling a poison control center. Phone Number: 800-452-7030.
use of gastric lavage.

MERGAL® K10N

Industrial Preservative To Prevent Deterioration and Degradation Caused By Bacteria and Fungi in Aqueous Systems. Such As Polymer Emulsions And Dispersions, Paints and Coatings, Plasters, Caulks, Sealants, Adhesives, Thickeners, Joint Cements, Metalworking Fluids, Mineral and Pigment Slurries, Oil-Water Emulsions, Textile Coatings and Inks

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KEEP OUT OF REACH OF CHILDREN

Net Weight:

[Produced for/Manufactured for]

Troy Chemical Corporation
One Avenue L, Newark, N.J. 07105

®TROYSAN AND MERGAL are registered trademarks

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.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
MERGAL®K10N is an industrial preservative used to prevent deterioration and degradation caused by bacteria and fungi in aqueous systems, such as polymer emulsions, paints, coatings, plasters, caulks, sealants, adhesives, thickeners, joint cements, pigment and mineral slurries, metalworking fluids, oil-water emulsions, textile coatings and inks. Mergal® K10N is suitable for a wide range of conditions and can be used at pHs of 3-13. Since Mergal®K10N contains no organic solvents, it is especially suited for applications where VOC is a concern.

The MERGAL® K10N components are cleared for use by the US Food and Drug Administration in accordance with the following conditions, as set forth under Title 21 of the Code of Federal Regulations (CFR):
Section 175.105 - Components of Adhesives
Section 176.170 - Components of Paper and Paperboard in Contact with Aqueous and Fatty Foods
Section 176.180 - Components of Paper and Paperboard in Contact with Dry Food

Mergal®K10N can be added at any stage of production, but it is recommended that the addition be made to the water in the beginning of the process.

Note: Strong oxidizing agents such as peroxides can inactivate Mergal® K10N. General use rates are provided, but laboratory/field trials are suggested in order to determine the most appropriate rate of use.

For Polymer Emulsions & Dispersions, Coatings, Caulks, Sealants, Adhesives, Mineral & Pigment Slurries, Oil-Water Emulsions, Spin Finish Solutions for Textile Industries, Inks, Metalworking Fluids, Thickeners, Joint Cements, Paints and Plasters: Use 0.05 – 0.5% Mergal® K10N by weight based on the total weight of the final formulation.

For Food-Contact Paper and Paperboard Coatings: Use of Mergal®K10N must not exceed 0.21 mg/in² (0.0326 mg/cm²) of finished paper and paperboard intended for contact with dry foods and 0.11 mg/in² (0.0168 mg/cm²) of finished paper and paperboard intended for contact with aqueous and fatty foods.

STORAGE AND DISPOSAL

STORAGE: Protect from freezing. If frozen, allow the product to thaw and stir well before reuse.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or 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 directions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance. Open dumping is prohibited.

CONTAINER DISPOSAL: Returnable (Reusable) Totes: Triple rinse (or equivalent). Return to shipper or to Troy Chemical Corporation. Drums and Non-Returnable (Disposable) Totes: Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.