

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

Troy Chemical Company Ltd. c/o
Troy Chemical Corporation
8 Vreeland Road
Florham Park, N. J. 07932

SEP 14 2009

Attention: Adrian Krygsman

Subject: Mergal ® K10
EPA Registration No. 5383-107
Amendment Dated August 31, 2009

This will acknowledge receipt of your notification of label changes per PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification 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 don't hesitate to call Martha Terry at (703) 308-6217.

Sincerely,

A handwritten signature in black ink, appearing to read "Marshall Swindell".

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

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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 289753
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Application for Pesticide - Section I

1. Company/Product Number 5383-107	2. EPA Product Manager Mr. M. 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 Company Ltd. c/o Troy Corporation 8 Vreeland Road Florham Park, N.J. 07932 <u>PLEASE SEND ALL CORRESPONDENCE TO "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

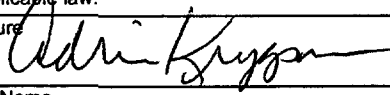
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - 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	<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"/> 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 Adrian Krygsman	Title Director, Product Registration	Telephone No. (Include Area Code) 973-443-4200, X2249
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.		6. Date Application Received (Stamp ed)
2. Signature 	3. Title Director, Product Registration	
4. Typed Name Adrian Krygsman	5. Date 08/29/09	



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TROY CORPORATION

August 31, 2009

Via FEDEX

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

RE: Mergal K10
EPA Reg. No. 5383-107
Submission of Label Revisions to Address PR Notice 2007-4

Attention: Mr. Marshall Swindell
PM Team 33

Dear Mr. Swindell:

Enclosed please find documents to address label revisions which address the requirements of PR Notice 2007-4. Please note that no other changes have been made to this label aside from those specified PR Notice 2007-4 with regards to the Storage and Disposal Section. Revisions have been highlighted to address label changes. We enclose the following documents as per PR Notice 2007-4:

- EPA application form 3570-1 (OPP Identifier No. 289753)
- One copy of product label with revisions highlighted

Please contact me directly via phone or email should you require any additional information on this action.

Sincerely,

Adrian Krygsman
Director, Product Registration

**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.
<p>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</p>	
NOTE TO PHYSICIAN:	
<p>Probable mucosal damage may contraindicate the use of gastric lavage.</p>	

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, Plastic 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: % Wt
 1,2-benzisothiazolin-3-one %
 INERT INGREDIENTS 90
 TOTAL 100

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

**STATEMENTS
DOMESTIC ANIMALS**

IR

eye and skin burns. Do not get in
face shield, protective clothing and
gloves. Avoid breathing vapor or
spray water after handling. Remove
and reuse.

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%

Rinse slowly and gently with
water. Remove contact lenses,
within 5 minutes then continue
rinse.

Consult center or doctor for treatment

Remove contaminated clothing.
Wash thoroughly with plenty of water for 15-
20 minutes.

Consult center or doctor for treatment

Consult center or doctor for treatment

Give plenty of water if able to swallow.
Do not induce vomiting unless told to do so by a
physician or doctor.

Do not give by mouth to an unconscious
person.

Get medical attention
immediately. When calling a poison control
center or hospital emergency room, have
this information ready: Product name (if
known), quantity, and time taken.

Consult center or doctor for further
treatment.

When calling a poison control
center or hospital emergency room, have
this information ready: Product name (if
known), quantity, and time taken.

DIAGNOSIS:
Do not use the use of gastric lavage.

ENVIRON

This pesticide is toxic to fish. Do not
use in lakes, streams, ponds, estuaries or
other aquatic environments. Notify the
requirements of a National Pollutant
Discharge Elimination Act (NPDES) permit
authority and the permitting authority has
been notified. Do not discharge effluent
containing this pesticide into navigable
waters without notifying the local sewage
treatment plant, municipal Water Board or
Regional Office of the

DIREC

It is a violation of Federal Law to use
this pesticide in a manner inconsistent
with its labeling. MERGAL® K10N is an
industrial preservative to prevent
degradation caused by bacteria in
emulsions, paints, coatings, plasters,
cements, pigment and mineral slurry
coatings and inks. Mergal® K10N is
suitable for use at pHs of 3-13. Since
Mergal® K10N is a VOC, it is not
suited for applications where VOC is
restricted. The MERGAL® K10N components
are listed in accordance with the
Environmental Protection Administration
in accordance with the Code of Federal
Regulations (CFR) Section 175.105 -
Component Section 176.170 -
Component Aqueous or
Section 176.180 - Component
Food

Mergal® K10N can be added at any
concentration to the water in the
final formulation. **Note:** Strong
oxidizing agents such as bleach
should not be used. General use rates
are provided, but determine the most
appropriate rate for your application.
**For Polymer Emulsions & Dispersions,
Mineral & Pigment Slurries, Oil-
Water Emulsions, Inks, Metalwork
and Plasters:** Use 0.05 - 0.5% Mer-
gal® K10N in the final formulation.
**For Food-Contact Paper and Paper-
Coated Containers:** Do not use if
it will exceed 0.21 mg/in² (0.0326 mg/cm²)
contact with dry foods and 0.11 mg/in²
contact with paperboard intended for
contact with

STORAC

Do not contaminate water, food, or
other articles of food. **STORAGE:**
Protect from freezing. If frozen, thaw
before use. **PESTICIDE DISPOSAL:**
Pesticide wastes, sludges, or residues,
excess pesticide, spray mixture, or
rinse water should be disposed of by
use according to the label. Contact
the Environmental Control Agency or
the Regional Office for guidance. Open
flaming. **CONTAINER HANDLING:**
Non-refillable. Triple rinse (or
equivalent). Then offer for recycling,
if available. If not, then offer for
incineration, or, if not incinerated,
then offer for landfill. Do not burn
containers. Do not breathe vapors or
dust.

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

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MERGAL® K10N

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

Product No.	5383-107
Registration Number	5383-NJ-01

Ingredient:	% Weight
Thiazolin-3-one	9.5%
Ingredients	90.5%
	100.0%

DANGER

READ INSTRUCTIONS FOR INDUSTRIAL USE ONLY
Side Panel for Additional Precautionary Statements

OUT OF REACH OF CHILDREN

Net Weight:

[Produced for/Manufactured for]
Mergal Chemical Corporation
One Avenue L, Newark, N.J. 07105

MERGAL 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

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

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

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 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 HANDLING: Non-refillable container. Do not reuse or refill this container.

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.