 <p align="center">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Antimicrobials Division (7510C) 1200 Pennsylvania Avenue NW Washington, D.C. 20460</p> <p align="center">NOTICE OF PESTICIDE: <u> </u> Registration <u> x </u> Reregistration</p> <p align="center">(under FIFRA, as amended)</p>	EPA Reg. Number: 5383-107	Date of Issuance: SEP - 9 2010
	Term of Issuance: Conditional	
	Name of Pesticide Product: Mergal K 10N	
Name and Address of Registrant (include ZIP Code): Troy Chemical Corporation One Avenue L Newark, NJ 07105		
Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>Based on your response to the 1,2-Benzisothiazolin-3-one RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g) (2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.</p> <p>1. Make the following label changes:</p> <p>a. Revise the EPA Registration Number to read "5383-107."</p>		
Signature of Approving Official: Marshall Swindell Product Manager Team-33 Regulatory Management Branch I Antimicrobials Division (7510P)	Date: SEP - 9 2010	

b. Per the acute toxicity review, the Hazards to Humans and Domestic Animals section must be revised to read:

"DANGER
Causes skin burns. Causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. Harmful if swallowed. Harmful if inhaled. Do not breathe vapor or spray must. Wear coveralls worn over long-sleeved shirt and long pants, socks, chemical-resistant footwear, goggles or faceshield and chemical-resistant gloves made of any waterproof material."

c. The Agency recommends that the following User Safety Recommendations Requirements text be added to the label:

"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."

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse the."

d. Per the acute toxicity review, the following User Safety Recommendations must be added to the label:

"User Safety Recommendations

User should wash hands before, eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

User should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing."


2. For additional labeling clarity and consistency, please refer to the enclosed EPA reviews.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Submit two (2) copies of the revised labeling bearing the labeling revisions listed above. A stamped copy of the label is enclosed for your records.

If you have questions concerning this matter, please contact me at (703) 308-6341 or by email at swindell.marshall@epa.gov or Martha L. Terry at (703) 308-6217 or by email at terry.martha@epa.gov.

Sincerely,


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

Enclosures: (Stamped Label)

**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:	-Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes then continue rinsing. -Call a poison control center or doctor for treatment advice.
If On Skin Or On 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 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:	-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.
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.

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.

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 Est. No. 5383-NJ-01

ACTIVE INGREDIENT

1,2-benzisothiazolin-3-one.....9.5%
Inert Ingredients.....90.5%
TOTAL.....100.0%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

**SOLD FOR INDUSTRIAL USE ONLY
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

TROY CHEMICAL CORPORATION
ONE AVENUE L, NEWARK, NJ 07105

Net Weight:

*TROYSAN, POLYPHASE AND MERGAL ARE REGISTERED TRADEMARKS

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.

**ACCEPTED
with COMMENTS
EPA Letter Dated:**

SEP - 9 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No. 5383-107

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