

5383-107

09/01/2011

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

SEP 1 2011



Office of Pesticide Programs

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

Attention: Peko Rasic
Product Registration Specialist

Subject: Mergal K10N
EPA Registration No. 5383-107
Amendment Dated August 2, 2011

This will acknowledge receipt of your notification, submitted under the provisions of FIFRA Section 3(c)(9).

Proposed Notification

- Labeling revisions per PR Notice 2007-4

General Comment

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 made a part of your file.

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

Sincerely,

A handwritten signature in black ink that reads "Martha Terry".

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



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number

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.)

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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
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.		6. Date Application Received (Stamped)
2. Signature 		3. Title Product Registration Specialist
4. Typed Name Peko Rasic		5. Date 08/02/2011

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

Causes skin burns. Causes irreversible eye damage. Do not get in eyes, on skin, or clothing. Harmful if swallowed. Harmful if inhaled. Do not breathe vapor or spray mist. 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.

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 them.

USER SAFETY RECOMMENDATIONS

Users should:

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

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 following ingestion. Measures against circulatory shock, respiratory depression and convulsions may be needed.

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%**

DANGER

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

KEEP OUT OF REACH OF CHILDREN

Net Weight: _____

Manufactured for:

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

®TROYSAN AND MERGAL are registered trademarks

ENVIRON

This pesticide is toxic to fish. Do not use in lakes, streams, ponds, estuaries or other aquatic environments. Notify the permitting authority and the permitting authority has been notified of this discharge effluent containing this pesticide. Notify the local sewage treatment plant, Water Board or Regional Office of the State Department of Environmental Protection.

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 caused by bacteria and fungi in aqueous systems, coatings, plasters, caulks, sealants, mineral slurries, metalworking fluids, etc. K10N is suitable for a wide range of applications. Mergal®K10N contains no organic solvents. VOC is a concern.

The MERGAL® K10N components are listed in the Code of Federal Regulations (CFR):
 Section 175.105 - Component
 Section 176.170 - Component and Fatty F

Section 176.180 - Component

Mergal®K10N can be added at any concentration. In addition be made to the water in the blend.

Note: Strong oxidizing agents such as bleach, peroxide, etc. should not be used with Mergal®K10N. General use rates are provided, but users should determine the most appropriate rate of application for their specific application. For Polymer Emulsions & Dispersions, Plasters, Mineral & Pigment Slurries, Oil-Water Emulsions, Inks, Metalworking Fluids, Plasters: Use 0.05 - 0.5% Mergal®K10N formulation.

For Food-Contact Paper and Paper: Mergal®K10N should not exceed 0.21 mg/in² (0.0326 mg/cm²) for contact with dry foods and 0.11 mg/in² (0.016 mg/cm²) for contact with aqueous and fatty foods.

STORA

STORAGE: Protect from freezing. If frozen, thaw before use.

PESTICIDE DISPOSAL: Do not combine with other pesticides. Pesticide wastes are acutely hazardous. Do not reuse or rinse into a waterway. If a violation of Federal Law. For more information on labeling directions, contact your State Department of Environmental Protection. Hazardous Waste Representative at the time of disposal. Dumping is prohibited.

CONTAINER DISPOSAL: Nonrefillable container promptly after emptying. Triple rinse application equipment or a mix tank. Close all closures. Tip container on its side and allow to drain for 30 seconds. Stand the container upright for 30 seconds. Turn the container over onto its other side and allow to drain for 30 seconds. Repeat this procedure two more times. Then clean and dispose of in a sanitary landfill, or incineration. If burned, stay out of smoke.

**MENTS
ESTIC ANIMALS**

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
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TOTAL	100.0%

DANGER

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

KEEP OUT OF REACH OF CHILDREN

Net Weight: _____

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: 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.

e. Do not get in eyes, on
inhalation. Do not breathe
through-sleeved shirt and long
face shield and chemical-

containing PPE. If no such
water. Keep and wash
clothing and other absorbent
contaminated with this product's

PRECAUTIONS

... drinking, chewing gum,

... immediately if pesticide gets
on clean clothing.
... after handling this
... thoroughly and change into

... slowly and gently with
... Remove contact lenses,
... minutes then continue

... or doctor for treatment

... thing.
... plenty of water for 15-

... or doctor for treatment

... or doctor for treatment

... f water if able to swallow.
... less told to do so by a
... doctor.
... outh to an unconscious

... call 911 or an ambulance,
... on preferably mouth-to-

... or doctor for further

... ing a poison control center
... mber: 800-424-9300

... of gastric lavage following
... ory depression and

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