

5383-107

03/25/2013

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

MAR 25 2013

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Troy Chemical Corporation
8 Vreeland Road, PO Box 955
Florham Park, New Jersey 07932-4200

Attention: Adrian Krygsman

Subject: Mergal K10N
EPA Reg. No. 5383-107
Notification Letter Dated February 24, 2013

This letter acknowledges receipt of the Notification identified above submitted under the provisions of section 3(c)(9) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10. This Notification requests:

- Assigning Mergal 723K as an alternate brand name

Based on a review of the submitted information, this notification is acceptable. This information has been made a part of your file.

Should you have any questions concerning this letter, please contact Elizabeth Hernandez at (703) 347-0241.

Sincerely,

Dennis H. Edwards for

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



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number
XXXXXX

Application for Pesticide - Section I

1. Company/Product Number 5383-107	2. EPA Product Manager M. Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Mergal K10N	PM# PM33	
5. Name and Address of Applicant (Include ZIP Code) Troy Chemical Corporation c/o Troy Corporation 8 Vreeland Road Florham Park, N.J. 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.)
Submission of Alternate Brand Name (ABN)

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
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Plastic
*Certification must be submitted				<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 Krygman	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 (Stamped)
2. Signature	3. Title Director, Product Registration	
4. Typed Name Adrian Krygman	5. Date 02/22/2013	



TROY CORPORATION

February 24, 2013

Via FEDEX

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

RE: Mergal K10N
EPA Reg. No. 5383-107
Submission of Alternate Brand Name (ABN)

Dear Mr. Swindell:

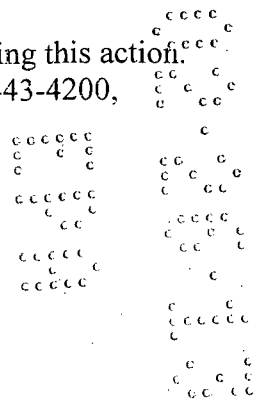
Troy Corporation is submitting this notification for the product referenced. We enclose the following documents for this purpose:

- EPA Form 8570-1 Application for Registration
- Four (4) copies of the Proposed Label with the alternate brand name "*Mergal 723K*"

Please contact me directly should you have any questions concerning this action. I can be reached via email or phone at krygsmaa@Troycorp.com or 973-443-4200, X2249. Thank you.

Sincerely,

Adrian Krygsman
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.

MERGAL® 723K

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-XXX

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

ENVIRON
This pesticide is toxic to fish. Do not apply to lakes, streams, ponds, estuaries or requirements of a National Pollutant Discharge Elimination Act and the permitting authority has been notified. The local sewage treatment plant or Regional Office of the Water Board or Regional Office of the State Water Resources Control Board must be notified.

DIRE
It is a violation of Federal Law to use this pesticide on or around areas labeled MERGAL® 723K is an industrial preservative caused by bacteria and fungi in aquatic systems. Plasters, caulks, sealants, mineral slurries, metalworking fluids, oil-water emulsions, and inks. MERGAL® 723K contains no organic solvents. VOC is a concern.

The MERGAL® 723K components are listed in accordance with the Code of Federal Regulations (CFR) Section 175.105 - Component and Section 176.170 - Component and Fatty Acid Component. MERGAL® 723K can be added to any formulation. Note: Strong oxidizing agents such as peroxide, hydrogen peroxide, and other strong oxidizers are not to be used with MERGAL® 723K. For Polymer Emulsions & Dispersions: Use 0.05 - 0.5% MERGAL® 723K in the formulation. For Food-Contact Paper and Paper: Exceed 0.21 mg/in² (0.0326 mg/cm²) with dry foods and 0.11 mg/in² (0.017 mg/cm²) for contact with aqueous and fatty food.

STORAGE: Protect from freezing before reuse.
STOR: Do not contaminate water.

PESTICIDE DISPOSAL: Pesticide excess pesticide, spray mixture, or cannot be disposed of by use according to EPA Regional Office for guidance.
CONTAINER HANDLING: Nonrefillable container promptly after emptying contents into application equipment. Replace and tighten closures. Tip container to invert completely. For backwash and for several times. Turn out for recycling or conditioning. If a spill occurs, do not allow it to enter waterways, streams, or other bodies of water. Do not burn or incinerate. Do not allow to be incinerated or to be burned.

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

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. 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.
IF INHALED:	<ul style="list-style-type: none"> 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.	

SYMPTOMS
PESTICIDE ANIMALS

and skin burns. Do not get in field, protective clothing and shoes. Avoid breathing vapor or contact after handling. Remove contaminated clothing and shoes.

slowly and gently with water for 15-20 minutes then continue
see doctor for treatment
see doctor for treatment
see doctor for treatment
if water is able to swallow, see doctor for treatment
see doctor for treatment
call 911 or an ambulance, if possible preferably mouth-to-mouth
see doctor for further treatment
in calling a poison control center Phone Number: 800-451-1111
use of gastric lavage.

MERGAL® 723K

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-xxx

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

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® 723K 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® 723K is suitable for a wide range of conditions and can be used at pHs of 3-13. Since MERGAL® 723K contains no organic solvents, it is especially suited for applications where VOC is a concern.

The MERGAL®723K 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® 723K 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® 723K. 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® 723K by weight based on the total weight of the final formulation.

For Food-Contact Paper and Paperboard Coatings: Use of Mergal®723K 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: 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.

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
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