



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 13, 2015

Ms. Maureen Miksztal
Senior Regulatory Manager for,
Troy Chemical Corporation
Troy Corporation
8 Vreeland Road
Florham Park, NJ 07932

Subject: Notification per PRN 98-10 – to clarify directions for sapstain control use in the state of California
Product Name: Mergal WP45
EPA Registration Number: 5383-156
Application Date: 09/25/2015
Decision Number: 509669

Dear Ms. Miksztal:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Antimicrobials Division (AD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “Notification” and will be placed in our records.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you have any questions, you may contact Karen M. Leavy at (703)-308-6237 or via email at Leavy.Karen@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Karen M. Leavy Esq,". The signature is written in a cursive style with a large initial 'K' and a trailing flourish.

Julie Chao
Product Manager 33
Regulatory Management Branch I
Antimicrobials Division (7510P)
Office of Pesticide Programs

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

DANGER

CORROSIVE. Causes skin burns and irreversible eye damage. Harmful if inhaled, swallowed or absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Avoid breathing vapor or spray mist. Do not get in eyes, on skin or on clothing.

Wear chemical-resistant gloves, goggles, face shield, chemical-resistant apron worn over long sleeved shirt and long pants and a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE pre-filter.

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. Follow manufacturer's instructions for cleaning/maintaining PPE. Keep and wash PPE separately from other laundry. . If no such instructions for washables exist, use detergent and hot water.

Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the restroom. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

FIRST AID

| | |
|---------------------|---|
| IF ON SKIN | <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 IN EYES: | <ul style="list-style-type: none"> Hold eyes 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 eye. Call a poison control center or doctor for treatment advice. |
| 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. |
| IF SWALLOWED | <ul style="list-style-type: none"> Call a poison control center or doctor immediately 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 to an unconscious person. |

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

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 necessary.

MERGAL® WP45

Industrial Preservative for the Protection of Wood Coatings and Wood Coating Solutions Including Sapstain Control**

**** Sapstain control is not approved for use in State of California**

| | |
|---------------------------------|------------------|
| EPA Registration Number | 5383-156 |
| EPA Establishment Number | 5383-NJ-1 |

ACTIVE INGREDIENT:.....% Weight
2-n-octyl-4-isothiazolin-3-one.....**45.0%**
INERT INGREDIENTS.....**55.0%**
TOTAL.....**100.00**

NOTIFICATION

5383-156

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

10/13/2015

KEEP OUT OF REACH OF CHILDREN

DANGER

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

IN CASE OF EMERGENCY CALL 1-800-424-9300

Net Weight:

**Manufactured for:
TROY CHEMICAL CORPORATION.**

One Avenue L
Newark, N.J. 07105

®TROYSAN AND MERGAL are registered trademarks

ENVIRONMENTAL HAZARDS

This product is toxic to fish, aquatic invertebrates, oysters and shrimp. 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 Pollution 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.

Antisapstain treated lumber must be stored under cover, indoors, or at least 100 feet from any pond, lake, stream, wetland, or river to prevent possible runoff of the product into the waterway. Treated lumber stored within 100 feet of a pond, lake, stream, or river must be either covered with plastic or surrounded by a berm to prevent surface water runoff into the nearby waterway. If a berm or curb is used around the site, it should consist of impermeable material (clay, asphalt, concrete) and be of sufficient height to prevent runoff during heavy rainfall events.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

MERGAL WP45 is an industrial preservative for use in the following end use areas:

DRY FILM PRESERVATIVE FOR WOOD COATINGS AND WOOD COATING SOLUTIONS

To control fungi, add 0.01-0.5% (0.1-5.0 pounds) of this product per 100 gallons of wood coatings or wood coating solutions.

****SAPSTAIN CONTROL**

To control sapstain, treat wood with 1 to 5 qts of MERGAL WP45 per 250 gallons of water. Mix thoroughly before and during use. Apply by spray or dip/immersion system that coats all surfaces of the wood evenly and thoroughly. Treated wood must not be used or placed where it may contact food or animal feed.

****Sapstain control is not approved for use in State of California****

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State pesticide or environmental control agency or the hazardous waste representative at the nearest EPA regional office for guidance.

CONTAINER HANDLING: Non-refillable container: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. 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.