

39967-8

7/15/2009

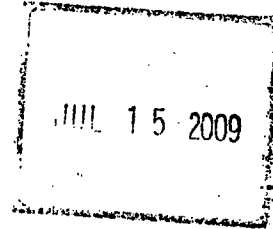
10/4



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Deborah A. Vercek
Regulatory Affairs Specialist
Lanxess Corporation
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112



Subject: Notification in Accordance with PR Notice 98-10
Preventol CMK
EPA Registration Number: 39967-8
Application: June 16, 2009
Receipt Date: June 17, 2009

Dear Ms. Vercek:

This will acknowledge receipt of your notification, submitted under the provisions of PR Notice 98-10, FIFRA section 3 (c) 9.

Proposed Notification:

Minor label changes

General Comment:

Based on a review of the material submitted, the following comment applies.

The notification application is acceptable. The Agency has noted that the label submitted with this notification is not in agreement with the last stamped accepted label. In the future, submit labeling via notification which is in agreement with last stamped label.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-6415 or email address at: lantz.tracy@epa.gov, or Lisa McKelvin by telephone at (703) 308-7496 or email address at: mckelvin.lisa@epa.gov.

Sincerely,

Tracy Lantz
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number _____
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Application for Pesticide - Section I

1. Company / Product Number <u>39967-8</u>	2. EPA Product Manager <u>Heyward</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>Preventol CMK</u>	PM# <u>34</u>	
5. Name and Address of Applicant (include ZIP Code) <u>LANXESS Corporation</u> <u>111 RIDC Park West Drive</u> <u>Pittsburgh, PA 15275-1112</u> <input type="checkbox"/> Check of 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 to remove the asterisk to designate uses not permitted in California and replace them with the actual phrase "Not for use in California" as required by California DPR.
 No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA.

Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container		
* Certification must be submitted			<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic		
			<input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) retail Container _____		5. Location of Label Directions On labeling accompanying product	
6. Manner in Which Label is affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glues <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 <u>Deborah A. Vercek</u>	Title <u>Regulatory Affairs Specialist</u>	Telephone No. (Include Area Code) <u>412-809-3709</u>
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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) <div style="border: 1px dashed black; width: 100%; height: 100%;"></div>
2. Signature 	3. Title <u>Regulatory Affairs Specialist</u>	
4. Typed Name <u>Deborah A. Vercek</u>	5. Date <u>6-16-09</u>	



Energizing Chemistry

June 16, 2009

VIA COURIER

Document Processing Desk (NOTIF)
Attn: Ms. Emily Mitchell (34 Antimicrobial Division)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Deborah A. Vercek
Material Protection Products
Regulatory Affairs
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

Phone 412-809-3709
Fax 412-809-1068
Deborah.vercek@lanxess.com
www.US.LANXESS.com

RE: **Product: Preventol CMK**
Registration #: 39967-8
Label Change Notification

Dear Ms. Mitchell:

Enclosed is a notification regarding a minor label change to Preventol CMK. This notification is to remove the asterisks (*) used to designate those uses not permitted in California from the label and replace them with the phrase "Not for use in California". This change was requested by California DPR.

Specifically enclosed is:

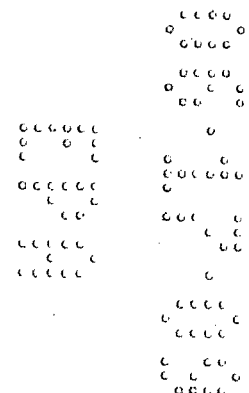
- Application form (EPA Form 8570-1)
- One (1) label for Preventol CMK highlighting the proposed changes (dated 6/16/09)
- Five (5) copies of the proposed label for Preventol CMK (dated 6/16/09)

Please provide me with stamped labels at the completion of your review for my records.

Please contact me at 412-809-3709 with any questions.

Sincerely,

Deborah A. Vercek
Regulatory Affairs Specialist



PREVENTOL CMK

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT: <i>p</i> -Chloro- <i>m</i> -cresol	-----	99.9%
INERT INGREDIENTS	-----	0.1%
TOTAL	-----	100.0%

KEEP OUT OF REACH OF CHILDREN DANGER

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER Corrosive. Causes irreversible eye damage and skin burns. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wear protective eye wear (goggles, face shield, or safety glasses). Wear protective clothing with a long sleeved shirt, long pants, socks, shoes, chemical resistant gloves, and an apron. Wash thoroughly with soap and water after handling and before eating, smoking, drinking, or using tobacco. Remove contaminated clothing and wash clothing before reuse. Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions, for washables use detergent and hot water. Keep and wash PPE separately from other laundry.

FIRST AID

IF SWALLOWED: 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 the poison control center or doctor.

IF IN EYES: 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 eye. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR 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.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

The LANXESS Pittsburgh Emergency Response Telephone Number is 800-410-3063
Have the product container or label with you when calling a poison control center or doctor or when going in for treatment.

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 the discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300

EPA Reg. No.: 39967-8

EPA Est. No.:

LANXESS

LANXESS Corporation
111 RIDC Park West Drive - Pittsburgh, PA 15275-1112

DIRECTIONS FOR USE

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

Only for formulation as a preservative against bacteria or disinfectant for the following uses:

- (1) Only for formulation into microbiocide for the following use(s): industrial adhesives, general preservatives for leather, paper products (Not for use in California), textiles (Not for use in California), fibers and cordage (Not for use in California), metalworking (cutting) fluids, industrial coatings (Not for use in California) and resin (Not for use in California) latex or polymer (Not for use in California) emulsions.
- (2) General hard surface disinfectant uses.
- (3) Uses for which U.S. EPA has accepted data and/or citations of data that the formulator has submitted in support of registration.
- (4) Uses for experimental purposes that are in compliance with US EPA requirements.

Formulators using this product are responsible for obtaining EPA registrations for their own formulated products.

STORAGE AND DISPOSAL

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

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 the label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

PESTICIDE STORAGE: Product should be stored in an area that is not subject to extreme temperatures. Proper protective equipment should be worn when opening, transferring, and using the product. Close container tightly when not in use. Spill-leak procedures and additional handling information is contained on the material safety data sheet.

CONTAINER DISPOSAL: Completely empty liner. Empty residue into application equipment. Then dispose of liner in a sanitary landfill, by incineration or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Handle and open container in a manner as to prevent spillage. If the container is leaking, invert to prevent leakage. If the container is leaking material for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed above.

INTERNATIONAL 703-527-3887

Net Contents:

Lot No.:

LABEL TEXT DATE: 6/16/09

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