

39967-29

08-11-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

AUG 11 2010

Luann Jeram
LanXess Corporation
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Subject: Tektamer 38 Liquid Concentrate
EPA Registration Number: 39967-29
Application Date: July 20, 2010
Receipt Date: July 22, 2010

Dear Ms. Jeram:

This letter acknowledges receipt of your notification submitted under the provisions of PR Notice 2007-4 and FIFRA section 3(c) 9.

Proposed Notification

Update Container Disposal Statements per PR Notice 2007-4.

General Comments

Based on a review of the submitted materials, your notification to update the container disposal statements pursuant to PR Notice 2007-4 is acceptable and has been placed in your file for future reference.

If you have further questions concerning this letter, then please contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Killian Swift of my staff by telephone at (703) 308-6346 or by email swift.killian@epa.gov.

Sincerely yours,

Jacqueline Campbell-McFarlane
Jacqueline Campbell-McFarlane

CONCURRENT SUBJECT Manager 34

SYMBOL							
SURNAME							
DATE							

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>39967-29</u>	2. EPA Product Manager <u>McFarlane</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>TEKTAMER 38 LIQUID CONCENTRATE</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)(1), 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.

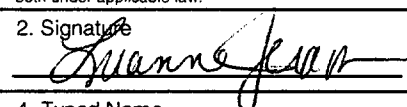
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Metal <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) retail Container pail, drum and tote		5. Location of Label Directions on container	
6. Manner in Which Label is affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glues <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary. To process this application.)		
Name <u>Luanne Jeram</u>	Title <u>Senior Regulatory Affairs Specialist</u>	Telephone No. (Include Area Code) <u>412-809-4773</u>
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 <u>Senior Regulatory Affairs Specialist</u>	
4. Typed Name <u>Luanne Jeram</u>	5. Date <u>7/20/10</u>	

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LANXESS

Energizing Chemistry

July 20, 2010

VIA COURIER

Ms. Jacqueline Campbell - McFarlane
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Luanne Jeram
Material Protection Products
Regulatory Affairs
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

Phone 412-809-4773
Fax 412-809-1068
luanne.jeram@anxess.com
www.US.LANXESS.com

**RE: Product: Tektamer 38 Liquid Concentrate
Registration #: 39967- 29
Notification of Label Change per PR Notice 2007-4**

Dear Ms. Campbell - McFarlane:

Enclosed is a label change notification for the above listed product per PR Notice 2007-4.

Specifically enclosed are:

1. Application form (EPA Form 8570-1)
2. Proposed label highlighting the updated statements in yellow – 1 copy
3. Proposed label – 1 copy

Please feel free to contact me at 412-809-4773 with any questions.

Sincerely,



Luanne Jeram
Senior Regulatory Affairs Specialist

TEKTAMER 38 LIQUID CONCENTRATE

A PRESERVATIVE TO INHIBIT THE GROWTH OF MICROORGANISMS IN AQUEOUS

ACTIVE INGREDIENT: 1,2-Dibromo-2,4-dicyanobutane -----25%
INERT INGREDIENTS -----75%
TOTAL -----100%

KEEP OUT OF REACH OF CHILDREN DANGER PELIGRO

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE. Causes irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves when handling. Avoid contact with skin. Do not breathe vapor or spray mist dust. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Remove contaminated clothing and wash clothing before reuse.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Wash the outside of gloves before removing. As soon as possible, wash thoroughly. Users should remove personal protective equipment immediately after handling this product.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. 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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal or cleaning of equipment.
PESTICIDE STORAGE: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
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 instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.
CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or reconditioning if appropriate. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If rinsate cannot be used, follow pesticide disposal instructions. If not triple rinsed, these containers are acute hazardous wastes and must be disposed of in accordance with local, state and federal regulations DO NOT cut or weld metal containers.
GENERAL: Consult Federal, State or Local disposal authorities for approved alternative procedures.

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300
EPA Reg. No.: 39967-29
EPA Est. No.:

INTERNATIONAL 703-527-3887
Net Contents:
Lot No.:

LANXESS

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

LABEL TEXT DATE: 7/20/10

FIRST AID

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

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 by a poison control center or doctor.

IF ON SKIN: 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 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 product MSDS with you when calling a Poison Control center or when going for treatment.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsion may be needed.

NOTIFICATION

Date Reviewed: 8/11/10
Reviewed By: R. Smith

DIRECTIONS FOR USE

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

Tektamer 38 Liquid Concentrate is typically effective when applied at the concentrations shown. All concentrations are based on total formulation weight.

Substrate	Effective Concentration (%)
Aqueous Paints	0.1 - 0.3
Latex Emulsions	0.04 - 0.2
Adhesives	
Polyvinyl acetate, styrene-butadiene, methyl cellulose & acrylic	0.1 - 0.3
Polyvinyl alcohol & hydroxyethyl cellulose	0.2 - 0.3
Epoxy, polyester	0.04 - 0.3
Dextrin	0.3 - 0.4
Casein	0.4 - 0.6
Dispersed Pigments	0.04 - 0.1
Metalworking Fluids	0.1 - 0.4
Waxes & Polishes	0.01 - 0.1
Inks	0.01 - 0.075
Joint Cements	0.2 - 0.4
Fiber Processing Fluids	0.2 - 1.2

Method of Addition

Aqueous Paints (including exterior surfaces of heating & air conditioning systems): Incorporate into the makeup water during the grind.

Latex Emulsions: Add using moderate agitation immediately following the cool down of the emulsion and prior to entering the storage tank facilities.

Adhesives: Incorporate with agitation into the makeup water. However, where the adhesive is heated, Tektamer 38 Liquid Concentrate should be added during the cool-down cycle.

Dispersed Pigments: Add using moderate agitation immediately following the cool down of the dispersed pigment and prior to entering the storage tank facilities.

Joint Cements: Incorporate with agitation into the makeup water blend.

Metalworking Fluids: Add to the final diluted cutting fluid, either prior to its addition to the system, or after the system has been filled. Tektamer 38 Liquid Concentrate should be thoroughly mixed into the system to assure efficacy. If Tektamer 38 Liquid Concentrate is added to the concentrate, testing should be done to assure compatibility.

Waxes, Polishes and Inks: Incorporate into the makeup water blend with moderate agitation.

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