

39967-32

04/13/2004



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 13, 2004

Robert R. Stewart, Ph.D.
Regulatory Consultant
Bayer Chemicals Corporation
100 Bayer Road
Pittsburgh, PA 15205

Subject: Tektamer 38
EPA Registration No. 39967-32
Application Date: February 26, 2004
EPA Received Date: February 26, 2004

Dear Dr. Stewart:

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

Proposed Amendment

- Correction of Storage Statement

General Comments

Based on a review of the material submitted, the following comments apply:

The notification application is acceptable. A copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6422.

Sincerely,

Adam Heyward
Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510 C)

CONCURRENCES

SYMBOL	7510C							
SURNAME	Stewart							
DATE	4/13/04							



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

<p>United States Environmental Protection Agency Washington, DC 20460</p>	<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 39967-32	2. EPA Product Manager Welch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tektamer 38	PM# RMB 2	
5. Name and Address of Applicant (Include ZIP Code) Bayer Chemicals Corporation 100 Bayer Road Pittsburgh, PA 15205 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
 Date Reviewed: 3.23.04
 Reviewed By: *SG...*

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification to restore the Storage Statement

 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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			
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
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"/> _____	
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 Robert R. Stewart, Ph.D.	Title Regulatory Consultant	Telephone No. (Include Area Code) 202-828-8963
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 Regulatory Consultant	
4. Typed Name Robert R. Stewart, Ph.D.	5. Date February 26, 2004	

**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, safety glasses or face shield 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.
Users should remove personal protective equipment immediately after handling this product.
Wash the outside of gloves before removing. As soon as possible, wash thoroughly.

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.

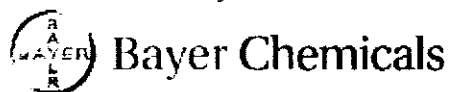
STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.
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.
PESTICIDE STORAGE: Containers should be stored out of direct sunlight to maintain the product below its melting point. If product is exposed to sustained temperatures above 50°C, caking will occur with associated handling problems. Product efficacy will not be affected. However, dissolution time will increase. Container should be kept dry and tightly closed.
CONTAINER DISPOSAL:
Metal Container: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.
Plastic Container: Do not reuse empty container. Triple rinse (or equivalent). Then puncture and dispose of in a sanitary landfill or, if allowed by State and Local Authorities, by burning. If burned, stay out of smoke.
GENERAL: Consult Federal, State or Local disposal authorities for approved alternative procedures.

NOTICE: Seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instruction

® Tektamer is a registered trademark of Bayer Chemicals Corporation

Rev.: 2/23/04 draft



TEKTAMER® 38

**TO INHIBIT THE GROWTH OF MICROORGANISMS
IN AQUEOUS SYSTEMS**

ACTIVE INGREDIENT:

1,2-Dibromo-2, 4- dicyanobutane 98.0%

INERT INGREDIENTS 2.0%

Total 100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER PELIGRO

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 the product Material Safety Data Sheet (MSDS) with you when calling a Poison Control center or 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.

EPA Reg. No. 39967-32
EPA Est. No. 39967-SC-004
39967-PA-001

Net contents shown elsewhere on container

BAYER CHEMICALS CORPORATION

100 Bayer Road

Pittsburgh, PA 15205

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300
INTERNATIONAL (703)-527-3887

DIRECTIONS FOR USE

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

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

Substrate	Effective Concentration (%)
Aqueous Paints	0.025-0.075
Latex Emulsions	0.01-0.05
Adhesives	
Polyvinyl acetate, styrene- butadiene, methyl cellulose & acrylic	0.025-0.075
Polyvinyl alcohol & hydroxyethyl cellulose	0.05-0.075
Epoxy, polyester	0.01-0.075
Dextrin	0.075-0.1
Casein	0.1-0.15
Starch	0.01-0.025
Dispersed Pigments	
Titanium dioxide, calcium carbonate & clay	0.01-0.025
Metalworking Fluids	
Concentrates	0.1- 0.4
Dilute fluids	0.025-0.1
Waxes & Polishes	0.01 - 0.1
Inks	0.01 - 0.075
Joint Cements	
Paste type, vinyl latex & protein	0.05-0.1
Reconstituted powder type, vinyl latex & protein	0.1-0.2

Method of Addition

Aqueous Paints: 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.
Joint cements: Incorporate with agitation into the makeup water blend.
Adhesives: Incorporate with agitation into the makeup water blend. However, where the adhesive is heated, Tektamer 38 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.
Metalworking Fluids: Incorporate into metalworking fluid formulations by addition to the concentrate with moderate agitation.
Waxes, Polishes and Inks: Incorporate into the makeup water blend with moderate agitation.

(Not to be used in the State of California to preserve metal working fluids)

NOTIFICATION
Date Reviewed: 3-17-04
Reviewed By: J. G. [Signature]

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