

39967-32

8/11/2010

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

FILE COPY

AUG 1 1 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

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

Subject: Tektamer 38
EPA Registration Number: 39967-32
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

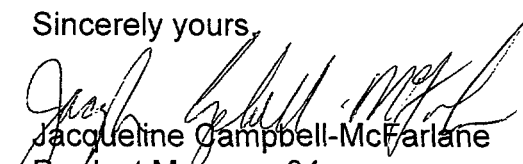
Update Container Disposal Statements per PR Notice 2007-4.

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



United States
 Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company / Product Number <u>39967-32</u>	2. EPA Product Manager <u>Campbell-McFarlane</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>Tektamer 38</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

Amendment - Explain Below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application

Notification - Explain below. 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:

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 <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
 Label Container

4. Size(s) retail Container
fiber drum with liner or super sac
water soluble bags in cardboard box

5. Location of Label Directions on package

6. Manner in Which Label is affixed to Product
 Lithograph Other
 Paper glues
 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>
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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 (Stamp etc)

2. Signature 	3. Title <u>Senior Regulatory Affairs Specialist</u>
4. Typed Name <u>Luanne Jeram</u>	5. Date <u>7/20/10</u>



Energizing Chemistry

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@lanxess.com
www.US.LANXESS.com

July 20, 2010

VIA COURIER

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

Attn: Jacqueline Campbell-McFarlane

**RE: Product: Tektamer 38
Registration #: 39967-32
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.

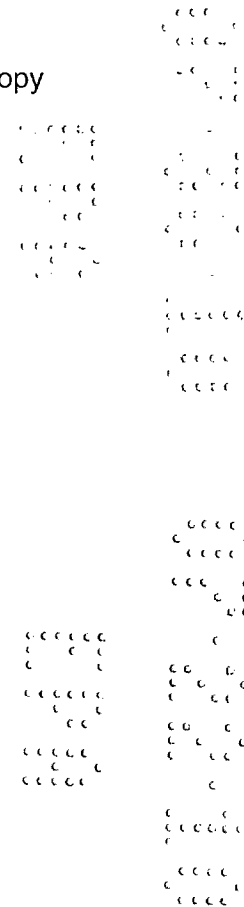
Specifically enclosed are:

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

TO INHIBIT THE GROWTH OF MICROORGANISMS IN AQUEOUS SYSTEMS

ACTIVE INGREDIENT: 1,2-Dibromo-2,4-dicyanobutane -----99.9%
 INERT INGREDIENTS ----- 0.1%
 TOTAL -----100.0%

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, 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.

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 HANDLING: Nonrefillable container. Do not reuse or refill this container.

Completely empty bag into application equipment by shaking and tapping sides and bottom to loosen clinging particles. If not emptied in this manner, the bag may be considered an acute hazardous waste and must be disposed in accordance with local, state and federal regulations. When completely empty, offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by State and Local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep the material into a pile and dispose of as directed for pesticides as above. Refer to Precautionary Statements on label for hazards associated with the handling of this material in spill or leak incidents, keep unauthorized people away.

When the water-soluble bags have been removed, dispose of corrugated box in a sanitary landfill, by incineration, 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.

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 doctor for treatment advice.

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

* Tektamer is a registered trademark of LANXESS Corporation

For emergency information call the National Pesticides Information Center at 1-800-858-7378, 6:30 AM to 4:30 PM Pacific Time (PT), seven days a week. During other times, call the poison control center 1-800-222-1222. INTERNATIONAL 703-527-3887

EPA Reg. No.: 39967-32

EPA Est. No.:

Net Contents:

Lot No.:

NOTIFICATION
 Date Reviewed: 5/16/10
 Reviewed By: [Signature]

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 metalworking fluids or joint cements)

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.

LANXESS

LANXESS Corporation

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

LABEL TEXT DATE: 7/20/10

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