



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 9, 2007

Heather F. Collins
LANXESS Corporation
111 RDIC Park West Drive
Pittsburgh, PA 15275-1112

Subject: **Tektamer 38 AD**
EPA Registration No.: 39967-34
Application Date: December 20, 2006
Receipt Date: December 26, 2006

Dear Ms. Collins:

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

Proposed Notification:

- Label Revision, add the statement: "Mix well before using this product."

General Comment:

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

A copy of the notification is accepted and 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, or Stacey Grigsby at (703) 305-6440.

Sincerely,

A handwritten signature in black ink, appearing to read "Stacey Grigsby" or "Adam Heyward", written over a horizontal line.

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

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United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company / Product Number 39967-34		2. EPA Product Manager Heyward	
4. Company / Product (Name) Tekamer 38 AD		PM# 34 <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (include ZIP Code) LANXESS Corporation 111 RIDC Park West Drive Pittsburgh, PA 15275-1112 <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"/> 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.	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) This notification is to add the statement "Mix well before using this product" to the label. 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No * Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. _____ No per container _____	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package Wgt _____ No per container _____	2. Type of 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
6. Manner in Which Label is affixed to Product		<input 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 Heather F. Collins		Title Regulatory Affairs Specialist	Telephone No. (Include Area Code) 412-808-3595
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)
2. Signature 		3. Title Regulatory Affairs Specialist	
4. Typed Name Heather F. Collins		5. Date 12/20/06	

LANXESS

Energizing Chemistry

December 20, 2006

VIA COURIER

Mr. Adam Heyward (34)
 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

Heather F. Collins
 Material Protection Products
 Regulatory Affairs
 111 RIDC Park West Drive
 Pittsburgh, PA 15275-1112

Phone 412-809-3595
 Fax 412-809-1068
 heather.collins@lanxess.com
 www.US.LANXESS.com

RE: Products: Biochek 410, Biochek 430, Tektamer 38 AD
Registration #: 39967-39, 39967-38, 39967-34
Notification of Label Change

Dear Mr. Heyward:

Enclosed is a notification to add the following statement to the products listed below.

Statement to be added: "Mix well before using this product"

Products:

Biochek 410 (EPA Registration # 39967-39)
 Biochek 430 (EPA Registration # 39967-38)
 Tektamer 38 AD (EPA Registration # 39967-34)

Specifically enclosed are:

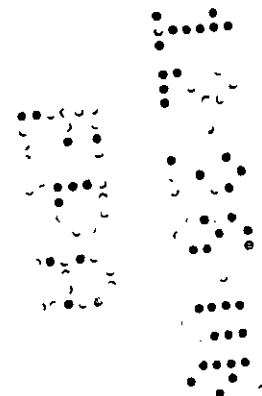
1. Application form (EPA Form 8570-1) for Biochek 410
2. Proposed Biochek 410 label highlighting the change – 1 copy
3. Proposed Biochek 410 label – 5 copies
4. Application form (EPA Form 8570-1) for Biochek 430
5. Proposed Biochek 430 label highlighting the change – 1 copy
6. Proposed Biochek 430 label – 5 copies
7. Application form (EPA Form 8570-1) for Tektamer 38 AD
8. Proposed Tektamer 38 AD label highlighting the change – 1 copy
9. Proposed Tektamer 38 AD label – 5 copies

Please feel free to contact me at 412-809-3595 with any questions.

Sincerely,

Heather F. Collins

Heather F. Collins
 Regulatory Affairs Specialist



TEKTAMER® 38 A.D.

(25.5% Aqueous Dispersion)

TO INHIBIT THE GROWTH OF MICROORGANISMS IN AQUEOUS SYSTEMS INCLUDING AQUEOUS EMULSIONS AND OILS APPLIED TO SYNTHETIC FIBERS AS PROCESSING AIDS

ACTIVE INGREDIENT: 1,2-Dibromo-2,4-dicyanobutane 25.5%
INERT INGREDIENTS 74.5%
TOTAL 100%

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.

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.

PESTICIDE STORAGE: Wastes resulting from 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 DISPOSAL: 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.

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. Do not give anything by mouth to an unconscious person.

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.

* Tektamer is a registered trademark of LANXESS Corp.

Mix well before using this product.

INTERNATIONAL 703-527-3887

Net Contents:

Lot No.:

DIRECTIONS FOR USE

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

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

Substrate	Effective Conc. (%)
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
Starch	0.04 - 0.1
Dispersed Pigments	0.04 - 0.1
Metalworking Fluids	0.1 - 0.4
Waxes & Polishes	0.04 - 0.4
Inks	0.04 - 0.3
Joint Cements	0.2 - 0.4
Fiber Processing Fluids	0.2 - 1.2

Method of Addition

Aqueous Paints (including 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 blend. However, where the adhesive is heated, Tektamer 38 A.D. 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 A.D. should be thoroughly mixed into the system to assure efficacy. If Tektamer 38 A.D. 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.

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.

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

EPA REGISTRATION NUMBER: 39967-34

EPA ESTABLISHMENT NUMBER:

LANXESS

LANXESS Corporation

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

LABEL TEXT DATE: 12/18/2006

NOTIFICATION

Date Reviewed: 1-9-07
Reviewed By: S. Grisham