



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

NOV 30 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Heather F. Collins, Senior Regulatory Affairs Specialist
LanXess Corporation
111RIDC Park West Drive
Pittsburgh, PA 15275-1112

Subject: Notification per PR Notice 2007-4
Tektamer 38 A.D.
EPA Registration Number: 39967-34
Application Date: October 27, 2009
Receipt Date: November 5, 2009

Dear Ms. Collins:

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

Proposed Notification:

Label revisions per PR Notice 2007-4.

General Comments:

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

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-6427 or by e-mail at carlisle.sharon@epa.gov Killian Swift by telephone at (703) 308-6346 email address at: swift.killian@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sharon Carlisle", is written over a horizontal line.

ShaRon Carlisle
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
Application for Pesticide - Section I			
1. Company / Product Number <u>39967-34</u>		2. EPA Product Manager <u>Heyward</u>	
4. Company / Product (Name) <u>TEKTAMER 38 A.D.</u>		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted 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 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 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"/> Other _____ <input 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>Heather F. Collins</u>		Title <u>Senior Regulatory Affairs Specialist</u> Telephone No. (Include Area Code) <u>412-809-3595</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 (Stamp)
2. Signature <u>Heather F. Collins</u>		3. Title <u>Senior Regulatory Affairs Specialist</u>	
4. Typed Name <u>Heather F. Collins</u>		5. Date <u>10/27/09</u>	

October 27, 2009

VIA COURIER

Mr. Adam Heyward
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: Product: TEKTAMER 38 A.D.
Registration #: 39967-34
Notification of Label Change per PR Notice 2007-4

Dear Mr. Heyward:

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

Specifically enclosed are:

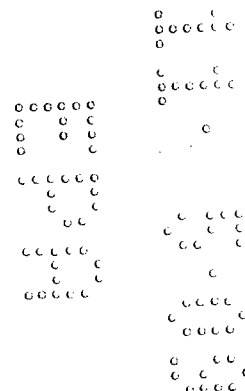
1. Application form (EPA Form 8570-1)
2. Proposed label highlighting the updated statements in yellow – 1 copy
3. Proposed label – 1 copy

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

Sincerely,

Heather F. Collins

Heather F. Collins
Senior 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 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.

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 Reg. No.: 39957-34

EPA Est. No.:

LANXESS

LANXESS Corporation

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

LABEL TEXT DATE: DRAFT

NOTIFICATION
Date Reviewed: 11/30/09
Reviewed By: [Signature]
-15