39967-38 12/4/2009 1/9

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

EPA United States Environmental Protection Agency Office of Pesticide Programs

DEC 4 2009

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

Attention: Heather F. Collins
Senior Regulatory Affairs Specialist

Subject: Biochek 430
EPA Registration No. 39967-38
Notification Dated November 2, 2009

This will acknowledge receipt of your notification of a label change per PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been made a part of your file.

However, in the "Storage and Disposal" section of the product label, change "container handling" to "container disposal".

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

M Swindell

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimcrobials Division (7510P)

2/9

EPA	United States Environmental Protection Agency Washington, DC 20460	☐ Registration ☐ Amendment ☒ Other	OPP Identifier Number

Application for Pesticide - Section I

1. Company / Product Number	2. EPA Product Manager	3. Proposed Classification
39967-38	Swindell	☒ None ☐ Restricted
4. Company / Product (Name)	PM#	
Biochek 430	33	
5. Name and Address of Applicant (*include ZIP Code*)	6. **Expedited Review.** In accordance with FIFRA Section 3(c)(3) (b)(i),	
LANXESS Corporation 111 RIDC Park West Drive Pittsburgh, PA 15275-1112	my product is similar or identical in composition and labeling to: EPA Reg. No. _____	
☐ *Check of this is a new address*	Product Name _____	

Section - II

☐ Amendment - Explain Below.

☐ Resubmission in response to Agency letter dated _____

☒ Notification - Explain below.

☐ Final printed labels in response to Agency letter dated _____

☐ "Me Too" Application

☐ 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	Unit Packaging		Water Soluble Packaging		2. Type of Container
☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No		☐ Metal ☐ Plastic
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package Wgt	No. per container	☐ Glass ☐ Paper ☐ Other (Specify)
***Certification must be submitted**					

3. Location of Net Contents Information	4. Size(s) retail Container	5. Location of Label Directions
☐ Label ☐ Container		

6. Manner in Which Label is affixed to Product ☐ Lithograph ☐ Paper glues ☐ Stenciled ☐ Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary. To process this application.)

Name	Title	Telephone No. (Include Area Code)
Heather F. Collins	Senior Regulatory Affairs Specialist	412-809-3595

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.

2. Signature	3. Title	6. Date Application Received (Stamped)
Heather F Collins	Senior Regulatory Affairs Specialist	
4. Typed Name	5. Date	
Heather F. Collins	10/27/09	

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

LANXESS
Energizing Chemistry

November 2, 2009

VIA COURIER

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

Mr. Marshall Swindell (33)
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

RE: Product: Biochek 430
Registration #: 39967-38
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
Senior Regulatory Affairs Specialist

BIOCHEK® 430

TO INHIBIT THE GROWTH OF MICROORGANISMS IN LATEX EMULSIONS, WAXES, POLISHES, INKS, PAINTS, PIGMENT SLURRIES, COATINGS, AND METAL WORKING FLUIDS AND ADHESIVES (Not for use in metalworking fluids in California)

ACTIVE INGREDIENTS:

1,2-Dibromo-2,4-dicyanobutane	23.725%
5-Chloro-2-methyl-4-isothiazolin-3-one	0.057%
2-Methyl-4-isothiazolin-3-one	0.020%
INERT INGREDIENTS:	76.198%
TOTAL	100.000%

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 breathe vapor or spray mist. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Remove contaminated clothing and wash before reuse. Handlers must wear: Long-sleeved shirt and long pants; Socks and shoes; Goggles or face shield and Chemical resistant gloves (such as rubber or any waterproof material); and Either a respirator with an organic vapor (OV) cartridge, or a canister with any N, P, R or HE prefilter or a dust/mist filtering respirator (MSHA/NIOSH) approval number prefix TC-21 or a NIOSH approved respirator with any N, P, R or HE prefilter.

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public 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.

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

The amount necessary for desired protection varies, depending on exposure conditions. Do not apply in a way that will contact workers or other persons.

See Label Supplement for additional use instructions.

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 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.

The LANXESS Pittsburgh Emergency Response Telephone Number is 800-410-3063.

® Biochek is a registered trademark of LANXESS Corp.

Mix well before using this product.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feeds by storage or disposal.

PESTICIDE STORAGE: Keep container closed when not in use. Ship and store Biochek 430 at temperatures between 0-42 °C (32-108 °F). Freezing the product may cause a temporary water separation, which can be corrected by mechanical agitation. Store away from heat. At temperatures above 42 °C (108 °F), the active ingredients in the dispersion may separate out. Handle and open container in a manner as to prevent spillage. If the container is leaking, invert to prevent leakage and carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed below.

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 environmental control agency, or the hazardous waste representative at the nearest 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, by incineration or, if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

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

EPA Reg. No.: 39967-38

Net Contents:

EPA Est. No.:

Lot No.:

LANXESS

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

LABEL TEXT DATE: DRAFT

5/9

LANXESS

Energizing Chemistry

Product Information

BIOCHEK 430

EPA Registration Number 39967-38

BIOCHEK® 430

BIOCHEK 430 is a preservative which effectively inhibits the growth of microorganisms in latex emulsions, metalworking fluids, adhesives, waxes, polishes, inks, cooling water, paper manufacture, paints, coatings, and pigment slurries. **BIOCHEK 430** is a dispersion of 1, 2-dibromo-2, 4-dicyanobutane, 4-dicyanobutane, 5-chloro-2-methyl-4-isothiasolin 3-one and 2-methyl-4-isothiazolin-3-one. For a general description of the typical chemical and physical properties, see the **BIOCHECK 430** Material Safety Data Sheet.

APPLICATION

The growth of microorganisms in aqueous systems during shipment, storage and handling can be detrimental to effectiveness. Such growth can affect such properties as odor, color viscosity and introduce microbial growth into production equipment and processes. **BIOCHEK 430** is effective in controlling such contamination and can improve the effectiveness and extent the life of materials treated if used according to the instructions given below.

TYPICAL PROPERTIES

Color.....White to off-white
Viscosity (Brookfield RVF, #5 Spindle @ 50 rpm @ 25°C).....1300-3100 cps
Freezing Point, °C.....0°C
Specific Gravity, @ 20°C.....1.1

TYPICAL LEVELS OF USE

Laboratory testing and customer use show **BIOCHEK 430** is typically effective when applied at concentrations shown below. The exact amount necessary for the preservation of any given formulation will depend on the components, storage time and temperature, etc., and can be determined by actual testing. All concentrations are based on the total formulation weight.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. The amount necessary for desired protection varies, depending on exposure conditions.

Do not apply this product in a way that will contact workers or other persons.

BIOCHEK 430 is an in-can preservative intended to protect products during storage from degradation by bacteria, fungi and yeasts. **BIOCHEK 430** does not impart antimicrobial properties to the preserved product.

Aqueous paints and Coatings (including heating and air conditioning systems)

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. Biochek 430 can be incorporated by pouring if necessary. **Biochek 430** should be incorporated into the makeup water during the grind.

BIOCHEK 430 is an effective in-can preservative for all type of aqueous paints and coatings when used at levels of 800 – 3000 ppm. The optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Latex emulsions and High Viscosity Suspensions

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Incorporate by pumping or pouring with agitation into the makeup water blend. These products include, but are not limited to, dishwashing liquids, furniture and floor waxes and polishes, cleaners and treatment products and over-the counter inks sold to custom color decorative household projects.

Effective protection is achieved between 500 – 8000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Pump or pour using moderate agitation immediately following cool-down of the emulsion, and prior to pumping the emulsion into storage tank facilities. Latex emulsions that are preserved by **BIOCHEK 430** include polyvinyl acetate, acrylic, vinyl acrylic and styrene butadiene. These emulsions are the raw materials used in the formulation of paints, adhesives, joint cements, pigments and household products.

Effective protection is achieved between 500 – 8000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Adhesives

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Where the adhesive is heated, **BIOCHEK 430** should be added during the cool-down cycle to minimize any evaporative loss. Adhesives for which **BIOCHEK 430** provides effective in-can preservation are starch, epoxy, polyester, polyvinyl acetate, styrene butadiene, methyl cellulose, acrylic, polyvinyl alcohol, hydroxyethyl cellulose, dextrin and casein. Such adhesives include, but are not limited to, those used in manufacturing process, construction projects, packaging materials

Effective protection is achieved between 500 – 8000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Joint cements

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Incorporate by pumping or pouring with agitation into the makeup water blend. These products include mortar-like sealers that are used to construct walls.

Effective protection is achieved between 2000 – 8000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Pigment Slurries and Dispersions

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Pump or pour using moderate agitation immediately following cool-down of the dispersed pigment and prior to pumping to the storage tank. **BIOCHEK 430** is an effective in-can preservative to protect the pigment during handling, transportation and storage. Dispersed pigments are used to impart color to many products such as paints and coatings, adhesives and plastics. Such material can be starch, clay, calcium carbonate or titanium dioxide; paper coatings, high viscosity suspensions, e.g., polymers, sizing solutions.

Effective protection is achieved between 400 – 9000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Metalworking fluids

BIOCHEK 430 is formulated to facilitate incorporate by pumping, but can be poured. Pump or pour **BIOCHEK 430** into the final diluted fluid either prior to its addition to the system at a level that will provide adequate protection in the diluted system, or after the system has been filled. **BIOCHEK 430** should be thoroughly mixed into the system to assure efficacy. If **BIOCHEK 430** is added to the concentrate, testing should be conducted to assure compatibility.

Effective protection is achieved between 500 – 4000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

Waxes, polishes, and inks

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Incorporate by pumping or pouring with agitation into the makeup water blend. These products include, but are not limited to, dishwashing liquids, furniture and floor waxes and polishes, cleaners and treatment products and over-the counter inks sold to custom color decorative household projects.

Effective protection is achieved between 500 – 4000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

INDUSTRIAL FIBER PROCESSING FLUIDS

BIOCHEK 430 is an effective preservation for aqueous fluid used to manufacture and process fibers. **BIOCHEK 430** is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. These fluids are used at various points in the production of fibers to lubricate, cool and wash. These fibers are typically used in non-apparel application and include all types of canvas materials. Biochek 430 should be added to the to the make-up water of emulsions or to oil with agitation. Effective concentration is 0.2 – 1.2%.

Effective protection is achieved between 2000– 12000 ppm. Optimum effective concentration can vary with properties of the material being preserved. Testing to determine the appropriate level for your product is highly recommended.

INDUSTRIAL RECIRCULATING COOLING WATER

BIOCHEK 430 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 430** can be incorporated by pouring if necessary. Pump or pour **BIOCHEK 430** to the sump, suction side of the recirculating pump, or any other point of turbulent flow. Badly fouled systems should be cleaned before initial treatment. Optimum performance of **BIOCHEK 430** can be attained by continuous or intermittent feed. Effective concentration is 500-8000 ppm.

PAPER MILLS – SLIME CONTROL

For control of bacterial, fungal and yeast growth in pulp, paper, and paperboard mills, add **BIOCHEK 430** at the rate of 0.08 – 0.4 lbs/ton of finished pulp or paper produced (dry basis). Addition should be made by pumping or pouring at a location that will insure uniform distribution of **BIOCHEK 430** in the mass of fiber and water, such as the beaters, Jordan inlet or discharge, broke chests, furnish chests, save-alls, and white-water chests. It is preferable to clean a fouled machine before slimicide addition whenever possible. **BIOCHEK 430** is also used for preservation of pigment slurries, adhesives, coatings, emulsions and high viscosity suspensions.

METHOD OF ADDITION
Systems with a tendency to become severely fouled or heavily fouled systems should be thoroughly cleaned and then treated with **BIOCHEK 430** at a range of 0.24 – 0.4 lbs/ton of finished paper produced until control of the problem is achieved. Maintenance levels for systems conducive to slight or moderate fouling should be treated on an intermittent basis with **BIOCHEK 430** at a level of 0.08-0.4 lbs/ton of finished paper product depending upon observed conditions.

METHOD OF ADDITION
For preservation of slurries and high viscosity suspensions, the material should be added at a point in the processing where there will be sufficient time and agitation for good dispersion.

COMPATIBILITY

BIOCHEK 430 is compatible with typical ingredients in end-use formulations. However, it should be added separately from amine-containing and strong nucleophilic agents during product formulations. Mixing **BIOCHEK 430** with these agents may cause a reaction between the ingredients which can deactivate **BIOCHEK 430**.

BIOCHEK 430 is most active over a pH range of 2.0 - 9.5. In some formulations, the product has shown efficacy in higher pH formulations. If the formulation will have a final pH greater than 9.5, laboratory testing is recommended.

CORROSION PROPERTIES

BIOCHEK 430 is compatible with materials such as PVC, polyethylene, polypropylene, Tygon, Teflon and glass. **BIOCHEK 430** is corrosive to mild steel.

Positive displacement pumps are preferred for handling the product. Chemical feed pumps are available.

PACKAGING

BIOCHEK 430 is available in pails, drums, and bins.

REMARKS

If you need assistance or information, please call your nearest LANXESS representative, or our Pittsburgh office at 800-LANXESS.

IN CASE OF EMERGENCY, CALL: CHEMTREC 1-800-424-9300
INTERNATIONAL (703)-527-3887
HAVE THE PRODUCT CONTAINER OF LABEL WITH YOU WHEN CALLING A POISON CONTROL CENTER OR DOCTOR OR GOING FOR TREATMENT.

LANXESS Corporation
111 RIDC Park West Drive
Pittsburgh, PA 15275
412-809-1000

12/08