

39967-39

12/26/2006

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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 <u>39967-39</u>		2. EPA Product Manager <u>Heyward</u>			
4. Company / Product (Name) <u>Biochek 410</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"/> 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 glue <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 <u>Heather F. Collins</u>		Title <u>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 (Stamped)			
2. Signature 				3. Title <u>Regulatory Affairs Specialist</u>	
4. Typed Name <u>Heather F. Collins</u>				5. Date <u>12/26/06</u>	

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) *PM-33*
Biochek 430 (EPA Registration # 39967-38) *" 33*
Tektamer 38 AD (EPA Registration # 39967-34) - *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

BIOCHEK® 410

AN INDUSTRIAL PRESERVATIVE TO INHIBIT THE GROWTH OF BACTERIA, FUNGI AND YEASTS IN AQUEOUS PAINTS, LATEX EMULSIONS, METALWORKING FLUIDS, PIGMENT SLURRIES, JOINT CEMENTS, HOUSEHOLD PRODUCTS AND PRINTING FLUIDS

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE. Causes irreversible eye damage. Harmful if inhaled. Harmful if swallowed or absorbed through skin. Avoid breathing 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; 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.

Wash hands thoroughly before eating drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove personal protective equipment immediately after handling this product. Wash 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 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.

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300
EPA REGISTRATION NUMBER: 39967-39
EPA ESTABLISHMENT NUMBER:

ACTIVE INGREDIENTS: 1,2-Dibromo-2,4-dicyanobutane -----19%
1,2-Benzisothiazolin-3-one -----6%
INERT INGREDIENTS: -----75%
TOTAL -----100%

KEEP OUT OF REACH OF CHILDREN DANGER

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.

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 Corporation

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. Do not apply in a way that will contact workers or other persons. The amount necessary for desired protection varies, depending on exposure conditions. For further application information refer to the Product Bulletin.

STORAGE AND DISPOSAL

Keep container closed when not in use. Do not contaminate water, food, or feeds by storage or disposal.

Ship and store Biochek 410 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.

ATTENTION: If the temperature indicator button is white, the product can be used directly. If the indicator button is bright blue, matching the exposed example, sample the drum. If the product is a slightly viscous, white dispersion, the product may be used. If two phases are found or clear viscous, water is found, contact your product representative. Temperature changes may alter viscosity, but will not affect product handling or performance.

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 DISPOSAL: Disposal of Drums: Do not reuse empty container. Triple rinse (or equivalent). Reseal container 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.

LANXESS

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

LABEL TEXT DATE: 12/18/06