


39967-39

02/09/2011

1/11

 U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Antimicrobials Division (7510C) 1200 Pennsylvania Avenue NW Washington, D.C. 20460 NOTICE OF PESTICIDE: ____ Registration <u> x </u> Reregistration (under FIFRA, as amended)	EPA Reg. Number: 39967-39	Date of Issuance FEB - 9 2011
	Term of Issuance: Conditional	
	Name of Pesticide Product: BIOCHEK 410	

Name and Address of Registrant (include ZIP Code):
**Lanxess Corporation
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112**

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the 1,2-Dibromo-2,4-dicyanobutane RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g) (2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

1. Make the following label changes:

a. The EPA Registration Number to read "39967-39".

Signature of Approving Official: Marshall Swindell Product Manager Team-33 Regulatory Management Branch I Antimicrobials Division (7510P)	Date: FEB - 9 2011
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b. Per the acute toxicity review, the heading "IF ON SKIN" in the first aid statements must be revised to read "IF ON SKIN OR CLOTHING".

c. Per the acute toxicity review, add the following text to the label:

"Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact [insert phone number 1-800-xxx-xxx] for emergency medical treatment information."

Note: If the phone number listed on the label (800-424-9300) is intended as a Contact for emergency medical information, then this number should be relocated to the text above.

d. The Agency recommends that additional text be added to the Note to Physician that addresses acute dermal toxicity and eye and skin irritation concerns.

e. Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

"DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. Harmful if swallowed or absorbed through skin. Harmful if inhaled. Avoid breathing vapor or spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals."

f. Per the acute toxicity review, the User Safety Recommendations must be revised to the label:

"User Safety Recommendations

User should wash hands before, eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

User should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing."

h. Per the product chemistry review dated 9/20/10, a Physical or Chemical Hazards statement must be added to the label denoting the product's incompatibility with oxidizing agents.

i. Per the product chemistry review, revisions are recommended to the storage and disposal section of the label, per PR Notice 2007-4.

2. For additional labeling clarity and consistency, please refer to the enclosed EPA reviews.

3/11

Page 3
EPA Registration No. 39967-39

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Submit two (2) copies of the revised labeling bearing the labeling revisions listed above. A stamped copy of the label is enclosed for your records.

If you have questions concerning this matter, please contact me at (703) 308-6341 or by email at swindell.marshall@epa.gov or Martha L. Terry at (703) 308-6217 or by email at terry.martha@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Swindell", written over a horizontal line.

Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Enclosures

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 Reg. No.: 39967-39

EPA Est. No.: 39967-PA-001

LANXESS

LANXESS Corporation

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

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: Pounds

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.

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.

ACCEPTED
with COMMENTS
EPA Letter Dated:

FEB - 9 2011

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 39967-39

LABEL TEXT DATE: 11/12/08

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5/11

LANXESS

Energizing Chemistry

Product Information

BIOCHEK 410

EPA Registration Number: 39967-39

ACCEPTED
with COMMENTS
EPA Letter Dated:

FEB - 9 2011

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 09967-39

6/11

BIOCHEK® 410

Industrial Preservative

PRODUCT BENEFITS

- Broad spectrum
- Excellent long-term preservation
- FDA approved
- Wide pH range (2.0 – 9.5)

GENERAL DESCRIPTION

BIOCHEK 410 is an industrial preservative which effectively inhibits the growth of bacteria, fungi and yeasts in aqueous systems including paints, adhesives, latex emulsions, metalworking fluids, pigment slurries, joint cements, household products, and printing fluids. **BIOCHEK 410** is intended to protect products during storage. Chemically, **BIOCHEK 410** is a 19% dispersion of 1,2-dibromo-2,4-dicyanobutane and 6% 1,2-benzisothiazolin-3-one, shown in order in the chemical diagram below. For a general description of the typical chemical and physical properties, see the **BIOCHEK 410** 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 410** is effective in controlling such contamination and can improve the effectiveness and extend the life of materials treated if used according to the instructions given below.

TYPICAL LEVELS OF USE

Laboratory testing and customer use shows **BIOCHEK 410** is typically effective when applied at concentrations shown. The exact amount necessary for the preservation of any given formulation will depend on the components, storage time, temperature, etc., and can be determined through actual testing coordinated by your LANXESS Corporation representative. All concentrations are based on the total formulation weight.

	Product Use Level
Adhesives	500 – 8000 ppm
Latex Emulsions	500 – 8000 ppm
Metalworking Fluids	500 – 4000 ppm
Aqueous Paints	500 – 4000 ppm
Pigment Slurries	500 – 2000 ppm
Joint Cements	2000 – 8000 ppm
Household Products	500 – 4000 ppm

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Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
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FDA STATUS AND APPROVALS

BIOCHEK 410 has FDA approval under 21 CFR 175.105, 176.170 and 176.180.
BIOCHEK 410 is approved by the German BGVV, Recommendation XXXVI.

DIRECTIONS FOR USE

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

Adhesives

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** can be incorporated by pouring if necessary. Where the adhesive is heated, **BIOCHEK 410** should be added during the cool-down cycle to minimize any evaporative loss. Adhesives for which **BIOCHEK 410** 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.

Aqueous paints

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** can be incorporated by pouring if necessary. **BIOCHEK 410** should be incorporated into the makeup water during the grind.

BIOCHEK 410 is an effective in-can preservative for all type of aqueous paints and coatings when used at levels of 500 – 4000 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

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** 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 410** 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.

Dispersed pigments

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** 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 410** 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.

Effective protection is achieved between 500 – 2000 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.

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FEB - 9

Household products and waxes, polishes, and inks

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** 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.

Joint cements

BIOCHEK 410 is formulated to facilitate incorporate by pumping into the makeup water. **BIOCHEK 410** 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.

Metalworking fluids

BIOCHEK 410 is formulated to facilitate incorporate by pumping, but can be poured. Pump or pour **BIOCHEK 410** 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 410** should be thoroughly mixed into the system to assure efficacy. If **BIOCHEK 410** 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.

Printing fluids

BIOCHEK 410 is formulated to facilitate incorporate by pumping, but can be poured. Add to fluid concentrates during, or at the end of, mixing prior to filling at concentrations from 30 – 5000 ppm by weight. These printing fluids may be further diluted with water by printers so that the final concentration of **BIOCHEK 410** is 10 – 2000 ppm by weight. This product includes all types of printing fluid products such as, but not limited to printing, copier and computer inks.

Optimum effective concentration should be determined by testing in your specific application.

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EPA Letter Dated:

FEB - 9 2011

9/11

LANXESS Corporation
BIOCHEK® BIT 10 Technical Information Bulletin

Page 5

Pulp & paper mill system slime control

The preferred method of addition is by **shock dosing** because this ensures that a high concentration of BIOCHEK BIT 10 is present in the system for several hours. If a slime control agent is added by continuous methods over periods of several hours, its concentration in the system at all times is low. This can lead to the development of resistant organisms, which is less likely to occur when the shock dosing method is used.

It is not possible to give precise recommendations as to the quantity of BIOCHEK BIT 10 to add to control slime formation, because the magnitude of the problem varies greatly from mill to mill, depending on the furnish employed, the cleanliness of the mill system, and the additional nutrients (for example, starch) that may be added to the stock.

The following quantities of BIOCHEK BIT 10 are suggested for trial:

Shock dosing: If this preferred method is adopted, add 5 to 18 ounces of BIOCHEK BIT 10 for each ton of paper produced per day as a single shock dose, the actual quantity to be used depending on the severity of the slime problem. This addition may be made to any part of the stock preparation or backwater system. Alternatively, the addition may be made to those parts of the system where it is known that slime deposits accumulate.

Continuous addition: If this method is adopted, add BIOCHEK BIT 10 continuously for either the single period of 8 hours during every 24 hours or for two separate periods of 4 hours during every 24 hours. Meter BIOCHEK BIT 10 into the recirculated backwater at a rate of 14 to 17 ounces for each ton of paper produced during the dosing period.

ACCEPTED
with COMMENTS
EPA Letter Dated:

FEB - 9 2011

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 39967-39

PRECAUTIONARY STATEMENTS

Keep Out of Reach of Children

DANGER

Hazards to Humans and Domestic Animals

Corrosive. Causes skin burns and 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. Do not breathe vapor or spray mist. Wear goggles or face shield, chemical resistant gloves, long pants and long sleeved shirt. Wear a mask or pesticide respirator approved by the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

FIRST AID:

If in Eyes: Hold eye 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 to by a poison control center doctor.

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 further treatment advice.

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. Wash contaminated clothing and footwear before reuse.

Poison Control Center: Call 1-800-222-1222

10/11

LANXESS Corporation
BIOCHEK® BIT 10 Technical Information Bulletin

Page 6

Have the product container or label or this Bulletin with you when calling a poison control center, doctor, 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

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not apply in marine and estuarine oil fields.

STORAGE AND DISPOSAL

Prohibitions

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

Storage

Protect from frost. If frozen, allow to thaw and stir well before use.

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

Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

For information on spills, call
1-800-424-9300

Safe Handling Information

Refer to the Material Safety Data Sheet (MSDS) available from LANXESS Corporation for information on the safe use, handling and disposal of this product.

For technical information, literature, sample and order information, please contact LANXESS Corporation at the following address:

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

ACCEPTED
with COMMENTS
EPA Letter Dated:

FEB - 9 2011

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. **39967-34**

DISCLAIMER: Seller (whether manufacturer, distributor, or other) makes no warranty express or implied, including the implied warranty of merchantability, regarding this product except the composition as set forth in the ingredient statement herein, and shall not be liable for special or consequential damages, the exclusive remedy being the replacement of the product. Buyer or user assumes all risk of possession, handling or use of this material when such use and/or handling is contrary to label instructions.

COMPATIBILITY

BIOCHEK 410 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 410** with these agents may cause a reaction between the ingredients that can deactivate **BIOCHEK 410**.

BIOCHEK 410 is most active over a pH range of 2.0-9.5. In some formulations, product has shown efficacy in higher pH formulations. If the formulation will have a final pH greater than 9.5, laboratory testing is recommended.

MATERIALS COMPATIBILITY

BIOCHEK 410 is compatible with materials such as PVC, polyethylene, polypropylene, Tygon, Teflon and glass. **BIOCHEK 410** is corrosive to mild steel.

Positive displacement pumps are preferred for handling the product.

Recommended materials for pump "liquid ends" and piping include polyethylene, polypropylene, PVC, Kynar, Viton, or Hypalon.

STORAGE AND HANDLING

Read the label and MSDS for complete handling information before using this product.

PACKAGING

BIOCHEK 410 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

ACCEPTED
with COMMENTS
EPA Letter Dated:

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11/08

Under the Federal Insecticide,
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