

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

JUN 24 2010

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

Attention: Stan Oslosky

Subject: Biochek BIT 10
EPA Registration No: 39967-54
Notification Dated May 28, 2010

This will acknowledge receipt of your notification, submitted under the provisions of FIFRA Section 3(c) (9).

Proposed Notification

- To revise Storage and Disposal statement per PR Notice 2007-4

General Comments

Base 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 added to your file.

If you have any questions concerning this letter, please contact Zebora Johnson (703) 308-7080

Sincerely

A handwritten signature in black ink, appearing to read 'M Swindell'.

Marshall Swindell
Product Manger (33)
Regulatory Management Branch I
Antimicrobial's Division (7501P)

	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>39967-54</u>	2. EPA Product Manager <u>Swindell</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>Preventol BIT 10</u>	PM# <u>33</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:						2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt. _____	No. per container _____	If "Yes" Package Wgt _____	No. per container _____		
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container			4. Size(s) retail Container <u>Drum/Pail/Tote</u>		5. Location of Label Directions <u>On supplement</u>		
6. Manner in Which Label is affixed to Product <input checked="" 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 <u>Stan Oslosky</u>	Title <u>Head of Regulatory Affairs</u>	Telephone No. (Include Area Code) <u>412-809-3577</u>
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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>Head of Regulatory Affairs</u>	
4. Typed Name <u>Stan Oslosky</u>	5. Date <u>5/27/2010</u>	

LANXESS

Energizing Chemistry

May 28, 2010

VIA COURIER

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

Stan Oslosky
Material Protection Products
Regulatory Affairs
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

Phone 412-809-3577
Fax 412-809-1068
Stan.Oslosky@lanxess.com
www.US.LANXESS.com

**RE: Product: Biochek BIT 10
Registration #: 39967-54
Notification of Label Change per PR Notice 2007-4**

Dear Mr. Swindell:

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

Specifically enclosed are:

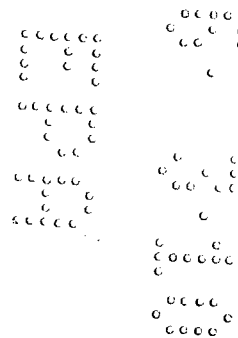
1. Application form (EPA Form 8570-1)
2. Proposed label highlighting the updated statements in yellow – 1 copy
3. Proposed label – 1 copy
4. Label Supplement – 1 copy

Please feel free to contact me at 412-809-3577 with any questions.

Sincerely,



Stan Oslosky
Manager, Regulatory Affairs



FOR INDUSTRIAL USE ONLY AS AN ANTIMICROBIAL TO PROTECT AQUEOUS COMPOSITIONS SUCH AS LATICES, OIL-IN-WATER EMU SLURRIES, BUILDING AND CONSTRUCTION COMPOSITIONS, PESTICIDE FORMULATIONS, HOME CLEANING PRODUCTS, LIQUID LAUNGE COATING COMPOSITIONS, PULP AND PAPER MILL SYSTEMS, OR LEATHER PROCESS

**KEEP OUT OF REACH OF
 CHILDREN
 DANGER**

**PRECAUTIONARY STATEMENTS
 HAZARDS TO HUMANS AND DOMESTIC
 ANIMALS**

DANGER. 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.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 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 or estuarine oil fields.

LANXESS

ACTIVE INGREDIENTS:

1,2-benzisothiazolin-3-one..... 9.0%
INERT INGREDIENT: 91.0%
Total100.0%

DIRECTIONS FOR USE

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

For Detailed Directions For Use, Please Refer To The LANXESS Corporation Technical Information Bulletin. Read these entire directions before using BIOCHEK BIT 10.

DISCLAIMER: Seller (whether manufacturer, distributor, or other) makes no warranty express or implied, including the implied warranty of merchantability, regarding this product except the position 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.

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

**EPA REGISTRATION NUMBER: 39967-54
 EPA EST. NUMBER**

**Net Contents:
 Lot No.:**

® Biochek is a registered trademark of LANXESS Corporation

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

FIRS

Call a poison treatment adv you when call treatment.

IF IN EYES: 1 water for 15-2 after the first 5

IF SKIN IRRIT contaminated water for 15-2

IF INHALED: doctor for trea

IF SWALLOV anything by m

NOTE TO PH contraindicate

Poison

Drum

PROHIBITIONS

storage or **PESTICIDE ST**

thaw and s **PESTICIDE DIS**

hazardous mixture, or

wastes car instructions

Environment representa guidance.

CONTAINER H remaining

and drain f the contain closures.

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HEK® BIT 10

OIL-IN-WATER EMULSIONS, PAINTS AND COATINGS, INKS AND FONT SOLUTIONS, WATER-BASED ADHESIVES, AQUEOUS PIGMENT OR MINERAL OILS, LIQUID LAUNDRY ADDITIVES, CAR CARE PRODUCTS, OIL RECOVERY MATERIALS, SECONDARY OIL RECOVERY FLUIDS, PAPER OR TEXTILE FINISHES, LEATHER PROCESSING SOLUTIONS, OR INTENDED TO PROTECT FRESH ANIMAL HIDES OR SKINS

FIRST AID

Call a poison control center or doctor immediately for treatment advice. Have the product container or label with you when calling a poison control center or when going for treatment.

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 eye. Call a poison control center or doctor for treatment advice.

IF SKIN IRRITATION OR DERMAL EXPOSURE: Take off contaminated clothes. 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.

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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

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

Drum

STORAGE AND DISPOSAL

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

PESTICIDE 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 HANDLING: Triple rinse as follows: Empty the remaining contents into application equipment or mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution for 30 seconds. Stand the container on its end and tip it back and forth, several times. Turn the container over onto

the other end and tip it back and forth. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Tote

STORAGE AND DISPOSAL

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

PESTICIDE 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 HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or reconditioning if appropriate.

If not available, pressure rinse as follows: Empty the remaining contents into the application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Insert pressure rinsing nozzle in the side of container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Pail

STORAGE AND DISPOSAL

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

PESTICIDE 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 HANDLING: Triple rinse as follows: Empty the remaining contents into application equipment or mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Emergencies:

In emergency situations, such as spills, fire, or exposure: call 1-800-424-9300

15275-1

LABEL TEXT DATE: 5/25/2010