

39967-105

2/21/2013

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

FEB 21 2013



Office of Pesticide Programs

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

Attention: Barbara Sadler
Regulatory Affairs Specialist

Subject: N-521 Dispersion
EPA Registration No.39967-105
Notification Dated January 23, 2013

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

Proposed Notification

- Removal of the warranty statement per PR Notice 98-10

General Comments

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 added to our files.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Martha Terry" or "Marshall Swindell". The signature is fluid and cursive.

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

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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 _____
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Application for Pesticide - Section I

1. Company / Product Number <u>39967-105</u>	2. EPA Product Manager <u>Marshall Swindell</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>N-521 Dispersion</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"/> 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.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This notification is to remove warranty statements from the label
 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations 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 am subject to enforcement action and penalties under section 12 and 14 of FIFRA
 Contact: Barb Sadler / phone (412) 809-3714 / Fax: (412) 809-1068 / email: barbara.sadler@lanxess.com

Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container <input checked="" type="checkbox"/> Metal <input 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) retail Container <u>2300lb, 465lb</u>		5. Location of Label Directions _____	
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>Barb Sadler</u>	Title <u>Regulatory Affairs Specialist</u>	Telephone No. (Include Area Code) <u>412-809-3714</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) <div style="border: 1px solid black; width: 100px; height: 100px; margin: 10px auto;"></div>	
2. Signature 	3. Title <u>Regulatory Affairs Specialist</u>	6. Date Application Received (Stamped) <div style="border: 1px solid black; width: 100px; height: 100px; margin: 10px auto;"></div>	
4. Typed Name <u>Barb Sadler</u>	5. Date <u>1/23/13</u>		

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January 23, 2013

Document Processing Desk (NOTIF)
Marshall Swindell, Antimicrobial Division (33)
Office of Pesticide Program (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

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

Phone 412-809-3714
Barbara.sadler@lanxess.com
www.US.LANXESS.com

**RE: Product: N-521 Dispersion
Registration No. 39967-105
Label Change Notification**

Dear Mr. Swindell,

Please find enclosed a notification per PR Notice 98-10 for the removal of the warranty statement on the N-521 Dispersion label. Enclosed are:

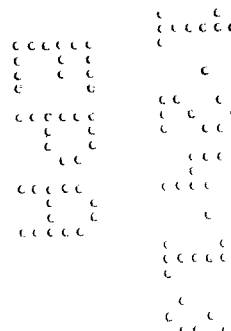
- Form 8570-1
- Three high-lighted label copies (dated 5/12)
- Three copies of label (dated 1/23/13)

Please contact me at 412-809-3714 if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Sadler".

Barbara Sadler
Regulatory Affairs Specialist



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N-521®

DISPERSION

Fungicide/Bactericide

**Inhibits and controls growth of
slime forming fungi and bacteria**

PRESERVES AQUEOUS SYSTEMS

Active Ingredient:

3,5-Dimethyl-1,3,5,-2H-Tetrahydrothiadiazine-2-thione
.....19.8%

Inert Ingredients:80.2%

Total:100%

WARNING
KEEP OUT OF REACH OF CHILDREN

EPA Reg. No. 39967-105

EPA Est. No.

NET WEIGHT:

LOT NO.:

LANXESS

Energizing Chemistry

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

IN CASE OF CHEMICAL EMERGENCY CALL
CHEMTREC (800) 424-9300.

Last Revision 5/12

PRECAUTIONARY ST.

HAZARDS TO HUMANS AND D

WARNING: May be fatal if swallowed and absorbed through skin. Avoid contact with skin or clothing. Prolonged or frequent contact may cause allergic reactions in some individuals. Wash hands thoroughly before eating, drinking, or using chewing gum, using tobacco or u

FIRST AID

If Swallowed: Call a poison control center immediately for treatment advice. Have person drink water if able to swallow. Do not induce vomiting. Do so by a poison control center or doctor for treatment. Do not give anything by mouth to an unconscious person.

If in Eyes: Hold eyes open and rinse with water for 15-20 minutes. Remove contact lenses after the first 15 minutes, then continue to rinse. Call poison control center or doctor for treatment.

If Inhaled: Move person to fresh air. If breathing is difficult, call 911 or an ambulance. Provide artificial respiration, preferably mouth-to-mouth, if the person is not breathing. Call poison control center or doctor for further treatment.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin with plenty of water for at least 15 minutes. Call poison control center or doctor for treatment.

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

ENVIRONMENTAL H.

This product is toxic to fish. Do not apply this product into lakes, streams, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge System (NPDES) permit and the applicant has been notified in writing prior to discharge of effluent containing this product to the receiving body of water previously notifying the local sewerage authority. For guidance, contact your Regional Office of the EPA.

RECOMMENDAT

NOTE: N-521® Dispersion should not be used in formulations containing mercurials or other ingredients that are not compatible with sulfur compounds.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: May be fatal if swallowed. Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

FIRST AID

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.

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 15 minutes, then continue rinsing eyes. 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 further treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

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

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.

RECOMMENDATIONS

NOTE: N-521® Dispersion should not be used in formulations containing mercurials or other components that are not compatible with sulfur compounds.

GENERAL DIRECTIONS FOR USE

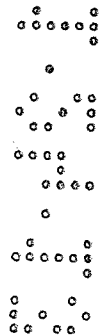
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. N-521® Dispersion is recommended for use in applications related to paper making such as clay processing and processing of aqueous slurries, suspensions, and dispersions. N-521® Dispersion is effective in inhibiting the growth of fungi and bacteria which cause microbiological degradation and slime formation in slurries and high viscosity suspensions (starches, adhesives, clay slurries, glues, coating, resin emulsions, etc.) during processing at use levels of 0.5 to 2.5% by weight of the slurry, suspension or dispersion. The most effective product usage rate within the effective range of 0.5% to 2.5% by weight must be determined by actual test on each specific formulation and situation since performance will vary depending on the ingredients in the formulation being preserved, its storage conditions, and the length of preservation time required. Method of Addition: N-521® Dispersion is intended for use as a preservative. N-521® Dispersion should be added at a point in the processing where there will be sufficient time and agitation for thorough dispersion. This product's active and inert ingredients are approved by the FDA (21 CFR) for indirect food contact applications related only to pulp and paper making operations.

NOTICE TO BUYER

Buyer assumes all risks of use and handling which are at variance in any way with the directions hereon. There are no quantities which extend beyond the description on this label.

GENERAL CONDITIONS OF SALE AND WARRANTY

The information on this label is offered solely for your information, consideration, and investigation and represents our current data and best opinion as to the proper use of this product under normal conditions. Any use of the product which is not in conformance with this label or which involves using the product in combination with any other product or any other process other than described on this label is the responsibility of the user. This information is provided without warranties, either express or implied, and we assume no responsibility for the accuracy or completeness of the data contained herein.



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INSTRUCTIONS FOR USE

Law to use this product in a labeling. N-521® Dispersion isications related to paper making processing of aqueous slurries, s. N-521® Dispersion is effective ungi and bacteria which cause and slime formation in slurries ions (starches, adhesives, clay resin emulsions, etc.) during 0.5 to 2.5% by weight of the sion. The most effective product ive range of 0.5% to 2.5% by by actual test on each specific since performance will vary ents in the formulation being nditions, and the length of Method of Addition: N-521® use as a preservative. N-521® d at a point in the processing t time and agitation for thorough active and inert ingredients are CFR) for indirect food contact to pulp and paper making

TO BUYER
ndling which are at variance in any way with
no quantities, which extend beyond the

OF SALE AND WARRANTY.
d solely for your information; consideration.
current data and best opinion as to the
al conditions. Any use of the product which
or which involves using the product in
any other process other than described on
user. This information is provided without
and we assume no responsibility for the
contained herein.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Keep away from heat and flame. Do not reuse container.

STORAGE: Keep container tightly closed when not in use. Do not store near food or feedstuffs. Can be stored at temperatures as low as minus 50°F.

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 the 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 AND DISPOSAL
NONREFILLABLE CONTAINER. Do not refill or reuse container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows:

PAIS (equal to or less than 5 gallons): Empty 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 a 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.

DRUMS and TOTES/BINS (greater than 5 gallons): Empty remaining contents into application equipment or mix tank. 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 container over onto its other end and tip it back and forth several times. Empty the rinsate into the application equipment or mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

ALL NONREFILLABLE CONTAINERS: Offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.