

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C 20460



Office of Pesticide Programs

SEP 28 2012

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

Attention Dee Wilson
Regulatory Affairs Specialist

Subject Veriguard OD
EPA Registration No 39967-118
Notification Dated August 30, 2012

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

Proposed Notification

- Correction of Proper Storage and Disposal statements (for Non-Refillable Containers)

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 your file

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 "M. Swindell", written in a cursive style.

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

	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 39967 118	2 EPA Product Manager M Swindell	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company / Product (Name) Verguard OD	PM# 33	
5 Name and Address of Applicant (include ZIP Code) LANXESS Corporation 111RICD Park West Drive Pittsburgh PA 15275 <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

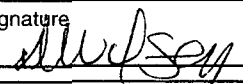
Explanation Use additional page(s) if necessary (For section I and Section II)

NOTIFICATION Correction of proper Storage and Disposal Statements (for Non Refillable containers) for an Antimicrobial Product This notification is consistent with the provisions of PR Notice 2007 4 and PR Notice 98 10 (II)(G) and EPA regulations at 40CFR152.46 No other changes that require a notification or amendment have been made to the labeling or the CSF 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 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			
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 5 gal pail 55 gal drum 275 gal IBC
6 Manner in Which Label is affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <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 Dee Wilson	Title Regulatory Affairs Specialist	Telephone No. (include area Code) 412 809 3562			
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					Date Applicant Received (Stamped)
2 Signature 		3 Title Regulatory Affairs Specialist			
4 Typed Name Dee Wilson		5 Date 30 Aug 12			

3/4

Marshall Swindell
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 3553
Phone 703 308 6341

**Subject Notification Veriguard OD (39967-118)
Correction to proper Storage and Disposal Statements**

August 30 2012

LANXESS Corporation
Dee Wilson
Regulatory Affairs Specialist MPP
LANXESS Corporation
111 RIDC Park West Drive
Pittsburgh PA 15275 1112
Phone +1 412 809 3562
Fax +1 234 567 8910
dee.wilson@lanxess.com
www.us.lanxess.com

Dear Marshall Swindell

As per PR Notice 2007 4 and PR Notice 98 10 Notifications Non Notifications and Minor Formulation Amendments Sec II (G) LANXESS is notifying the agency of its correction for proper Storage and Disposal Statements on the Veriguard OD (39967 118) Label The Notice to Buyer statement has been removed and Label reflects new Registrant's EPA Registration Number Company Name and address (Non Notifications)

We have evidence that this was submitted via Notification originally (letter Dated Nov 25 2009) but are unable to find documentation of EPA acceptance As per our conversation (Aug 29 2012) I am submitting the documents listed below via email (hardcopies to follow via courier)

When it was originally submitted to the EPA the statements did not completely reflect the product We feel these additional statements are more appropriately suited to our product All Storage and Disposal statements are consistent with the provisions of PR Notice 2007 4

Enclosed you will find

- EPA Form 8570 1 Application for Registration (Notification)
- One (1) copy of the Veriguard OD Label with changes clearly marked
- Two (2) copies of the Veriguard OD final printed Label

Should you have any questions please feel free to contact me directly

Yours sincerely

Dee Wilson
Dee Wilson

Regulatory Affairs Specialist, MPP



VERIGUARD OD®

Inhibits and Controls the Growth of Slime Forming Bacteria and Fungi Preserves a Wide Range of Water Based Suspensions and Aqueous Dispersions

Active Ingredients

- O Phenyl phenol 15.0%
- Tetrahydro 3,5 dimethyl 1,3,5 thiaziazine 2 thione 5.0%
- Inert Ingredients 80.0%
- TOTAL 100.0%

KEEP OUT OF REACH OF CHILDREN WARNING

EPA Reg No 39967-118
EPA Est No 67869-PA-01

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMAN AND DOMESTIC ANIMALS

DANGER! Corrosive Causes irreversible eye damage Do not get in eyes or on clothing Harmful if swallowed Harmful if absorbed through skin Wear protective eyewear (goggles face shield or safety glasses) Harmful if inhaled Wash thoroughly with soap and water after handling and before eating drinking chewing gum using tobacco or using rest room Wear long sleeved shirt and long pants socks shoes and gloves Remove contaminated clothing and wash before reuse

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

FIRST AID

IF IN EYES Hold eyes open and rinse slowly and gently with water for 15 20 minutes Get medical attention 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 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 ON SKIN OR CLOTHING 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 not breathing call 911 or an ambulance then give artificial respiration preferably mouth to mouth 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
NOTE TO PHYSICIAN Probable mucosal damage may contraindicate the use of gastric lavage
IN CASE OF TRANSPORTATION EMERGENCY CALL Chemtrec at 1 800 424 9300 The LANXESS Pittsburgh Emergency Response Telephone Number is 1 800 410 3063

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling VeriGuard® OD is effective against a wide variety of Bacteria Fungi and Molds The following guidance is given as a range for each pattern Actual field testing is recommended to achieve optimum effectiveness

MATERIAL PRESERVATION

ADHESIVES GLUES AND TACKIFIER PRESERVATION

Add VeriGuard® OD as an in can preservative for the control of bacteria and fungi in water soluble and water dispersed adhesives VeriGuard® OD should be added at concentrations of 250 ppm to 5000 ppm at a point in processing where there is sufficient agitation and mixing time to achieve good dispersion Dosages of VeriGuard® OD may vary according to adhesive types

Casein Containing Adhesives	250ppm	5000ppm
Cellulose Based Adhesives	250ppm	5000ppm
Dextrin Based Adhesives	250ppm	5000ppm
Polymer Dispersion Based Adhesives	250ppm	2000ppm
Starch Based Glues	500ppm	4000ppm

CONSTRUCTION PRODUCTS

Add VeriGuard® OD for the control of bacteria and fungi in water soluble and water dispersed construction products VeriGuard® OD can be fed at concentrations of 250 ppm to 6000 ppm either directly to the finished construction product or to one of the raw materials which may include lignins molasses polymer and bipolymer dispersions used in the formulation of the construction product

Effective Dosages

Caulking Materials	250ppm	4000ppm
Concrete Admixtures	250ppm	4000ppm
Concrete and Masonry Additives	250ppm	4000ppm
Concrete	500ppm	6000ppm

PAPER AUXILIARIES/ADDITIVES

Use VeriGuard® OD as a preservative for the control of bacteria and fungi in paper and paper additives VeriGuard® OD at a concentration of 250 ppm to 6000 ppm may be fed directly to the additive

Effective Dosages

Paper Auxiliaries/Additives	500ppm	6000ppm
Paper Slurries	250ppm	2000ppm

PAINTS/COATINGS/INKS/IDYES

VeriGuard® OD is used as an in can preservative for the control of bacteria and fungi in Paints Coatings Inks and Dyes Add VeriGuard® OD at concentrations of 250 ppm to 4000 ppm into the make up water during the grind during the manufacturing process

Effective Dosages

Alkyd Resin Based Systems	250ppm	4000ppm
Arts/Crafts Latex/Finger Paints	250ppm	4000ppm
Casein Systems	500ppm	4000ppm
Inks	250ppm	4000ppm
Latex Based Systems	250ppm	4000ppm

PIGMENT/MINERAL SLURRIES

VeriGuard® OD is used as an in can preservative to control bacteria and fungi in water based dispersed pigment systems VeriGuard® OD should be added using moderate agitation at concentrations of 250 ppm to 4000 ppm immediately following the cool down of the dispersed pigment prior to pumping to the storage facilities

Effective Dosages

Calcium Carbonate Slurries	250ppm	4000ppm
Carbon Black Pigment Slurries	250ppm	4000ppm
Clay Slurries	250ppm	4000ppm
Dispersed Colors	250ppm	4000ppm
Iron Oxide Pigment Slurries	250ppm	4000ppm
Kaolin Slurries	250ppm	4000ppm
Organic Dyes and Pigment Slurries	250ppm	4000ppm
Other Filler Suspensions	250ppm	4000ppm
Starch Slurries	250ppm	4000ppm

POLYMER DISPERSIONS/EMULSIONS

VeriGuard® OD is used as an in can preservative to control bacteria and fungi in Polymer Dispersions and Emulsions VeriGuard® OD should be added using moderate agitation immediately following the cool down process at concentrations of 250 ppm to 4000 ppm

Effective Dosages

Acrylic Systems	250ppm	4000ppm
Polymer Dispersions	250ppm	4000ppm
Polyester Based systems	250ppm	4000ppm
Polyurethane Based systems	250ppm	4000ppm
Polyvinyl acetate (PVA) systems	250ppm	4000ppm
Styrene Butadiene Systems	250ppm	4000ppm
Vinyl Acrylic Based systems	250ppm	4000ppm

STORAGE AND DISPOSAL

PESTICIDE STORAGE Do not contaminate water food or feed by storage or disposal

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 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 follow

PAISLS (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 / 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 / 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

LOT NO

NET WEIGHT 232 Gal 40 Fl oz (998 KG)

LANXESS

Energizing Chemistry

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

NOTIFICATION
BY FAX TO
1-800-410-3063

Final Approval 08 30 12

57073713

f f