

49403-17

10/25/2007

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October 25, 2007

Wendy A. McCombie
Lewis & Harrison, Consultants
Agent for Clariant Corporation
122 C St. NW Ste 740
Washington DC 20001

Subject: Nipacide PTAP
EPA Registration No.: 49403-17
Application Date: October 4, 2007
Receipt Date: October 5, 2007

Dear Ms. McCombie,

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c)9.

Proposed Notification

- Add container disposal directions for alternate packaging.

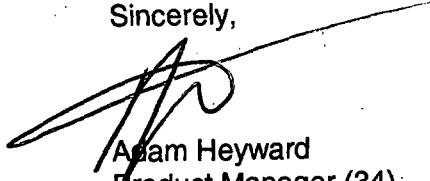
General Comments

Based on a review of the material submitted, the following comments apply:

The notification application is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me by telephone at (703) 308-6422 or email at heyward.adam@epa.gov.

Sincerely,



Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL	7510 P						
JRNAME	Grah						
DATE	10/25/07						

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LEWIS & HARRISON

122 C Street, N.W., Suite 740
Washington, D.C. 20001
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direct 202.393.3903 ext. 11
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Consultants in Government Affairs

October 4, 2007

HAND DELIVERED

Document Processing Desk [NOTIFY]
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

ATTENTION: Adam Heyward
Product Manager, Team 34

SUBJECT: Clariant Corporation
Nipacide® PTAP (EPA Reg. No. 49403-17)
Notification of Minor Label Changes per PR Notice 98-10 Section II (E)

Dear Mr. Heyward:

On behalf Clariant Corporation ("Clariant"), I am submitting an Application for Notification to revise the Nipacide® PTAP (EPA Reg. No. 49403-17) label pursuant to the provisions of PR Notice 98-10 Section II (E).

The purpose of this notification is to add another type of container and the associated container disposal language for the product registration. Clariant will be shipping Nipacide® PTAP in 35 gallon plastic drums on limited occasions when the method of shipping warrants transportation by air. The current Federal shipping regulations prohibit air shipment of products in the currently approved paper packaging; therefore, Clariant will be using this alternate form of plastic packaging for Nipacide® PTAP for such shipments.

The proposed changes comply with the criteria for changes in packaging and related labeling statements per Section II (E)(1-8) of PR Notice 98-10.

Enclosed please find the following documents in support of this Notification:

- 1) Application for Pesticide Notification, which includes a signed statement certifying compliance with PR Notice 98-10;
- 2) One (1) copy of the proposed product label, with changes highlighted in yellow; and,
- 3) Two (2) copies of the proposed product label.

If you have any questions or need additional information, please contact me by telephone at 202-393-3903 x 11 or by e-mail at wmccombie@lewisharrison.com

Thank you in advance for your assistance with this submission.

Sincerely,



Wendy A. McCombie
Agent for,
Clariant Corporation

Enclosures

cc: Larry Kessler (Clariant Corporation)



EPA

United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other : **NOTIFICATION**

OPP Identifier Number

3/4

Application for Pesticide - Section I

1. Company/Product Number 49403-17		2. EPA Product Manager Adam Heyward		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Nipacide® PTAP		PM# Team 34			
5. Name and Address of Applicant (Include ZIP Code) Clariant Corporation 400 Monroe Road Charlotte, NC 28205 <u>PLEASE DIRECT ALL CORRESPONDENCE TO</u> <u>"CONTACT POINT" LISTED BELOW</u> <input type="checkbox"/> Check if 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

Amendment - Explain below. Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ "Me Too" Application
 Notification - Explain below. Other - Explain below

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

Notification is to add alternate container type and associated container disposal language.
Please reference cover letter for details.

Notification of MINOR LABELCHANGES in Accordance With PR Notice 98-10 Section II (E)

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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be the subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Signature: *[Signature]* Date: **04 October 2007**

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic: <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
	* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container No retail containers 35 gallon size plastic drum 110.2 pound (50 Kg) paper sack/bag		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name: Wendy A. McCombie, Lewis & Harrison, LLC 122 C St., NW - Suite 740, Washington, DC 20001 wmccombie@lewisharrison.com	Title: Agent for Clariant Corporation	Telephone No. (include Area Code): _____ (202) 393-3003 ext. 11
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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.

2. Signature <i>[Signature]</i>	3. Title: Agent for Clariant Corporation	6. Date Application Received (Stamped)
4. Typed Name Wendy A. McCombie, Lewis & Harrison LLC	5. Date October 4, 2007	

NIPACIDE® PTAP
(PARA-TERTIARY-AMYLPHENOL)

CAS# 80-46-6
FOR MANUFACTURING USE ONLY
For Formulating disinfectant end use products

NOTIFICATION
Date Reviewed: 12-24-07
Reviewed By: HGD/wh

ACTIVE INGREDIENTS:

Para Tertiary Amylphenol.....98.5%
INERT INGREDIENTS*.....1.5%
TOTAL.....100.0%

*consisting of other related phenols

KEEP OUT OF REACH OF CHILDREN

DANGER

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER

CORROSIVE. CAUSES SEVERE EYE BURNS AND SKIN IRRITATION. CAUSES RESPIRATORY DISCOMFORT. HARMFUL IF SWALLOWED. Avoid contact with eyes, skin, and clothing. Avoid breathing dust or fumes. Keep container closed. Use with adequate ventilation. Wash thoroughly after handling. Wear goggles and rubber or plastic gloves.

ENVIRONMENTAL HAZARD: This pesticide is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or 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 sewer 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.

EPA Reg. No. 49403-17
EPA Est. No. 72981-NC-001

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> 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.
IN ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> 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 SWALLOWED:	<ul style="list-style-type: none"> 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 in case of emergency.	
NOTE TO PHYSICIAN	
Probably mucosal damage may contraindicate the use of gastric lavage.	

NET Weight: [110.2#/50 kg] [_____]
Batch No.: _____
Made and Printed in USA

SEE SIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. It is the responsibility of formulators to provide data to support their registrations.

STORAGE AND DISPOSAL:

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE – Store in a dry place away from extreme heat and cold (+4°C to +40°C). Keep container closed when not in use. Do not expose containers to direct sunlight. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, vermiculite or other absorbent inert material. Scrape up and dispose of in accordance with the information given under **PESTICIDE DISPOSAL**. Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free to 1-800-424-9300.

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 – Paper Bags: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. Plastic Drums: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

SPILL OR LEAK: In case of spill, sweep up and remove. Flush spill area with water.

FOR YOUR PROTECTION:

The information and recommendations in this publication are, to the best of our knowledge, reliable. Suggestions made concerning uses or applications are only the opinion of Clariant Corporation and users should make their own tests to determine the suitability of these products for their own particular purposes. However, because of numerous factors affecting results, Clariant Corporation **MAKE NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING THOSE OF MERCHANTABILITY AND FITNESS FOR PURPOSE**, other than that the material conforms to its applicable current Standard Specifications. Statements herein, therefore, should not be construed as representations or warranties. The responsibility of Clariant Corporation for claims arising out of breach of warranty, negligence, strict liability, or otherwise is limited to the purchase price of the material.

Statements concerning the use of the products or formulations described herein are not to be construed as recommending the infringement of any patent and no liability for infringement arising out of any such use is assumed.

Manufactured by:
Clariant Corporation

4000 Monroe Road
Charlotte, NC 28205 (704) 822-2259

Revised October 4, 2007

H/H