

49403-20

04-09-2010

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

Clariant Corporation
4000 Monroe Road
Charlotte, N.C. 28205

APR - 9 2010

AGENT: Lewis and Harrison
122 C Street, N.W., Suite 740
Washington, D. C. 20036-1795

Attention: Wendy A. McCombie

Subject: NIPA BIT Press Paste
EPA Registration No. 49403-20
Notification Dated March 12, 2010

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

Proposed Notification

- To update the "Storage and Disposal" language per PR Notice 2007-4

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 Marshall Swindell, at (703) 308-6341.

Sincerely,

A handwritten signature in black ink that reads "Marshall Swindell".

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

**EPA**

United States
Environmental Protection Agency
Washington, DC 20460

- ☐ Registration
☐ Amendment
☒ Other - Notification

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number

49403-20

2. EPA Product Manager

Marshall Swindell

3. Proposed Classification

☒ None ☐ Restricted

4. Company/Product (Name)

NIPA BIT Press Paste

PM#

Team 33

5. Name and Address of Applicant (Include ZIP Code)

Clariant Corporation**4000 Monroe Road****Charlotte, NC 28205**

PLEASE SEND ALL CORRESPONDENCE TO
"CONTACT POINT" LISTED BELOW

☐ Check if this is a new address6. **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.)**APPLICATION FOR NOTIFICATION: MINOR LABEL CHANGES****Notification of Minor Label Changes in Accordance With PR Notices 1983-3, 1998-10 and 2007-4: See Cover Letter**

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: _____

Date: March 12, 2010**THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES****Section - III**

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging

- ☐ Yes*
☐ No

Unit Packaging

- ☐ Yes
☐ No

Water Soluble Packaging

- ☐ Yes
☐ No

2. Type of Container

- ☐ Metal
☐ Plastic
☐ Glass
☐ Paper
☐ Other (Specify)

***Certification must
be submitted**

If "Yes" No. per
Unit Packaging wgt. container

If "Yes" No. per
Package wgt. container

3. Location of Net Contents Information

- ☐ Label ☐ Container

4. Size(s) Retail Container

No Retail Containers

5. Location of Label Directions

- ☐ On Label
☐ On labeling accompanying product

6. Manner in Which Label is Affixed to Product

- ☐ Lithograph ☐ Other _____
☐ Paper glued
☐ 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 and Harrison, LLC**
122 C St., NW Suite 740 Washington, DC 20001
wmccombie@lewisharrison.com

Title

Agent for Clariant Corporation

Telephone No. (Include Area Code)
202-393-3903 ext. 11

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

3. Title

Agent for Clariant Corporation

4. Typed Name

Wendy A. McCombie, Lewis & Harrison, LLC

5. Date

March 12, 2010

6. Date Application
Received
(Stamped)

05

LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001

telephone 202.393.3903
fax 202.393.3906

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direct 202.393.3903 ext. 11
wmccombie@lewisharrison.com

March 12, 2010

HAND DELIVERED

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

ATTENTION: Marshall Swindell
Product Manager, Team 33
Antimicrobials Division

SUBJECT: Clariant Corporation
NIPA BIT Press Paste (EPA Reg. No. 49403-20)
Notification of Minor Label Changes per PR Notices 1983-3, 1998-10 and 2007-4
This Submission is NOT Subject to PRIA fees

Dear Mr. Swindell:

On behalf of Clariant Corporation ("Clariant"), I am submitting a Notification application to make minor changes to the product label for **NIPA BIT Press Paste (EPA Reg. No. 49403-20)**.

The purpose of this Notification is to update the "Storage and Disposal" language in accordance with the requirements and provisions of PR Notice 2007-4.

No other changes have been made, so the label is otherwise identical to that approved by EPA on March 12, 2002.

Please find enclosed the following documents in support of this label Notification:

- 1) Application for Pesticide Notification; and;
- 2) Three (3) copies of the revised product label, with changes highlighted.

Insofar as I am the authorized "Contact Point" and "Company Agent" for Clariant, please relay all correspondence directly to me at 122 C Street NW, Suite 740, Washington DC 20001. If you have any questions, please contact me by telephone at 202-393-3903 ext. 11 or by e-mail at wmccombie@lewisharrison.com.

Thank you very much for your cooperation.

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Wendy A. McCombie
for,
Clariant Corporation

CC: Larry Kessler (Clariant Corporation)

NIPA BIT Press Paste (EPA Reg. No. 49403-20)

NIPA BIT PRESS PASTE

FOR FORMULATION OF BACTERIOSTATS ONLY

ACTIVE INGREDIENT:
 1,2 benzisothiazolin-3-one..... 63%
 INERT INGREDIENTS:..... 37%
 TOTAL..... 100%

EPA Reg. No. 49403-20
 EPA Est. No. 49403-EN-1

KEEP OUT OF REACH OF CHILDREN
DANGER

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE. CAUSES SEVERE EYE AND SKIN DAMAGE. MAY CAUSE ALLERGIC SKIN REACTIONS. HARMFUL OR FATAL IF SWALLOWED. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield and rubber gloves when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Inhalation of dust may result in non-specific irritation of the upper respiratory tract.

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 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 person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

HOTLINE NUMBER: 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.

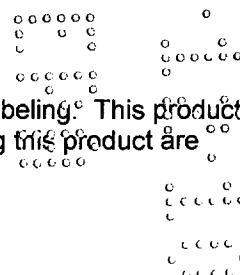
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

ENVIRONMENTAL HAZARDS

This pesticide 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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This product is to be used in the formulation of bacteriostatic pesticide products. Formulators using this product are responsible for obtaining EPA registration for their formulated products.



STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container, tightly closed and in a safe place

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: Nonrefillable container: Do not reuse or refill this container. Offer for reconditioning, if appropriate. Offer for recycling, if available or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities. If rinsate cannot be used, follow pesticide disposal instructions. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state and federal regulations. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure-rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Manufactured by:

Clariant Corporation

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

Net Weight: _____

Lot Number: _____

STATE RIGHT TO KNOW INFORMATION CONTENTS: 1,2 benzisothiazolin-3-one CAS No. 2634-33-5

