

49403-34

11/6/2009

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



Office of Pesticide Programs

NOV 6 2009

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

AGENT: Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
Washington, D. C. 20036-1795

Attention: Elizabeth Brown

Subject: JMAC Composite PG
EPA Registration No. 49403-34
Notification Dated October 19, 2009

This will acknowledge receipt of your notification to add the following additional brand name, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

ADDITIONAL BRAND NAME

"Nipacide JCPG"

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been made a part of your file.


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

Sincerely

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

Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 5-31-98

	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 49403-34	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) JMAC Composite PG	PM # 33	
5. Name and Address of Applicant (Include ZIP Code) Clariant Corporation 4000 Monroe Road Charlotte, NC 28205 <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

<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.)

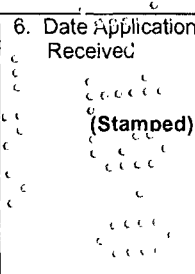
Notification of Labeling Change (Alternate Brand Name) per PR Notice 98-10, Section II A

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 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:				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 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 5 kg, 20 kg, 200 kg, 1000 kg (11, 44, 441, 2205 lb) (net contents)		5. Location of label directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other;	

Section IV

1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Elizabeth Anne Brown	Title Step toe & Johnson, LLP Authorized agent	Telephone No. (Include Area Code) 202-419-5166
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
2. Signature <i>Elizabeth Anne Brown</i>	3. Title Step toe & Johnson, LLP Authorized Agent	(Stamped) 
4. Typed Name Elizabeth Anne Brown	5. Date October 19, 2009	

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STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

3066

WRITER'S DIRECT DIAL
202.419.5166

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
step toe.com

October 19, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Attention: Mr. Marshall Swindell (PM 33)

Subject: JMAC Composite PG, EPA Reg. No. 49403-34
Notification of Alternate Brand Name per PR 98-10

Dear Marshall:

On behalf of our client, Clariant Corp., enclosed please find a notification for JMAC Composite PG (EPA Reg. No. 49403-34) to add an alternate brand name, "Nipacide JCPG." Enclosed please find EPA form 8570-1 and a copy of the label with changes highlighted. This notification is consistent with PR 98-10.

Sincerely,

Elizabeth Anne Brown
Elizabeth Anne Brown, Ph.D.
Technical and Regulatory Analyst
eabrown@step toe.com

cc: Clariant Corp.

cc: Clariant Corp.

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Optional wording in brackets

NIPACIDE™ JCPG

Broad Spectrum Biocide for use in the manufacture of polymers, plastics, textiles and surface coatings
And a Manufacturing Use Product for Formulation into In-Can Preservatives

Active Ingredient

Silver Chloride.....20%
INERT INGREDIENTS.....80%
TOTAL.....100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

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. • Call a poison control center or doctor for treatment advice.
IF ON SKIN	<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 to an unconscious person
<p align="center">HOTLINE NUMBER</p> <p>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.</p>	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if swallowed or absorbed through the skin. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish, aquatic invertebrates, oysters, clam and shrimp. 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.

NET CONTENTS: 11 lb (5 kg), 44 lb (20 kg), 441 lb (200 kg)
Lot/Batch Number (may appear on container rather than the label)

EPA Reg. No. 49403-34
EPA Est. No.

Manufactured by:

Clariant Corporation	4000 Monroe Road Charlotte, NC 28205 (704) 822-2259
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Optional wording in brackets

DIRECTIONS FOR USE:

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

FOR USE AS A MATERIAL PRESERVATIVE IN THE MANUFACTURE OF TEXTILES, PLASTICS, POLYMERS, AND SURFACE COATINGS:

NIPACIDE™ JCPG is a stable broad-spectrum biocide that is effective over a wide pH range (pH 1 – pH 13). NIPACIDE™ JCPG can be added at any stage in the processing. It is stable and retains its efficacy at processing temperatures up to 572 F (300 C). NIPACIDE™ is compatible in a wide range of formulations, and it is unaffected by the presence of particulate matter and most surfactants. Typical applications and the suggested range of concentrations on which trials can be based are outlined below; however, formulations vary and it is essential when first using NIPACIDE™ JCPG, to first challenge test formulations before deciding on an optimum concentration.

NIPACIDE JCPG suppresses the growth of algae, mold, mildew, fungi and bacteria which cause unpleasant odors, discoloration, staining, deterioration or corrosion.

Manufactured products incorporating this product may not make any public health claims relating to antimicrobial activity without first obtaining an EPA registration for the manufactured product which permits such claims. This product may not be used for any applications involving food contact, food packaging, or human drinking water.

Maximum use rate for material preservation: 5000 ppm of product (1000 ppm of silver chloride) by weight. **SEE TECHNICAL BULLETIN FOR DETAILED USE INFORMATION**

FOR FORMULATION INTO IN-CAN PRESERVATIVE PRODUCTS:

NIPACIDE JCPG is to be used for formulation into an end-use antimicrobial pesticide for, (1) the following uses: manufacturing in-can preservatives; (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and (3) uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

Nonrefillable container. Do not reuse or refill this container.

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

PESTICIDE STORAGE- Store in a dry place away from extreme heat and cold (tightly closed at +15C to +25 C). Keep container closed when not in use. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with the information given under PESTICIDE DISPOSAL. Repackage and relabel usable 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- Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL- [one of the following will appear]

[Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.]

[Plastic Containers with Liner: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or

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Optional wording in brackets

by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. Else offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities. If burned, stay out of smoke.]

WARRANTY STATEMENT

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 **MAKES 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.

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