

49403-38

11/6/2009

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

NOV 6 2009



United States
Environmental Protection
Agency

Office of Pesticide Programs

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 LP10A
EPA Registration No. 49403-38
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

"JMAC LP 10"

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


A handwritten signature in black ink that reads "Martha Terry".

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

2097

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-	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nipacide JLP 10	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 25 L, 200 L, 1000L (Intermediate Bulk Container)			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 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 Steptoe & 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 (Stamped)
2. Signature <i>Elizabeth Anne Brown</i>	3. Title Steptoe & Johnson, LLP Authorized Agent	
4. Typed Name Elizabeth Anne Brown	5. Date October 19, 2009	

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STEPTOE & JOHNSON IN LLP
ATTORNEYS AT LAW

WRITER'S DIRECT DIAL
202.419.5166

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Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
steptoe.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: NIPACIDE JLP 10, EPA Reg. No. 49403-38
Notification of Alternate Brand Name per PR 98-10

Dear Marshall:

On behalf of our client, Clariant Corp., enclosed please find a notification for Nipacide JLP 10 (EPA Reg. No. 49403-38) to add an alternate brand name, "JMAC LP 10." 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@steptoe.com

cc: Clariant Corp.

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JMAC® LP 10
Broad Spectrum Biocide

Active Ingredient	
Silver Chloride.....	2%
Inert Ingredients	98%
TOTAL.....	100%

WARNING

KEEP OUT OF REACH OF CHILDREN

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
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.	

NET CONTENTS: 5.4 gal (21 liters), 48.3 gal (185 liters), 228 gal (873 liters)
Lot/Batch Number [may appear on container]

EPA Reg. No. 49403-38
EPA Est. No. 49403-

Manufactured for:

Clariant Corporation

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

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear goggles. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated 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

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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.

****See Technical Bulletin for detailed use information****

JMAC® LP 10 is a stable, broad-spectrum biocide developed for the protection of water-based products against fungi and bacteria in the wet state. JMAC® LP 10 may be added at any stage in the processing. Compatibility of JMAC® LP 10 with the application should always be checked before use. 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 JMAC® LP 10 to first challenge test formulations before deciding on an optimum concentration.

STORAGE AND DISPOSAL

[For all except the Intermediate Bulk Container]

This is a nonrefillable container. Do not reuse or refill this container.

[For the Intermediate Bulk Container]

Refillable Container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

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 +15°C 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 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- Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL-

[For all except the Intermediate Bulk Container]

Triple rinse (or equivalent) promptly after emptying. 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.

[For the Intermediate Bulk Container]

Triple rinse (or equivalent) promptly after emptying. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Prior to final disposal, clean by triple rinsing. 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.

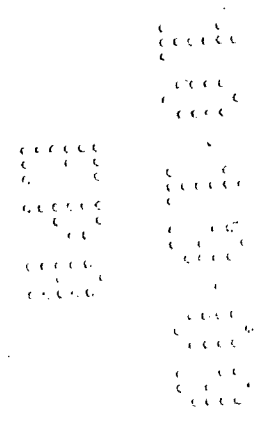
WARRANTY STATEMENT

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

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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.

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.



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Technical Bulletin

(accompanies the JMAC LP 10 label)

JMAC LP 10

EPA Reg 49403-38

Broad Spectrum Biocide for Wet-State Protection

DIRECTIONS FOR USE:

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

JMAC® LP 10 is a stable, broad-spectrum biocide developed for the protection of water-based products against fungi and bacteria in the wet state. JMAC® LP 10 may be added at any stage in the processing. Compatibility of JMAC® LP 10 with the application should always be checked before use. 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 JMAC® LP 10 to first challenge test formulations before deciding on an optimum concentration.

JMAC LP 10 should be protected from UV light and be incorporated directly from the original containers into the formulation without storing in transparent containers. Homogeneous distribution of JMAC LP 10 within the formulation is important. JMAC LP 10 can be added at any stage in the processing. It is usually easiest to add at the end of the formulation process.

JMAC LP 10 should not be used in formulations containing reducing agents, such as BHT, Propyl Gallate, Ascorbic Acid and derivates, as the silver ions would be reduced to metallic silver. This will result in discoloration to blue-grey-pink color and in loss of antimicrobial activity.

JMAC LP 10 is not suitable for clear formulations.

JMAC® LP 10 may NOT be used for any food-grade or food-contact products.

Maximum use rate for wet-state protection: 3,000 ppm (0.3%) of product (60 ppm of silver chloride) based on total weight of the finished product. The dosage rate depends on the microbial hazard and duration of protection desired.

Products:

Aqueous Adhesives, Caulks and Sealants

Aqueous slurries

Latex Emulsion Paints, Stains and Coatings

Polymer Emulsions and Latices

Grouts and Joint Compounds

Heat transfer liquids

Inks

Consumer, household and institutional products (such as surface cleaners, detergents, fabric softeners)

Natural and synthetic thickeners

