

67071-11

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



United States  
Environmental Protection  
Agency

Office of Pesticide Programs

Thor GmbH  
Landwehrstrasse 1  
D-67346,  
Speyer, Germany

FEB - 2 2010

**AGENT: Acti-Chem Specialties, Inc.**  
**56 Quarry Road**  
**Trumbull, CT 06611**

Attention: Lynn P. Tordo, MS.  
Regulatory Manager

Subject: ACTICIDE® SPX  
EPA Registration No. 67071-11  
Notification Dated January 4, 2010

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

**Proposed Notification**

Label Revisions 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 Martha Terry at (703) 308-6341.

Sincerely

A handwritten signature in cursive script that reads "Martha Terry" followed by a flourish.

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

Use read instructions on reverse before completing

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

 United States <b>Environmental Protection Agency</b> 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 67071-11	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Thor GmbH / ACTICIDE SPX	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Thor GmbH, Landwehrstrasse 1, D-67346, Speyer, Germany U.S. Agent: Thor Specialties, Inc. 56 Quarry Road, Trumbull, CT 06611  <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. <u>67071-11</u>  Product Name <u>ACTICIDE SPX</u>	

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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.

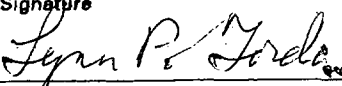
**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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 and 30 gallons		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product				Other _____	
<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input 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 Geri Werdig	Title Pesticide Registration Associates	Telephone No. (Include Area Code) 202-546-3260
<b>Certification</b> 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 	3. Title Regulatory Affairs Manager	
4. Typed Name Lynn P. Tordo, M.S.	5. Date 1/4/10	

These are notifications in compliance with 2007-4 as stated on Page 6 (note, only 1 copy of label required):

**A. To amend labels by notification**

Registrants who adopt the exact wording set forth in the regulations, which are also provided again in this PR Notice, may submit a notification as provided in 40 CFR §152.46 and in accordance with the procedures in PR Notice 98-10 for each product registration being amended. This action does not require the submission of registration service fees under the Pesticide Registration Improvement Act (PRIA) because Agency-initiated amendments are not subject to PRIA. EPA may review the notification to ensure that the label language is identical to that contained in the new regulation. The registrant should submit one copy of the label (with changes clearly marked in a way that can be photocopied) along with a completed Application for Registration (EPA Form 8570-1). The application form must bear the following statements:

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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."



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January 4, 2010

Mr. Marshal Swindell, Product Manager 33  
Regulatory Management Branch I  
Antimicrobial Division, OPP (751OW)  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: Product: ACTICIDE® SPX, EPA Registration No. 67071-11  
Company: Thor GmbH;  
US Agent: Thor Specialties, Inc  
Notification of label change per PR Notice 2007-4  
**This is a notification and not subject to fees**

Dear Mr. Swindell:

This notification is submitted by Thor Specialties, Inc., U.S. agent for Thor GmbH and is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the CSFs for this product

The attached material consists of the following:

1. Application for Amendment to change the label in accordance with PR Notice 2007-4.
2. Copy of ACTICIDE® SPX label (with changes clearly marked)

If you have any questions or need added information, please contact our local representative, Geri Werdig at 202-546-3260 or me at your convenience.

Sincerely,

Lynn P. Tordo, M.S.  
Regulatory Affairs Manager

Enc.

Cc: Geri Werdig, Pesticide Registration Associates

cc: Geri Werdig, Pesticide Registration Associates



**ENVIRONMENTAL HAZARDS**

This pesticide is toxic to aquatic plants, fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public 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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

**PHYSICAL AND CHEMICAL HAZARD**

This product is corrosive to mild steel.

**STORAGE AND DISPOSAL**

This product (pH 3.5) is corrosive to mild steel.

**PESTICIDE STORAGE:** Do not store or transport in unlined metal containers. Do not contaminate water, food or feed by storage, disposal or cleaning of equipment.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal Law. If waste 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**

Non-refillable container. Do not reuse or refill this container. Triple rinse container promptly after emptying. Triple rinse as follows: [For containers < 5 gallons in size] - Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 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. [For containers > 5 gallons in size] - 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

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

Do not apply this product in a way that will contact workers or other persons.

**GENERAL: CONSULT FEDERAL, STATE OR LOCAL DISPOSAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES.**

**CONDITIONS OF SALE AND WARRANTY**

Thor GmbH warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. THOR GMBH MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES EITHER OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE. Handling, storage and use of the product by Buyer or User are beyond the control of Thor GmbH and Seller. Risks such as ineffectiveness or other unintended consequences resulting from, but not limited to, failure to follow label directions will be assumed by the Buyer or User. IN NO CASE WILL THOR GMBH OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT.

UN 3265, CORROSIVE LIQUID, ACIDIC, ORGANIC, N.O.S. [mixture containing 5-Chloro-2-methyl-4-isothiazolin-3-one and 2-Methyl-4-isothiazolin-3-one (3:1)], 8, PG-III

**For Transportation / Spills Emergency:  
Call Chemtrec at 1-800-424-9300**

**ACTICIDE® SPX**

**ACTIVE INGREDIENTS:**

5-Chloro-2-methyl-4-isothiazolin-3-one ..... 1.11%  
2-Methyl-4-isothiazolin-3-one ..... 0.37%  
**OTHER INGREDIENTS:** ..... 98.52%  
**TOTAL:** ..... 100.00%  
ACTICIDE® SPX microbicide weighs 8.6 lb. per gallon

**KEEP OUT OF REACH OF CHILDREN  
DANGER - PELIGRO**

See Side panel for additional precautionary statements

FIRST AID	
<b>If In Eyes:</b>	*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.
<b>If Swallowed:</b>	*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 the poison control center or doctor.
<b>If on Skin:</b>	*Take off contaminated clothing. *Rinse skin immediately with plenty of water for 15-20 minutes. *Call a poison control center or doctor for treatment.
<b>If Inhaled:</b>	* Move person to fresh air. * If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. * Call a poison control center or doctor for further treatment advice
Note to physician: Probable mucosal damage may contraindicate the use of gastric lavage.	
<b>HOT LINE NUMBER:</b> In case of emergency, for additional information call toll free 1-800-424-9300. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

**Precautionary Statements:  
Hazards to Humans and Domestic Animals  
DANGER**

**CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. HARMFUL IF ABSORBED THROUGH SKIN. DO NOT GET IN EYES, ON SKIN OR ON CLOTHING. AVOID CONTACT WITH SKIN. PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC REACTION IN SOME INDIVIDUALS. REMOVE CONTAMINATED CLOTHING AND WASH BEFORE REUSE.**

Mixers, loaders, and others exposed to methylisothiazolinone must wear:

- Long-sleeve shirt and long pants
- Socks and Shoes
- Goggles or face shield
- Chemical-resistant gloves (such as rubber or made out of any waterproof material)

Follow manufacturer's instructions for cleaning / maintaining PPE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations:** users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate.

**DIRECTIONS FOR USE**

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

Industrial microbicide for use in \*metal working fluids, \*metal cleaning fluids, \*hydraulic fluids, adhesives, \*tackifiers, \*dispersed pigments, \*paints, building materials, polymer latices. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.**

\* Not approved for this use in the State of California

**EPA Reg. No. 67071-11 EPA Est. No. 67071-DEU-001**

Manufactured By/For: Thor GmbH  
D-67346 Speyer, Germany  
Tel. (06232) 6360

U.S. Office: Thor Specialties, Inc.  
56 Quarry Road; Trumbull, CT 06611  
Tel. (203) 365-6530

<b>Batch:</b>	<b>Mfg Date:</b>	<b>Net Contents (pounds):</b>
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