

67071-15

4/12/2010

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



Office of Pesticide Programs

Thor GmbH
Landwehrstrasse 1
D-67346,
Speyer, Germany

APR 12 2010

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

Attention: Lynn P. Tordo, MS.
Regulatory Manager

Subject: ACTICIDE® PM Flowable
EPA Registration No. 67071-15
Notification Dated February 10, 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

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

2015



United States Environmental Protection Agency Washington, DC 20460

Registration Amendment Other (checked)

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number: 67071-15
2. EPA Product Manager: Marshall Swindell
3. Proposed Classification: None (checked)
4. Company/Product (Name): Thor GmbH / ACTICIDE PM Flowable
5. Name and Address of Applicant: Thor GmbH, Landwehrstrasse 1, D-67346, Speyer, Germany
6. Expedited Review: EPA Reg. No. 67071-15, Product Name ACTICIDE PM Flowable

Section - II

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

Section - III

1. Material This Product Will Be Packaged In: Child-Resistant Packaging, Unit Packaging, Water Soluble Packaging, 2. Type of Container: Plastic (checked), 3. Location of Net Contents Information: Container (checked), 4. Size(s) Retail Container: 5 and 30 gallons, 5. Location of Label Directions: (checked), 6. Manner in Which Label is Affixed to Product: Lithograph Paper glued Stenciled (checked)

Section - IV

1. Contact Point: Name Geri Werdig, Title Pesticide Registration Associates, Telephone No. 203-546-3260
Certification: I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.
2. Signature: Lynn P. Tordo, 3. Title: Regulatory Affairs Manager, 4. Typed Name: Lynn P. Tordo, M.S., 5. Date: 2/10/10, 6. Date Application Received (Stamped)



February 10, 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® PM FLOWABLE, EPA Registration No. 67071-15
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® PM FLOWABLE 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

ACTICIDE® PM FLOWABLE



(INDUSTRIAL MILDEWCIDE)

PRECAUTIONARY STATEMENT HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS - DANGER

CORROSIVE. Causes irreversible eye damage or skin burns. May be fatal if inhaled. Harmful if absorbed through skin or inhaled. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe dust. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any N, P, R, or HE prefilter. Wear long-sleeved shirt and long pants, socks and shoes, goggles or face shield, and chemical resistant gloves (such as or made out of any waterproof material; selection category A). Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders and other handlers must wear:

- Long sleeved shirt and long pants
- Socks and Chemical-resistant footwear
- Goggles or face shield

-Chemical-resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, PV, or viton)
-Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, P, R, or HE prefilter.

GENERAL PRECAUTIONS AND RESTRICTIONS

This product may not be added to paint by residential users/consumers. Do not apply this product in a way that will contact workers or others. Only protected handlers may be in the area during use.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic invertebrates and wildlife. 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 Environmental Protection Agency.

ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
[2,4,5,6-tetrachloroisophthalonitrile and 3-(3,4-dichlorophenyl)-1,1-dimethylurea], 9, UN 3082, PG-II

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

U.S. Office: Thor Specialties, Inc.
56 Quarry Road
Trumbull, CT 06611 USA
Tel. (203) 365-8530

The formulated product is intended for use as an industrial mildewcide for the control of fungal and algal growth in paint films, coatings, stains and polymer latices.

Active Ingredients:..... 33.7%
Diuron [3-(3,4-dichlorophenyl)-1,1-dimethylurea]... 19.0%
Chlorothalonil (Tetrachloroisophthalonitrile)..... 14.7%
INERT INGREDIENTS:..... 66.3%
TOTAL:..... 100.0%

One gallon contains 1.82 pounds of diuron active ingredient and 1.42 pounds of Chlorothalonil active ingredient.

KEEP OUT OF REACH OF CHILDREN DANGER - PELIGRO

See Side panel for additional precautionary statements

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 Inhaled:	<ul style="list-style-type: none"> * 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
If 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.
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 the poison control center or doctor. *Do not give anything by mouth to an unconscious person
Note to physician: Probable mucosal damage may contraindicate the use of gastric lavage.	
HOT LINE NUMBER: 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.	
For Transportation / Spill Emergency: Call Chemtrec at 1-800-424-9300	

EPA Reg. No. 67071-15

EPA Est. No. 67071-GBR-002

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. STORE AWAY FROM FOOD AND DRINKING WATER. STORE IN THE ORIGINAL CONTAINER ONLY. STORE IN A DRY PLACE. PESTICIDE STORAGE: Store in original container only. Store in a dry place.

PESTICIDE DISPOSAL: Pesticide wastes are hazardous. Improper disposal of excess product 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 your 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: Completely empty container into application equipment. Then dispose of in a sanitary landfill, or by incineration, if allowed by state and local authorities. If burned, stay out of smoke.

GENERAL: Consult Federal, state and local disposal authorities for approved alternate procedures.

DIRECTIONS FOR USE

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

MILDEWCIDE APPLICATIONS: To be used only as an industrial mildewcide for the control of fungal and algal growth in paint films, coatings, stains and polymer latices. The product must not be formulated into a product or intermediate intended as a mildewcidal paint additive designed for direct sale to retail customers, e.g., in "pillow pack" or other small volume or one-use package. This product may only be added to paint products that are labeled as follows: "When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter. If the paint product is not oil-based nor oil recommended for use as an additive in the paint product, you may substitute an "N" filter type for those listed above." ACTICIDE® PM Flowable is a mildewcide for addition to polymer emulsions including styrene-acrylic and styrene-butadiene latices, polyvinylacetate latices and other water-based polymer latices for paints and special purpose coatings and in architectural and product coatings. Not for incorporation in products used to paint swimming

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pools.

Add ACTICIDE® PM Flowable at levels of 0.20% to 2.5% (wt/wt) based on the coating, paint or polymer emulsion used on the surface. For interior latex paints or coatings, apply ACTICIDE® PM Flowable at levels of 0.20% to 0.75% (wt/wt). For exterior latex emulsions and solvent based formulations, use 0.20% to 1.0% (wt/wt). However, for exterior use in highly demanding climates, at high temperatures and under higher humidity conditions, (where high fungi and algae levels may be present), up to 2.5% ACTICIDE® PM Flowable may be required for the ultimate protection of the dried films. Apply during or following pigment grinding operation.

It is recommended the formulator perform cost-performance evaluations to determine the optimum dosage rate for their particular system. If questions arise concerning other modifications or conditions, contact Thor Specialties, Inc., in Trumbull, CT.

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.

Batch:

Mfg Date:

Net Contents (pounds):

5045