

67071-19

3/13/2013

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



Office of Pesticide Programs

MAR 13 2013

Thor GmbH
Landwehrstrasse 1
D-67346,
Speyer, Germany

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

Attention: Lynn P. Tordo, MS.
Regulatory Manager

Subject: ACTICIDE NC
EPA Registration No. 67071-19
Notification Dated February 1, 2013

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

Proposed Notification

- Label Changes as required by the State of California
- Revise "Container Disposal" statements as 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 black ink, appearing to read "M. Swindell".

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



United States Environmental Protection Agency Washington, DC 20460

Registration Amendment Other (checked)

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number: 67071-19
2. EPA Product Manager: Marshall Swindell
3. Proposed Classification: None (checked)
4. Company/Product (Name): Thor GmbH / ACTICIDE NC
5. Name and Address of Applicant: Thor GmbH, Landwehrstrasse 1, D-67346, Speyer, Germany
6. Expedited Review: EPA Reg. No. 67071-19, Product Name ACTICIDE NC

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 include language required by the container rule per PR Notice 2007-4 and to as required by the State of California and per PR Notice 98-10 / 95-2.

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: Label (checked), Container (checked), 4. Size(s) Retail Container: 88 lb drums, 5. Location of Label Directions: On labeling accompanying product (checked), 6. Manner in Which Label is Affixed to Product: Lithograph Paper glued Stenciled (checked)

Section - IV

1. Contact Point: Name Lynn P. Tordo, Title Regulatory Manager, Telephone No. 203-516-6980
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 Manager
4. Typed Name: Lynn P. Tordo, M.S.
5. Date: 1-Feb-2013
6. Date Application Received (Stamped)

EPA 3/6



February 1, 2013

Mr. Marshall Swindell, Product Manager 33
Regulatory Management Branch I
Antimicrobial Division, OPP (751OW)
U.S. ENVIRONMENTAL PROTECTION AGENCY
2777 Crystal Dr. (Potomac Yard South)
Arlington, VA 22202

Re: Product: ACTICIDE® NC, EPA Registration No. 67071-19
Notification of label change
Company: Thor GmbH; US Agent: Thor Specialties, Inc.

This is a notification and not subject to fees

Dear Mr. Swindell:

This label change notification is submitted by Thor Specialties, Inc., U.S. agent for Thor GmbH. This notification of label change is as required by the State of California and per PR Notice 98-10 / 95-2; and per PR Notice 2007-4.

Modifications are as follows:

- I) The following modifications have been made to the label:
 - A) Container Disposal instructions have been updated as per PR Notice 2007-4.
 - B) The qualifier (*) has been removed from the front of tackifiers
 - C) A qualifier (*) has been added to the front of printing paste thickeners

In addition, the following non-FIFRA regulated statement has been modified: DOT Description
- II) The following modifications have been made to the Information Sheet:
 - A) The qualifier (*) has been removed from the front of tackifiers
 - B) A qualifier (*) has been added to the front of printing paste thickeners
 - C) The Statements explaining the qualifier has been changed and/or removed as appropriate

The attached material consists of the following:

- 1. Application Form for a Notification to modify the label.
- 2. Copy of ACTICIDE® NC label with changes marked (FOR REFERENCE ONLY)
- 3. Final Printed copy of proposed ACTICIDE® NC label

We understand that, as these label correction is being submitted as a notification, we will not receive a stamped label. In an effort to save agency time and resources, we have submitted an extra copy of our final printed label for *possible stamping in case the agency will stamp this copy and avoid the need to process a future amendment on this same subject.*

If you have any questions or need added information, please do not hesitate to contact me.

Sincerely,

Lynn P. Tordo, M.S.
Regulatory Manager

Enc.

THOR SPECIALTIES, INC.
50 Waterview Drive · Shelton, CT 06484 · U.S.A.
Telephone: (203) 516-6980 · Fax: (203) 954-0005
Email: info@thorsp.com

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish 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 EPA. Do not contaminate water by cleaning of equipment or disposal of waste. Apply this pesticide only as specified on this label.

STORAGE AND DISPOSAL

STORAGE: Store in dry place. Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

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.

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

UN 1759, CORROSIVE SOLID, N.O.S. (Mixture, containing 5-chloro-2-methyl-4-isothiazolin-3-one and 2-methyl-4-isothiazolin-3-one), 8, II

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

ACTICIDE® NC

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%

KEEP OUT OF REACH OF CHILDREN

DANGER

See Side panel for additional precautionary statements

FIRST AID

- 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 the poison control center or doctor.
- > Do not give anything by mouth to an unconscious person.

- If on Skin:** > Take off contaminated clothing.
- > Rinse skin immediately with plenty of water for 15-20 minutes.

- Or Clothing** > Call a poison control center or doctor for treatment advice

- 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 Inhaled:** > 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

HOT LINE 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 for emergency medical treatment information.

Note to physician: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsions may be needed.



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

Corrosive. Causes eye damage and skin burns. May cause allergic skin reaction. May be harmful if inhaled. May be fatal if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves when handling. Avoid breathing vapor or spray mist. Avoid contamination of food. Do not take internally. Wash thoroughly with soap and water after handling

DIRECTIONS FOR USE

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

Industrial microbiocide for use in adhesives, tackifiers, *printing paste thickeners, paints and building materials. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.**

*Not approved for use in the State of California

EPA Reg. No. 67071-19 EPA Est. No. 67071-DEU-001

Manufactured By/For: Thor GmbH

D-67346 Speyer, Germany

Tel. (06232) 6360

Thor Specialties, Inc.

50 Waterview Drive, Shelton, CT 06484

USA

Tel. (203) 516-6980

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): _____

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ACTICIDE[®] NC INFORMATION SHEET

**THIS ACTICIDE[®] NC INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT
OF ACTICIDE[®] NC**

DIRECTIONS FOR USE

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

PRESERVATIVE FOR ADHESIVES AND TACKIFIERS: ACTICIDE[®] NC microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in water dispersed adhesives and solid adhesive pre-products such as animal glues, vegetable glues, natural rubber latices, polyvinyl acetate, styrene-butadiene and acrylic latices. ACTICIDE[®] NC microbiocide is recommended as a preservative for water dispersed tackifiers and powdery tackifiers pre-products derived from rosin and hydrocarbon resins.

Preservation of Liquid Formulation: Add 0.5 to 1.65 lb ACTICIDE[®] NC microbiocide to each 1000 lbs of fluid to provide 7 ppm to 25 ppm of active isothiazolinone ingredients. A higher dosage rate providing up to 45 ppm active ingredient may be required for storage during extremely high temperatures and humidity.

Preservation of a Solid Which Has to be Mixed With Water: Add sufficient ACTICIDE[®] NC microbiocide to the solid pre-product to provide 7 ppm to 25 ppm of active isothiazolinone ingredients in the final finished formulation. A higher dosage rate providing up to 45 ppm active ingredients may be required for storage during extremely high temperatures and humidity.

***PRESERVATIVE FOR PASTE THICKENERS:** ACTICIDE[®] NC microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in water dispersed printing paste thickeners and solid printing paste thickener pre-products such as vegetable glues, starches, polyvinyl acetate, polyvinyl alcohol, styrenebutadiene and acrylic latices.

Preservation of Liquid Formulation: Add 0.5 to 1.65 lb ACTICIDE[®] NC microbiocide to each 1000 lbs of fluid to provide 7 ppm to 25 ppm of active isothiazolinone ingredients. A higher dosage rate providing up to 45 ppm active ingredient may be required for storage during extremely high temperatures and humidity.

Preservation of a Solid Which Has to be Mixed With Water: Add sufficient ACTICIDE[®] NC microbiocide to the solid pre-product to provide 7 ppm to 25 ppm of active isothiazolinone ingredients in the final finished formulation. A higher dosage rate providing up to 45 ppm active ingredients may be required for storage during extremely high temperatures and humidity.

* Not approved for this use in the State Of California

PRESERVATIVE FOR PAINTS AND COATINGS: ACTICIDE[®] NC microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in water based coatings and solid coating pre-products such as paper, wood coatings and paints used for architectural, product finishes and special purpose coatings.

Preservation of Liquid Formulation: Add 0.5 to 1.65 lb (227 to 750 grams) ACTICIDE[®] NC microbiocide to each 1000 lbs (454 kg) of fluid to provide 7 ppm to 25 ppm of active isothiazolinone ingredients. A higher dosage rate providing up to 45 ppm active ingredient may be required for storage during extremely high temperatures and humidity.

Preservation of a Solid Which Has to be Mixed With Water: Add sufficient ACTICIDE[®] NC microbiocide to the solid pre-product to provide 7 ppm to 25 ppm of active isothiazolinone ingredients in the final finished formulation. A higher dosage rate providing up to 45 ppm active ingredients may be required for storage during extremely high temperatures and humidity.

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ACTICIDE[®] NC INFORMATION SHEET

THIS ACTICIDE[®] NC INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE[®] NC

DIRECTIONS FOR USE

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

PRESERVATIVE FOR *CERAMIC AND BUILDING MATERIALS: ACTICIDE[®] NC microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in liquid ceramic and building materials and solid ceramic and building material pre-products such as mastics, caulks, joint cements, spackling and grouting.

Preservation of Liquid Formulation: Add 0.5 to 1.65 lb ACTICIDE[®] NC microbiocide to each 1000 lbs of fluid to provide 7 ppm to 25 ppm of active isothiazolinone ingredients.

Preservation of a Solid Which Has to be Mixed With Water: Add sufficient ACTICIDE[®] NC microbiocide to the solid pre-product to provide 7 ppm to 25 ppm of active isothiazolinone ingredients in the final finished formulation. A higher dosage rate providing up to 45 ppm active ingredients may be required for storage during extremely high temperatures and humidity.

* Not approved for this use in in the State Of California

APPLIED FILM/WET STATE PRESERVATIVE: ACTICIDE[®] NC microbiocide is recommended for the control of bacteria and fungi in the applied film/wet state of adhesives, tackifiers, paints, coatings and building materials (such as fire-proofing and sound-proofing coatings) for the purpose of protecting the applied film/wet state prior to a full cure.

Add 0.5 to 2.0 lb (227 to 909 grams) ACTICIDE[®] NC microbiocide to each 1000 lbs (454 kg) of fluid to provide 7 ppm to 30 ppm of active isothiazolinone ingredients. A higher dosage rate providing up to 45 ppm active ingredient may be required for extremely high temperatures and humidity.

