

67071-23

5/9/2013

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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

MAY - 9 2013

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

Attention: Lynn P. Tordo, MS.
Regulatory Manager

Subject: ACTICIDE® BW20
EPA Registration No. 67071-23
Notification Dated April 5, 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

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)

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United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 67071-23	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 BW20	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. 50 Waterview Drive, Shelton, CT 06484 <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>67071-23</u> Product Name <u>ACTICIDE BW20</u>	

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 label change as required by the State of California and per PR Notice 98-10 / 95-2. This notification is consistent with 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
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 5, 55, and 265 gallons		5. Location of Label Directions <input checked="" type="checkbox"/> on labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Lynn P. Tordo, M.S.	Title Regulatory Manager	Telephone No. (Include Area Code) 203-516-6980
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>Lynn P. Tordo</i>	3. Title Regulatory Manager	
4. Typed Name Lynn P. Tordo, M.S.	5. Date April 8, 2013	

5/17/13
3/7



April 5, 2013

Mr. Marshall Swindell, Product Manager 33
Regulatory Management Branch I
Antimicrobial Division, OPP (7510W)
U.S. ENVIRONMENTAL PROTECTION AGENCY
2777 Crystal Dr. (Potomac Yard South)
Arlington, VA 22202

Re: Product: ACTICIDE® BW20, EPA Registration No. 67071-23
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.

The State of California requested that we submit this notification with regards to formatting and the addition of the qualifier “*not approved for use in the state of California”. The acceptance of this label at the DPR is pending EPA’s acceptance of the modified formatting.

Modifications are as follows:

- I) The following modification has been made to the label:
An asterisk (*) has been inserted in front of the use “aqueous pigments”.
- II) The following modifications have been made to the Information Sheet:
 - A) The qualifier (*) has been added to the front of the statement “Effective for the in-can preservation of seed coating...” and the explanation of the asterisk (*) has been added to the end of this statement.
 - B) The use category “Aqueous Pigments and Mineral Slurries” has been split. The qualifier (*) has been added to the front of the use “Aqueous Pigments” and the explanation of the asterisk (*) has been added to the end of this use.

The attached material consists of the following:

- 1. Application Form for a Notification to modify the label.
- 2. Copy of ACTICIDE® BW20 label with changes marked (FOR REFERENCE ONLY)
- 3. Copy of final printed label for EPA’s files

If you have any questions or need added information, please contact me at your convenience.

Sincerely,

Cheryl Woodward
Cheryl Woodward
Regulatory Specialist

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Enc.

Cc: Lynn P. Tordo, M.S.
Geri Werdig, Pesticide Registration Associates

THOR

ACTICIDE® BW20

Precautionary Statements: Hazards to Humans and Domestic Animals

20.0%
80.0%
100.0%

ACTIVE INGREDIENTS:
1,2-Benzisothiazol-3-one
INERT INGREDIENTS:
TOTAL:

KEEP OUT OF REACH OF CHILDREN DANGER - PELIGRO

See Side panel for additional precautionary statements

FIRST AID

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, preferable mouth-to-mouth if possible.
> Call a poison control center or doctor for further treatment advice.

If on Skin or clothing:
> 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:
> Call a poison control center or doctor immediately for treatment advice.
> 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. 67071-23

EPA Est. No. 67071-DEU-001

Thor GmbH
D-67346 Speyer, Germany
Tel. (06232) 6360

Thor Specialties, Inc.
50 Waterville Drive
Tel. (203) 516-6980

U.S. Office:

Thor Specialties, Inc.
50 Waterville Drive
Tel. (203) 516-6980

UN 3082, ENVIRONMENTALLY HAZARDOUS SUBSTANCE,
LIQUID, N.O.S. (1,2-benzisothiazol-3(2H)-one), 9, PG-III

Mfg Date:

Batch:

Label # 230(f) - 01-Mar-2013

PHYSICAL OR CHEMICAL HAZARDS: Do not store or use near oxidizing or reducing agents

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish, 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 to the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without 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: 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 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 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 with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store the flow with water and recap. Drain for 10 seconds after times. [For larger containers > 5 gallons in size] - Empty the remaining contents into application equipment of a mix tank, ensuring container is full with water. Replace and tighten closures. Stand the container on its side and tip it back and forth several times. Trip container on its side 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. Thor GmbH warrants that the product conforms to its chemical description and is performance 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, or Handling, storage and use of the product by Buyer or User are beyond the control of Thor GmbH and Speyer, Risks such as insecticides or other unintended consequences resulting from the use of this product failure to follow label directions will be assumed by the Buyer or User. IN NO CASE WILL THOR GMBH OR GELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT.

DANGER
Causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. May be fatal if inhaled. Do not breathe vapor through the skin. Harmful if swallowed. Harmful if absorbed through the skin. Prolonged or frequently repeated contact may cause allergic reactions in some individuals. Wear goggles or face shield with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or respirator removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with any N, R, P, or organic vapor (OPV) cartridge and long pants, socks, shoes HE prefilter, long-sleeved shirt and long pants, socks, shoes and chemical-resistant gloves made of any waterproof materials.

USER SAFETY RECOMMENDATIONS
Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or heavily contaminated materials that have been drenched. Do not reuse them. User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. User should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

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 aqueous compositions such as oil in water emulsions, latices, paints, adhesives, paper coating compositions, building materials, aqueous pigments and mineral slurries, inks, pesticide formulations, leather processing, for the preservation of fresh animal hides and household consumer, industrial, janitorial products, *solid skins, slime control, oil recovery systems, and for use in liquid household consumer, industrial, janitorial products, READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.

*Not approved for these uses in the State of California

Net Contents (pounds):

ACTICIDE® BW20 INFORMATION SHEET



THIS ACTICIDE® BW20 INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE® BW20

DIRECTIONS FOR USE

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

ACTICIDE® BW20 is an effective preservative in most aqueous compositions. Typical applications and suggested range of use concentrations based on total weight of product are as follows:

OIL IN WATER EMULSIONS	0.05 – 0.25%
Spin-finish solutions for use in textile industry and photographic emulsions.	0.5 - 2.5 LB / PER 1000 LB PRODUCT

Cutting/rolling oils. Soluble oils (metal and engineering industries). We suggest that the addition to metal-working fluid concentrates of ACTICIDE® BW20 should be limited to 1.5% maximum. This will give a maximum recommended use level of 0.15% ACTICIDE® BW20 in a 10:1 dilution of the concentrate and reduce the possibility of skin sensitization.	0.05 – 0.25% 0.5 - 2.5 LB / PER 1000 LB PRODUCT
LATICES	0.05 – 0.25%
Polymer latices based on acrylates, PVA, butadiene and styrene for various applications. Synthetic/rubber latices.	0.5 - 2.5 LB / PER 1000 LB PRODUCT
EMULSION PAINTS	0.05 – 0.25%
As an in-container preservative.	0.5 - 2.5 LB / PER 1000 LB PRODUCT
ADHESIVES	0.05 – 0.25%
Animal glues, vegetable glues, carboxymethylcellulose and derivatives, adhesives based on gelatin and latices.	0.5 - 2.5 LB / PER 1000 LB PRODUCT
PAPER COATING COMPOSITIONS	0.05 – 0.25%
Rosin dispersions, starch and casein based products, mineral slurries, polymers	0.5 - 2.5 LB / PER 1000 LB PRODUCT
PESTICIDE FORMULATIONS	0.05 – 0.25%
For product preservation. For ultimate use-dilution protection. ACTICIDE® BW20 is exempt from tolerance under 40 CFR 180. Materials exempted from the requirements of a tolerance when used in accordance with good agricultural practices as inert (or occasionally active) ingredients in pesticide formulations applied to growing crops only.	0.5 - 2.5 LB / PER 1000 LB PRODUCT

*Effective for the in-can preservation of seed coating materials which includes, but is not limited to, colorants, dyes, and seed coatings. <i>*Not approved for this use in the state of California</i>	0.05 – 0.50% 0.5 - 5 LB / PER 1000 LB PRODUCT

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ACTICIDE® BW20 INFORMATION SHEET



THIS ACTICIDE® BW20 INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE® BW20

DIRECTIONS FOR USE

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

<p>*INKS *Not approved for this use in the state of California</p>	<p>0.05 – 0.25% 0.5 - 2.5 LB / PER 1000 LB PRODUCT</p>
<p>BUILDING MATERIALS including tape joint compounds *caulks *sealants *grouts *spackling *ready-mixed cements *concrete admixtures *wallboard compounds</p> <p>* Not approved for these uses in the state of California</p>	<p>0.08 – 0.25% 0.80 - 2.5 LB / PER 1000 LB PRODUCT</p>
<p>MINERAL SLURRIES Including titanium dioxide, kaolin, calcium carbonate, calcium sulfate and magnesium silicate</p>	<p>0.04 – 0.25% 0.4 –2.5 LB / PER 1000 LB PRODUCT</p>
<p>*AQUEOUS PIGMENTS Including color pigments and colorants. *Not approved for these uses in the state of California</p>	<p>0.04 – 0.25% 0.4 –2.5 LB / PER 1000 LB PRODUCT</p>
<p>HOUSEHOLD CONSUMER, INDUSTRIAL, JANITORIAL PRODUCTS-LIQUID For the control of bacteria and fungi in liquid soaps, liquid cleaners, liquid detergents, liquid laundry products, liquid dishwashing detergents, waxes, polishes, liquid fabric treatment/refreshers products, liquid air fresheners/deodorizers, car care products, and other similar cleaners. ACTICIDE® BW20 may also be used for the control of bacteria and fungi in package utility products including pre-moistened sponges and mops. ACTICIDE® BW20 may also be used for the control of bacteria and fungi in solutions that are then put into/onto wet wipes for use in industrial, commercial residential and household uses cited above. Wet wipes containing a solution preserved with this product may not be used for personal care, as baby wipes, or for food contact. ACTICIDE® BW20 microbicide may be added to those products formulated as concentrates which are in turn diluted for use at a level to ensure that the final use-dilution product will contain between 0.05 - 0.20% ACTICIDE® BW20.</p>	<p>0.05 – 0.20% 0.5 – 2.0 / PER 1000 LB PRODUCT</p>

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ACTICIDE® BW20 INFORMATION SHEET



THIS ACTICIDE® BW20 INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE® BW20

DIRECTIONS FOR USE

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

*HOUSEHOLD CONSUMER, INDUSTRIAL, JANITORIAL PRODUCTS-SOLID	0.05 – 0.20%
For the control of bacteria and fungi in solid soaps, solid cleaners, solid detergents, solid laundry products, solid dishwashing detergents, waxes, polishes, solid fabric treatment/refresher products, solid air fresheners/deodorizers, car care products, and other similar cleaners.	0.5 – 2.0 / PER 1000 LB PRODUCT
ACTICIDE® BW20 microbicide may be added to those products formulated as concentrates which are in turn diluted for use at a level to ensure that the final use-dilution product will contain between 0.05 - 0.20% ACTICIDE® BW20.	
<i>* Not approved for this use in the state of California</i>	
LEATHER PROCESSING SOLUTIONS	0.025 – 0.20%
0.25 - 2.0 LB / PER 1000 LB PRODUCT	
PRESERVATION OF FRESH ANIMAL HIDES AND SKINS:	
To preserve the integrity of fresh animal hides and skins prior to or during processing, use 13 fluid ounces to 2.5 gallons (1.0 – 24 lb) of ACTICIDE® BW20 per 1000 pounds of hides or skins. Add the appropriate quantity of ACTICIDE® BW20 to the brine solution during the curing operation, or treat hides or skins with an appropriately diluted aqueous solution during other portions of the processing operation. The specific use rate and contact time needed to control microbial attack will depend upon the degree of decomposition of the hides or skins prior to treatment.	
*SLIME CONTROL	
Shock Dosing: 70 to 260 grams (2 1/2 - 9 oz) of ACTICIDE® BW20 for each ton of paper produced per day should be added as a single daily shock dose, the actual quantity used depending on the severity of the slime problem. This addition may be made to any part of the stock preparation or backwater system.	
Continuous addition: ACTICIDE® BW20 should be added continuously for either the single period of 8 hours during every 24 hours or for two separate periods of 4 hours during every 24 hours. ACTICIDE® BW20 should be metered at the rate of 195-230 grams (7-8.3 oz) for each ton of paper produced during the dosing period. This addition should be made to the recirculated backwater.	
<i>* Not approved for this use in the state of California</i>	
*OIL RECOVERY SYSTEMS	
Drilling fluids, packer fluids, completion fluids (polysaccharide fluid loss control agents and thickeners including starch, guar, and xanthan gum) add 0.05% to 0.15% based on the fluid weight or 1.5% - 4.5% based on the dry polysaccharide weight	
Subsurface injection waters including polymer and micellar/polymer waterfloods (thickeners including xanthan gum and polyacrylamides): add 0.015% to 0.15% based on solution weight	
<i>* Not approved for this use in the state of California</i>	