

67071-24

7/5/2011

10 of 5

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

JUL 5 2011



Office of Pesticide Programs

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® BW10  
EPA Registration No. 67071-24  
Notification Dated June 21, 2011

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

**Proposed Notification**

Label Change 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)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080, 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
	<b>Application for Pesticide - Section I</b>		

1. Company/Product Number 67071-24	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 BW10	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)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>67071-24</u> Product Name <u>ACTICIDE BW10</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.

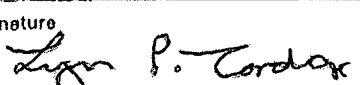
**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change 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 type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 5, 55, and 265 gallons		5. Location of Label Directions <input checked="" type="checkbox"/>	
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 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 Manager	
4. Typed Name Lynn P. Tordo, M.S.	5. Date 6/21/2011	



June 21, 2011

Mr. Marshall 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® BW10, EPA Registration No. 67071-24  
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 or removal 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 modifications have been made to the label:
  - A) The symbol preceding the first aid instructions has been changed so as not to confuse the user. The asterisk (\*) is intended to be the qualifier "\*\*Not approved for use in the state of California"; whereas, the symbol > is intended to precede and bring attention to the first aid instructions.
  - B) Uses that have been approved for use in the state of California have been deleted from the qualifier statement.
- II) The following modifications have been made to the Information Sheet:
  - The qualifier (\*) has been removed from the front of the uses currently under review in the state of California and the explanation of the asterisk (\*) has been removed from the end of these uses.

The attached material consists of the following:

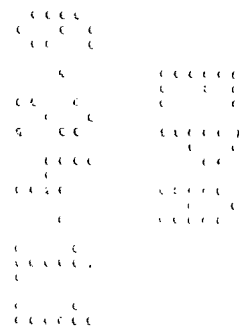
- 1. Application Form for a Notification to modify the label.
- 2. Copy of ACTICIDE® BW10 label with changes marked (FOR REFERENCE ONLY)
- 3. Copy of final printed label for EPA's files

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

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

Enc.

Cc: Geri Werdig, Pesticide Registration Associates



Label # 240(b2-RED) - 06/21/2011

# ACTICIDE® BW10



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

10.0%  
90.0%  
100.0%

## Precautionary Statements:

### Hazards to Humans and Domestic

#### Animals

#### DANGER

Causes irreversible eye damage. Do not get in eyes, on skin, or on clothing. May be fatal if inhaled. Do not breathe vapor or spray mist. Harmful if swallowed. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or face shield, a respirator with an organic-vapor 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 an organic vapor (OPV) cartridge or canister with any N, R, P or 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 and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### 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 aqueous compositions such as oil in water emulsions, latices, paints, adhesives, casein/rosin dispersions, building materials such as tape joint compounds, aqueous slurries, dispersed pigments, such as titanium dioxide slurries, inks, pesticide formulations, textile spin-finish solutions and leather processing. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.**

#### 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.

## 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.

> 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** > 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:** > 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 by a poison control center or doctor.

> Do not give anything by mouth to an unconscious person.

**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.

**For Transportation / Spill Emergency:**

Call Chemtrec at 1-800-424-9300

**EPA Reg. No. 67071-24**

Manufactured By/For: Thor GmbH

D-67346 Speyer, Germany

Tel. (06232) 5360

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

Thor Specialties, Inc.

56 Quarry Road, Trumbull, CT 06611 USA

Tel. (203) 365-6530

**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 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

**PROHIBITIONS:** Do not contaminate 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 and local disposal authorities for approved alternative procedures.

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

Batch: ~ ~ ~ ~ ~

Mfg Date: ~ ~ ~ ~ ~

Net Contents (pounds): ~ ~ ~ ~ ~



# ACTICIDE® BW10 INFORMATION SHEET

**THIS ACTICIDE® BW10 INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE® BW10**

## DIRECTIONS FOR USE

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

ACTICIDE® BW10 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:

	LB PER 1000 LB PRODUCT
OIL IN WATER EMULSIONS .....	1.0 - 5.0
Spin-finish solutions for use in textile industry and photographic emulsions	
LATICES .....	1.0 - 5.0
Polymer-latex based on acrylates, PVA, butadiene and styrene for various applications such as wax floor polishes. Synthetic/rubber latices.	
EMULSION PAINTS .....	1.0 - 5.0
As an in-container preservative.	
ADHESIVES .....	1.0 - 5.0
Animal glues, vegetable glues, carboxymethylcellulose and derivatives, adhesives based on gelatin and latices.	
PAPER COATING COMPOSITIONS.....	1.0 - 5.0
Rosin dispersions, starch and casein based products.	
PESTICIDE FORMULATIONS .....	2.0 - 10.0
For product preservation. For ultimate use-dilution protection.	
ACTICIDE® BW10 is exempt from tolerance under 40 CFR, 180.1001 (d). 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. Based on the current 180.1001 (d) limit of 0.1% BIT in formulations, use levels up to 1.0% (10,000 ppm) ACTICIDE® BW10 are allowed.	
INKS .....	1.0 - 5.0
TAPE JOINT COMPOUNDS .....	1.6 - 5.0
AQUEOUS MINERAL SLURRIES .....	0.8 - 5.0
Such as titanium dioxide, kaolin, calcium carbonate, calcium sulfate and magnesium silicate.	
LEATHER PROCESSING SOLUTIONS.....	0.5 - 4.0

U.S. Office: