

67071-29

1/7/2011

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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

JAN - 7 2011

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

Attention: Lynn P. Tordo, M.S.
Regulatory Manager

Subject: ACTICIDE® MBS 2550
EPA Registration No. 67071-29
Notification Dated December 14, 2010

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

Proposed Notification

- Minor Label Changes as per requested by the State of California

General Comments:

Based on a review of the submitted material, the following comments apply:

The Notification dated December 14, 2010, is in compliance with PR Notice 98-10 and is acceptable. This information has been made a part of your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely,

A handwritten signature in black ink that reads '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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 67071-29	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 MBS	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>67071-29</u> Product Name <u>ACTICIDE MBS</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.	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				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
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 <i>12/14/10</i>	



December 14, 2010

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

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Re: Product: ACTICIDE® MBS, EPA Registration No. 67071-29
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.
- II) The following modifications have been made to the Information Sheet:
 - B) 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® MB S label with changes marked (FOR REFERENCE ONLY)

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

ACTICIDE[®] MBS



ENVIRONMENTAL HAZARDS

This product is toxic to terrestrial and aquatic invertebrates. 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 local 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: This product is corrosive to mild steel. Do not store in unlined metal containers. Do not contaminate 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 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 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 in a sanitary landfill, or by other procedures approved by state and local authorities.

U.S. PATENT NO. 6,361,788 B1

Active Ingredients:	
1,2-Benzisothiazolin-3-one.....	2.5%
2-Methyl-4-isothiazolin-3-one.....	2.5%
Inert Ingredients:.....	95.0%
Total:.....	100.0%

ACTICIDE[®] MBS microbiocide weighs 8.6 lb. per gallon.

**KEEP OUT OF REACH OF CHILDREN
DANGER**

See Side panel for additional precautionary statements

FIRST AID	
If in Eyes:	<ul style="list-style-type: none"> *◀Replace asterisk ▶Hold eye open and rinse slowly and gently with water for 15-20 minutes. *◀Replace asterisk ▶Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. *◀Replace asterisk ▶Call a poison control center or doctor for treatment advice.
If on Skin or clothing:	<ul style="list-style-type: none"> *◀Replace asterisk ▶Take off contaminated clothing. *◀Replace asterisk ▶Rinse skin immediately with plenty of water for 15-20 minutes. *◀Replace asterisk ▶Call a poison control center or doctor for treatment.
If Swallowed:	<ul style="list-style-type: none"> *◀Replace asterisk ▶Call a poison control center or doctor immediately for treatment advice. *◀Replace asterisk ▶Have person sip a glass of water if able to swallow. *◀Replace this asterisk ▶Do not induce vomiting unless told to do so by the poison control center or doctor. *◀Replace asterisk ▶Do not give anything by mouth to an unconscious person.
If Inhaled:	<ul style="list-style-type: none"> *◀Replace asterisk ▶Move person to fresh air. *◀Replace asterisk ▶If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. *◀Replace asterisk ▶Call a poison control center or doctor for further treatment advice.
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. 67071-29
Manufactured By/For:
Thor GmbH
D-67346 Speyer, Germany
Tel. (06232) 6360

EPA Est. No. 67071-DEU-001
U.S. Office:
Thor Specialties, Inc.
56 Quarry Road; Trumbull, CT 06611
Tel. (203) 365-6530

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

Corrosive. Causes irreversible eye damage. Do not get in eyes, or on clothing. Harmful if swallowed. Harmful if absorbed through the skin. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or face shield, long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves made of any waterproof material. Remove PPE immediately after handling this product. 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. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing/PPE immediately, then wash thoroughly and change into clean clothing. Do not apply this product in a way that will contact workers or other persons.

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 polymer latices, paints and coatings, building materials, *adhesives and *tackifiers, mineral slurries, *additives for paper and paperboard, *oil-in-water emulsions, as an in-container preservative for aqueous products, for use in household consumer, industrial, janitorial products, *metal working fluids, and *textiles/cordage products and *textile/textile fibers-making. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.**

* Not approved for these uses in the state of California

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 and labeling 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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FOR PESTICIDE

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FOR REFERENCE ONLY



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

DIRECTIONS FOR USE

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

Remove this asterisk⇨***PRESERVATIVE FOR LATICES:** ACTICIDE® MBS microbiocide is recommended for the control of bacteria and fungi in the manufacture and storage of synthetic and natural polymer latices (including process wash solutions) including: acrylics, styrene-butadiene, carboxylated styrene-butadiene, ethylene-vinyl acetate and biopolymers intended for industrial use such as xanthan gum, gum arabic, guar gum, protein derived polymers, starches and casein derived polymers including latices for paper and paperboard. Add 1.0 - 5.0 lbs. ACTICIDE® MBS (0.45 - 2.27 kg) to 1000 lbs. (454 kg) of emulsion to provide 50 - 250 ppm active ingredient. **Not approved for this use in the state of California*

PRESERVATIVE FOR PAINTS AND COATINGS: ACTICIDE® MBS microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in water based coatings such as paper and wood coatings and paints (including process wash solutions) used for architectural product finishes and *special purpose coatings. Add 1.0 - 5.0 lbs. ACTICIDE® MBS (0.45 - 2.26 kg) per 1000 lbs. of paint, or coating fluid formulation or polymer latex to provide 50 - 250 ppm of active ingredient. **Not approved for this use in the state of California*

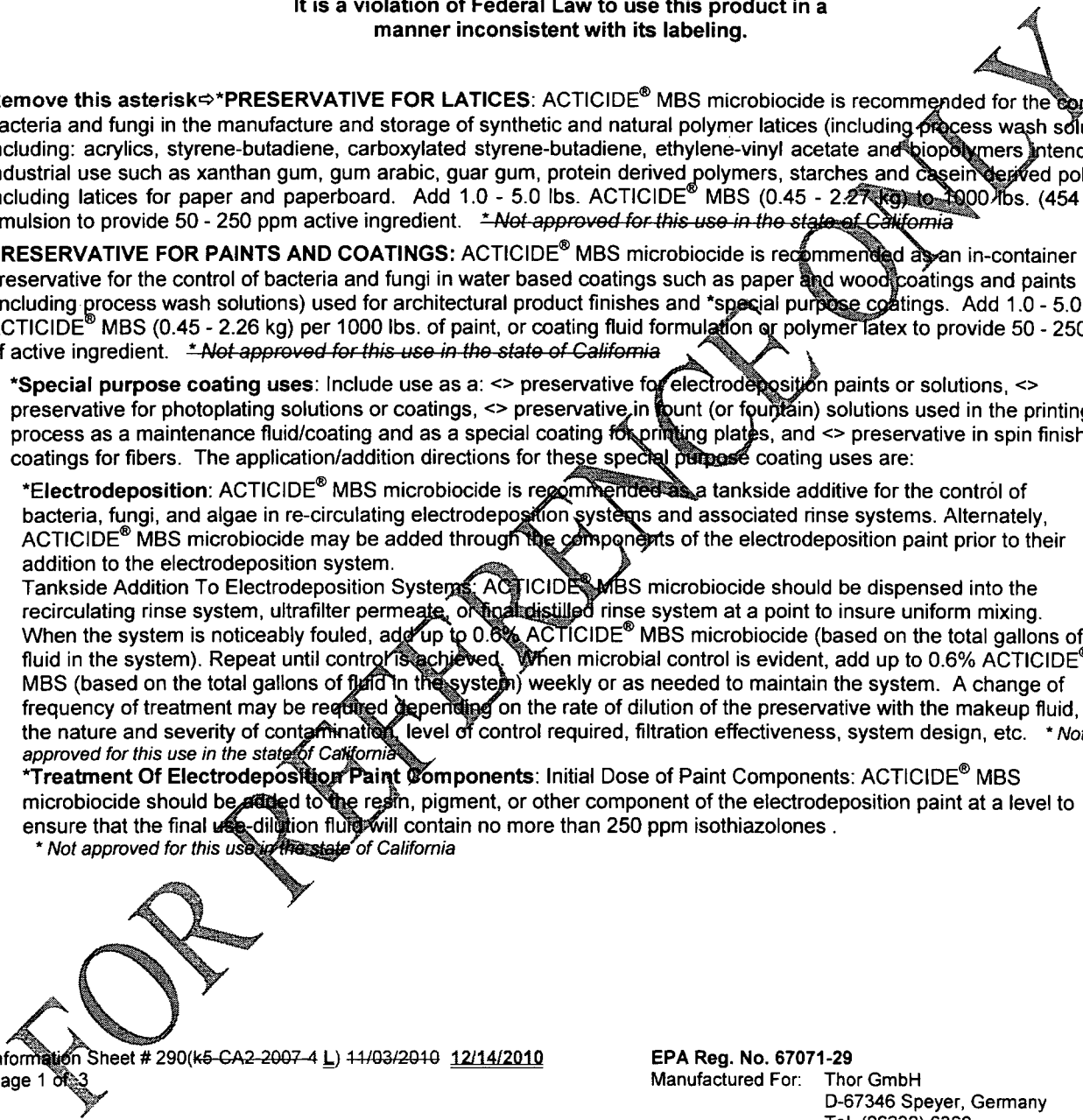
***Special purpose coating uses:** Include use as a: <> preservative for electrodeposition paints or solutions, <> preservative for photoplating solutions or coatings, <> preservative in fountain (or fountain) solutions used in the printing process as a maintenance fluid/coating and as a special coating for printing plates, and <> preservative in spin finish coatings for fibers. The application/addition directions for these special purpose coating uses are:

***Electrodeposition:** ACTICIDE® MBS microbiocide is recommended as a tankside additive for the control of bacteria, fungi, and algae in re-circulating electrodeposition systems and associated rinse systems. Alternately, ACTICIDE® MBS microbiocide may be added through the components of the electrodeposition paint prior to their addition to the electrodeposition system.

Tankside Addition To Electrodeposition Systems: ACTICIDE® MBS microbiocide should be dispensed into the recirculating rinse system, ultrafilter permeate, or final distilled rinse system at a point to insure uniform mixing. When the system is noticeably fouled, add up to 0.6% ACTICIDE® MBS microbiocide (based on the total gallons of fluid in the system). Repeat until control is achieved. When microbial control is evident, add up to 0.6% ACTICIDE® MBS (based on the total gallons of fluid in the system) weekly or as needed to maintain the system. A change of frequency of treatment may be required depending on the rate of dilution of the preservative with the makeup fluid, the nature and severity of contamination, level of control required, filtration effectiveness, system design, etc. **Not approved for this use in the state of California*

***Treatment Of Electrodeposition Paint Components:** Initial Dose of Paint Components: ACTICIDE® MBS microbiocide should be added to the resin, pigment, or other component of the electrodeposition paint at a level to ensure that the final use-dilution fluid will contain no more than 250 ppm isothiazolones.

** Not approved for this use in the state of California*



FOR REFERENCE ONLY



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

DIRECTIONS FOR USE

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

***Photoplate Processing, Photo Processing, Fountain Solutions, And Ink/Ink Components:** ACTICIDE® MBS microbiocide is recommended for the control of bacteria and fungi in photoplate processing such as stabilizer solutions and in fountain solutions. ACTICIDE® MBS microbiocide is recommended for water-based printing inks such as flexographic, gravure, screen and ink jet types. ACTICIDE® MBS microbiocide is recommended for the control of bacteria and fungi in printing ink components such as resins, plasticizers, water soluble dyes, pigments, gelling agents, waxes, surfactants, and thickeners. ACTICIDE® MBS microbiocide should be added to achieve the recommended dosage range for ink, ink components, fountain solutions and photoplate processing chemicals of 0.1% to 0.5% on a total weight basis. A level adjustment may be necessary to accommodate the slight change in solution formulations. Up to 500 lb ACTICIDE® MBS per 1,000 lbs of concentrate may be added to concentrates so long as the final use-dilution product contains not more than 250 ppm active ingredients (a dilution of 100x). * Not approved for this use in the state of California

NOTE: To insure uniform mixing, add ACTICIDE® MBS microbiocide to latex or solution slowly with agitation. The actual concentrations required will depend upon such factors as the specific substance to be treated, frequency of repeated microbial contamination expected and level of protection required.

Remove this asterisk⇒*PRESERVATIVE FOR BUILDING MATERIALS: ACTICIDE® MBS microbiocide is recommended as an in-container preservative for the control of bacteria and fungi in building materials such as mastics, caulks, joint cements, spackles and grouts, and concrete admixtures. Add 1.0 - 5.0 lbs. ACTICIDE® MBS (0.45 - 2.27 kg) per 1000 lbs of fluid to provide 50 - 250 ppm active ingredient. * Not approved for this use in the state of California

***PRESERVATIVE FOR ADHESIVES AND TACKIFIERS:** ACTICIDE® MBS microbiocide is recommended as a preservative for the control of bacteria and fungi in water soluble and water dispersed adhesives such as animal glues, vegetable glues, natural rubber latices, polyvinyl acetate, styrene-butadiene and acrylic latices. ACTICIDE® MBS microbiocide is recommended as a preservative for tackifiers derived from resin and hydrocarbon resins. Add 1.0 - 5.0 lbs. (0.45 - 2.27 kg) of ACTICIDE® MBS to 1000 lbs. of fluid to provide 50 - 250 ppm active ingredient. * Not approved for this use in the state of California

PRESERVATIVE FOR DISPERSED PIGMENTS (MINERAL SLURRIES): ACTICIDE® MBS microbiocide is recommended for the control of bacteria and fungi in the manufacture and storage of dispersed pigments such as refractory coatings, ceramic glazes, kaolin clay, montmorillonite clay, titanium dioxide, calcium carbonate, calcium sulfate, barium sulfate, magnesium silicate and kieselguhr used in paint and paper products. Add 0.3 - 3.0 lbs (0.14 - 1.4kg) of ACTICIDE® MBS per 1000 lbs of dispersion to provide 15 - 150 ppm active ingredient.

***PRESERVATIVE FOR OIL-IN-WATER EMULSIONS:** ACTICIDE® MBS is recommended for use in spin-finish solutions used in the textile industry and photographic emulsions. Add 1.0 - 5.0 lbs (0.45 - 2.27 kg) ACTICIDE® MBS to 1000 lbs of emulsion to provide 50 - 250 ppm active ingredient. * Not approved for this use in the state of California

7/7

FOR REFERENCE ONLY



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

DIRECTIONS FOR USE

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

Remove this asterisk⇒*IN-CONTAINER PRESERVATIVE: ACTICIDE® MBS is recommended as an in-container preservative for the control of bacteria and fungi in aqueous products such as aqueous emulsions and dispersions including stabilized oil/water emulsions, surface preparation compounds, foam control products, nutrient solutions and aqueous pesticides which includes, but is not limited to, insecticides, termiticides, fungicides, bactericides, algicides, herbicides, rodenticides [includes use as an in-container preservative for the control of bacteria and fungi in pesticide products for dilution (with a MIT level of not more than 9 ppm in the final solution) applied to crops and for use in pesticide formulations for use on food contact surfaces at rates described for in-container preservative category]. Add 0.5 - 5.0 lbs. (0.23 - 2.27 kg) ACTICIDE® MBS per each 1000 lbs. of treated product to provide 25 - 250 ppm active ingredients. *Not approved for this use in the state of California

HOUSEHOLD CONSUMER, INDUSTRIAL, JANITORIAL-PRODUCTS: For the control of bacteria and fungi in liquid and solid soaps, liquid and solid cleaners, liquid and solid detergents, liquid and solid laundry products, liquid and solid dishwashing detergents, waxes, polishes, liquid and solid fabric treatment/refresher products, liquid and solid air fresheners/deodorizers, car care products, and other similar cleaners. ACTICIDE® MBS may also be used for the control of bacteria and fungi in package utility products such as pre-moistened sponges and mops. ACTICIDE® MBS may also be used for the control of bacteria and fungi in solutions that are then put into/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® MBS is added at a level of 0.12 to 4.0 lb to each 1000 lb of product to be protected to provide 6 to 200 ppm of active isothiazolones.

ACTICIDE® MBS 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 0.012% to 0.40% ACTICIDE® MBS microbicide.

***PRESERVATIVE FOR METAL WORKING FLUIDS:** ACTICIDE® MBS microbicide is recommended for the control of bacteria and fungi in aqueous metal working fluid solutions and emulsions. Add 1.5 gallons (12.5 lb.) per 1000 gallons of emulsion every 4 weeks for maintenance of a non-fouled system. For a noticeably fouled system use an initial dose of up to 4.5 gallons (39 lb.) per 1000 gallons emulsion followed by subsequent maintenance dosage above. A higher dosage rate and/or increased frequency of treatment may be required depending upon the nature and severity of contamination, level of control required, filtration effectiveness, system design, etc. The preservative should be dispensed into the use dilution of the metal working fluid using a metering pump and uniformly dispersed throughout the system. *Not approved for this use in the state of California

***PRESERVATIVE FOR TEXTILES/CORDAGE PRODUCTS AND TEXTILE-/TEXTILE-FIBERS MAKING:** ACTICIDE® MBS is recommended as a preservative for the control of bacteria and fungi in textiles and non-woven products (such as canvas, carpet, cordage, drapes, and shower curtains), in chemicals commonly used in the production of natural and synthetic fibers and fabrics (such as fiber lubricants, spin finishes, sizes, dyestuffs, textile printing inks, dispersants, thickeners, dye fixatives, hand builders and weighters), and in textile coatings. Add 1.0 to 5.0 lbs. ACTICIDE® MBS per 1000 lbs. of fluid to provide 50 to 250 ppm of active ingredients. *Not approved for this use in the state of California

ACTICIDE® MBS microbicide weighs 8.6 lbs. per gallon