

67071-31

11/01/2012

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



Office of Pesticide Programs

NOV 1 2012

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 OTW
EPA Registration No. 67071-31
Notification Dated September 14, 2012
EPA Received Date October 5, 2012

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 and per PR Notice 98-10

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)



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 67071-31	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 OTW	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)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>67071-31</u> Product Name <u>ACTICIDE OTW</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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
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"/> 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	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 	3. Title Regulatory Manager	
4. Typed Name Lynn P. Tordo, M.S.	5. Date Oct. 1, 2012	



September 14, 2012

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® OTW, EPA Registration No. 67071-31
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 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) An explanation of the asterisk (*) has been included at the end of the Directions for Use statement to indicate that these particular uses are not approved in the state of California.
- II) The following modification has been made to the Information Sheet:
 - A) A qualifier (*) has been added to the front of the uses which are not currently approved for use in the state of California and the explanation of the asterisk (*) has been included at the end of the use statement to indicate that this particular use is not approved in the state of California.

The attached material consists of the following:

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

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

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

THOR

ACTICIDE® OTW

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 this product is specifically identified and addressed in an 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: This product (pH 4.5) is corrosive to mild steel. Do not store or transport 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 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 3265, CORROSIVE LIQUID, ACIDIC, ORGANIC
 N.O.S. (2-n-Octyl-4-isothiazolin-3-one), 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Precautionary Statements:
 Hazards to Humans and Domestic Animals

DANGER

CORROSIVE. CAUSES PERMANENT, IRREVOCALE EYE DAMAGE AND SKIN BURNS. MAY CAUSE ALLERGIC SKIN REACTION. MAY BE FATAL IF SWALLOWED. HARMFUL IF ABSORBED THROUGH SKIN OR INHALED. PROLONGED OR REPEATED OVEREXPOSURE CAN CAUSE CENTRAL NERVOUS SYSTEM EFFECTS AND KIDNEY AND LIVER DAMAGE. Do not get in eyes, on skin, on clothing. Wear goggles or face shield. Wear protective clothing and rubber gloves. Avoid breathing vapor or mist. Keep container closed. Use with adequate ventilation. Do not take internally. Wash thoroughly with soap and water after handling, before eating, drinking, or using tobacco.

DIRECTIONS FOR USE

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

ACTICIDE® OTW is an industrial microbicide to be used for the protection of paint films (non-food contact use only), coatings including wood coatings (non-food contact use only), polymer latexes, adhesives, *fillers, *caulks, *sealants, *grouts and *building materials, *fabrics, *dyes, *pigment slurries and *suspensions, and *household consumer, *industrial, *institutional, *janitorial products against attack by mildew. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET**
 *Not approved for this use in the state of California

EPA Reg. No. 67071-31
 Manufactured By/For: Thor GmbH
 D-67346 Speyer, Germany
 Tel. (06232) 6360

U.S. Office: Thor Specialties, Inc.
 50 Waterview Drive
 Shelton, CT 06484 USA
 Tel. (203) 516-6980

EPA Est. No. 67071-DEU-001

NOTIFICATION
 Date Reviewed: 11/16
 Reviewed By: [Signature]

ACTIVE INGREDIENT:
 2-n-Octyl-4-isothiazolin-3-one..... 16.84%
INERT INGREDIENTS:..... 83.16%
TOTAL:..... 100.0%

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 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.
- 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 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

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: Chemtrec at 1-800-424-9300

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.

Mfg Date:

Batch:

Net Contents (pounds):

f

ACTICIDE[®] OTW INFORMATION SHEET



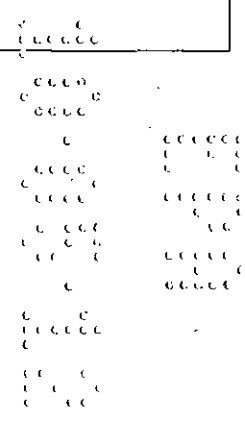
THIS ACTICIDE[®] OTW INFORMATION SHEET MUST ACCOMPANY EACH SHIPMENT OF ACTICIDE[®] OTW

DIRECTIONS FOR USE

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

<p>*LATICES</p> <p>Polymer latices based on acrylates, PVA, butadiene and styrene for various applications. Synthetic/rubber latices.</p> <p>Dry film and applied film/wet-state preservative for the control of fungi</p> <p>ACTICIDE[®] OTW can 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 0.05% to 0.60% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products towards the end of the manufacturing process.</p> <p><i>* Not approved for this use in the state of California</i></p>	<p>0.05 – 0.60% 0.5 – 6.0 LB / PER 1000 LB PRODUCT</p>
<p>PAINTS, COATINGS, WOOD COATINGS</p> <p>Dry film and *applied film/wet-state preservative for the control of fungi</p> <p>ACTICIDE[®] OTW can 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 0.1% to 2.0% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products at any stage in the manufacturing process. It is preferably added in the let-down stage during the manufacture of paints or wood coatings. Add slowly with good agitation</p> <p><i>*Not approved for this use in the State of California</i></p>	<p>0.1 - 0.81% 1.0 – 8.1 LB / PER 1000 LB PRODUCT</p>
<p>ADHESIVES</p> <p>Dry film and *applied film/wet-state preservative for the control of fungi</p> <p>ACTICIDE[®] OTW can 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 0.1% to 2.0% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products preferably towards the end of the manufacturing process</p> <p><i>*Not approved for this use in the State of California</i></p>	<p>0.1 – 0.81% 1.0 – 8.1 LB / PER 1000 LB PRODUCT</p>

NOTIFICATION
Date Reviewed: 11/1/12
Reviewed By: [Signature]



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ACTICIDE[®] OTW INFORMATION SHEET



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

DIRECTIONS FOR USE

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

<p>*BUILDING MATERIALS</p> <p>Dry film and applied film/wet-state preservative for the control of fungi in building materials, including fillers, caulks, sealants, grouts (non-food contact)</p> <p>ACTICIDE[®] OTW can 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 0.05% to 0.81% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products preferably towards the end of the manufacturing process</p> <p><i>*Not approved for this use in the State of California</i></p>	<p>0.05 – 0.81%</p> <p>1.0 – 8.1 LB / PER 1000 LB PRODUCT</p>
<p>*DYES:</p> <p>Recommended for the control of fungi in Dyes, including Dyes, used in paper production.</p> <p>ACTICIDE[®] OTW can 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 0.05% to 0.35% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products preferably towards the end of the manufacturing process.</p> <p><i>*Not approved for this use in the State of California</i></p>	<p>0.05 – 0.35%</p> <p>0.5 - 3.5 LB / PER 1000 LB PRODUCT</p>
<p>*PIGMENTS/ FILLER and MINERAL SLURRIES/SUSPENSIONS:</p> <p>Recommended for the control of fungi in Pigments and Filler and Mineral Slurries/Suspensions, including those used in paper production.</p> <p>ACTICIDE[®] OTW can 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 0.01% to 0.35% ACTICIDE[®] OTW.</p> <p>ACTICIDE[®] OTW can be incorporated with most products preferably towards the end of the manufacturing process.</p> <p><i>*Not approved for this use in the State of California</i></p>	<p>0.01 – 0.35%</p> <p>0.1 - 3.5 LB / PER 1000 LB PRODUCT</p>

NOTIFICATION
Date Reviewed: 7/1/12
Reviewed By: [Signature]

7/7

ACTICIDE[®] OTW INFORMATION SHEET



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

DIRECTIONS FOR USE

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

<p>*LIQUID HOUSEHOLD, CONSUMER, INDUSTRIAL, INSTITUTIONAL, JANITORIAL PRODUCTS:</p> <p>For the control of yeasts and molds 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[®] OTW may also be used for the control of yeasts and molds in package utility products such as pre-moistened sponges and mops. ACTICIDE[®] OTW may also be used for the control of yeasts and molds 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[®] OTW 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 0.01% to 0.05% ACTICIDE[®] OTW.</p>	<p>0.01 – 0.10% 0.1 – 1.0 LB / PER 1000 LB PRODUCT</p>
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**Not approved for this use in the State of California*

<p>*SOLID/SEMI-SOLID HOUSEHOLD, CONSUMER, INDUSTRIAL, INSTITUTIONAL, JANITORIAL PRODUCTS:</p> <p>For the control of yeasts and molds in solid/semi-solid soaps, solid/semi-solid cleaners solid/semi-solid detergents, solid/semi-solid laundry products, solid/semi-solid dishwashing detergents, waxes, polishes, solid/semi-solid fabric treatment/refreshers products, solid/semi-solid air fresheners/deodorizers, car care products, and other similar cleaners. ACTICIDE[®] OTW 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 0.01% to 0.05% ACTICIDE[®] OTW.</p>	<p>0.01 – 0.10% 0.1 – 1.0 LB / PER 1000 LB PRODUCT</p>
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**Not approved for this use in the State of California*

***FABRIC MILDEWCIDE:** To prevent mildew in laundered or treated fabric, use 0.37 – 0.74 fluid ounces of ACTICIDE[®] OTW for every 100 gallons of final rinse. Alternatively, use 0.22 – 0.45 fluid ounces of ACTICIDE[®] OTW in the final rinse for every 100 pounds of fabric treated. Fabric may be re-treated as necessary to effect continued mildew protection. Fabric should be retreated after every laundering.

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

NOTIFICATION
 Date Reviewed: 11/1/12
 Reviewed By: MS