

67071-53

09/12/2010

1/4

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



Office of Pesticide Programs

Thor GmbH  
Landwehrstrasse 1  
D-67346,  
Speyer, Germany

APR 12 2010

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

Attention: Lynn P. Tordo, MS.  
Regulatory Manager

Subject: ACTICIDE® MKW 1  
EPA Registration No. 67071-53  
Notification Dated March 1, 2010

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

**Proposed Notification**

Label Change 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

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 67071-53	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 MKW 1	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>67071-53</u>  Product Name <u>ACTICIDE MKW 1</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 per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and 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:					
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	2. Type of Container <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 and 30 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.

2. Signature <i>Lynn P. Tordo</i>	3. Title Regulatory Affairs Manager	6. Date Application Received (Stamped)          
4. Typed Name Lynn P. Tordo, M.S.	5. Date 3/1/10	



March 1, 2010

Mr. Marshal 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® MKW 1, EPA Registration No. 67071-53  
Company: Thor GmbH;  
US Agent: Thor Specialties, Inc  
Notification of label change per PR Notice 2007-4  
**This is a notification and not subject to fees**

Dear Mr. Swindell:

This notification is submitted by Thor Specialties, Inc., U.S. agent for Thor GmbH and is consistent with the guidance in PR Notice 2007-4 and 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 CSFs for this product

The attached material consists of the following:

1. Application for Amendment to change the label in accordance with PR Notice 2007-4.
2. Copy of ACTICIDE® MKW 1 label (with changes clearly marked)

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 Affairs Manager

Enc.

Cc: Geri Werdig, Pesticide Registration Associates

	o o o o
	c c c c
	c c c c
	c o c o
	c o c o
o o c c o o	
c c c c	
o o c c o o	
c c c c	
o o c c o o	c c c c
c c c c	c c c c
	c c c c
	c c c c



# ACTICIDE® MKW 1 (INDUSTRIAL BIOCID)

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

### ENVIRONMENTAL HAZARDS

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 Environmental Protection Agency.

### STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE OR DISPOSAL.

PESTICIDE STORAGE: Store away from food and drinking water. Store in the original container only. Store in a dry place

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess product 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 your 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.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incinerator or burn, if allowed by state and local authorities. If burned, stay out of the smoke.

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

### Active Ingredients:

Diuron [3-(3,4-dichlorophenyl)-1,1-dimethylurea] .....	15.00%
3-Iodo-2-propynyl butylcarbamate .....	10.00%
2-N-Octyl-4-isothiazolin-3-one .....	7.50%
OTHER INGREDIENTS: .....	67.50%
TOTAL: .....	100.00%

## KEEP OUT OF REACH OF CHILDREN **DANGER**

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: take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 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 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 treatment advice.

In case of emergency call toll free (800)424-9300. Have the product container or label with you when you call a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. [Diuron (ISO) and 2-n-Octyl-4-isothiazolin-3-one], 9, UN 3082, PG-III

EPA Reg. No. 67071-53 EPA Est. No. 67071-DEU-001

Manufactured By/For: Thor GmbH  
D-67346 Speyer, Germany Tel. (06232) 6360

U.S. Office: Thor Specialties, Inc.  
56 Quarry Road; Trumbull, CT 06611 USA  
Tel. (203) 365-6530

Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear, such as goggles, face shield, or safety glasses. Harmful if swallowed or absorbed through skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

### PERSONAL PROTECTIVE EQUIPMENT:

Handlers must wear:

- goggles or face shield
- coveralls worn over long-sleeved shirt and long pants
- chemical resistant gloves, such as barrier laminate, butyl rubber, neoprene rubber, nitrile rubber, polyvinyl chloride [pvc and viton]
- socks
- chemical-resistant footwear
- dust/mist filtering respirator with MSHA/NIOSH approval number prefix (TC-21C), OR NIOSH approved respirator with any N, R, P, or HE prefilter.

### DIRECTIONS FOR USE

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

The formulated product is intended for use as an industrial biocide for the control of fungal and algal growth in paint films, coatings, stains, polymer latices, and the following building materials: sealants, mastics, and caulks. **READ AND FOLLOW THE DIRECTIONS FOR USE ON THE ACCOMPANYING INFORMATION SHEET.**

\* Not approved for use 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 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):
--------	-----------	------------------------

4/4