

70871-12

5-30-2002

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAY 30 2002

Ms. Donna Ross
Regulatory Agent
BioShield Technologies, Inc.
4405 International Boulevard, Suite #109
Norcross, GA 30093

Subject: BioShield BSTI 1860
EPA Registration No: 70871-12
Application Date: February 1, 2002
Receipt Date: February 6, 2002

Dear Ms. Donna Ross:

The following amendment, submitted in connection with registration under section 3 (c) (7) (A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

new use of this active ingredient as a spray on dried latex paints (indoor and outdoor), stains, coatings, films, laminates and finishes as well as directly added into can paints as preservative to control growth of odor causing bacteria, mold, mildew and algae.

Conditions

You have provided additional information regarding the paint use such that your product may be applied to dried paints and coatings which have been previously applied to "...architectural structures and buildings, interior and exterior walls of buildings, domestic structures and buildings, textiles, wood and concrete structures." Your proposed language is not specific enough and we have not received additional clarification as per our request of 5/24/02.

You had previously requested that this submission be expedited and due to this request, we have decided to approve the label text which is acceptable at this time such that you may market this product. You may submit a new request (which will be processed as a new submission) to clarify that language which is not acceptable at this time.

Your proposed statement is still too broad:

*the site textiles must be deleted as it is not appropriate to apply a paint to a textile

		surface	CONCURRENCES				
SYMBOL	7510C						
SURNAME	J. Smith						
DATE	5/29/02						

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- *domestic structures and buildings is also too broad (specific surfaces: walls, ceilings must be listed, i.e. need additional clarification)
- *wood and concrete structures is also too broad (what specifically made of wood and concrete?)

Thus all directions and claims for the use of this product to be applied to paint film and coating film must be deleted.

Revise the label as follows:

1. Revise page two by deleting the entire section beginning: "BSTI 1860 is for use in formulating products to be applied to the dried. ." and ending "...and copolymers thereof."
2. Revise the statement at the end of page three to read as follows: "Note: Any claims for paint use must be for the preservation of the paint in the can." and deleting: "or protection of the paint film only."

General Comments

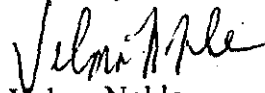
A stamped copy of the accepted labeling is enclosed. Submit one (1) copy of your final printed labeling before distributing or selling the product bearing the revised labeling.

Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) and section 4(a) when the Agency requires all registrants of similar products to submit such data.

If the above conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

Should you have any questions or comments concerning this letter, please contact Tracy Lantz at (703) 308-6415.

Sincerely,



Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobials Division (7510C)

Enclosure: Stamped Label

7510C:T.Lantz:5/29/02:70871-12h

CONCURRENCES

SYMBOL	SURNAME	DATE						
7510C	S. Jantz	5/29/02						

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Store in original closed containers in a secure area inaccessible to children and away from food or feed.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to the 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: (plastic) Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. (metal) Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration or, other procedures approved by state and local authorities. (glass) Triple rinse (or equivalent), then dispose of in a sanitary landfill or by other approved State and local procedures.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame. De-activation of BSTI 1860 can be achieved by the addition of anionic surfactant (such as soap, sulfonates, sulfates) in quantity equivalent to that of BSTI 1860.

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 local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

NET CONTENTS: 8, 16, 22, 64 oz., 1, 5, 55, or 300 gal



BSTI 1860

A Silicone Quaternary Ammonium Salt
FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

3-(trimethoxysilyl) propyldimethyl octadecyl
ammonium chloride.....71.2%

OTHER INGREDIENTS:.....28.8%

TOTAL100%

Contains over 12% methanol

KEEP OUT OF REACH OF CHILDREN

DANGER POISON

(note: above statement will be in RED ink)

Lot No. _____
EPA Reg. No. 70871-12

EPA Est. No. 73189-GA-001

ACCEPTED
with COMMENTS
in EPA Letter Dated:

MAY 30 2002

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 70871-12

FIRST AID

Have the product container or label with you when calling the poison control center or doctor, or going for treatment.

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.
- Call 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, preferably mouth-to-mouth, if possible.
- Call a poison control center or doctor for further 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 a poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

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 advice.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC
ANIMALS**

DANGER! Corrosive: Methanol may cause blindness. Causes irreversible eye damage. Harmful or fatal if swallowed. Harmful if inhaled. Do not get in eyes or on clothing. Avoid contact with skin. Avoid breathing vapors or mist. Wear protective eyewear (goggles, face shield or safety glasses). Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. FOR MANUFACTURING USE ONLY

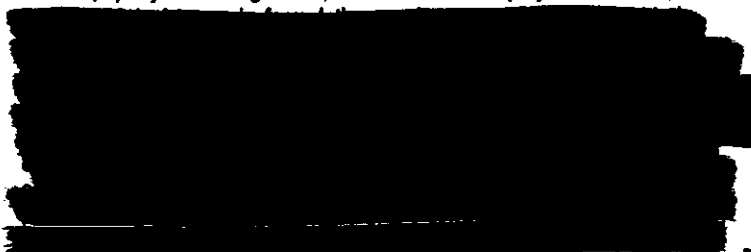
APPROVED USES

BSTI 1860 may be used for incorporation into and treatment of the following substrates to impart bacteriostatic/fungistatic activity:

- Air filters for furnaces, air-conditioners, air purification devices, automobiles, recirculating air handling systems;
- Air filters/materials;
- Aquarium filter material;
- Bed sheets, blankets, and bedspreads;
- Buffer pads (abrasive and polishing);
- Carpets and draperies;
- Concrete additive for sewer pipes, manholes and concrete sewer structures; *(Not to be used in treatment of storm drains)*
- Concrete additive for repair and renewal of sewer pipes and manholes and concrete sewer structures; *(Not to be used in treatment of storm drains)*
- Fiberglass for upholstery, sleeping bags, apparel, etc., where the fiber is cotton, natural down, nylon, polyester, rayon, or wool;
- Fiberglass ductboard;
- Fire hose fabric;
- Humidifier belts;

Under the Federal Insecticide,

- Fungicide, and Rodenticide Act as
- Mammals, for the pesticide,
- Non-woven disposable registered under EPA Reg. No. 70871-12
- Outerwear apparel;
- BSTI 1860 can be used in paints and coatings as an in can preservative for protection of paint film and coating film. Types of paints and coatings include: latex indoor/outdoor paints and stains, woodstains, architectural paints, lacquer and maintenance coatings, films, laminates and finishes including alkylid, urethane, enamel, epoxy, siloxaline, amino resins, textile coatings, extrusion coatings, architectural coatings and overlays, anti-corrosion coatings, fire-resistant coatings, aliphatic coatings, vinyl ester and polyester coatings, gel coatings, amino resins, resins used as additive mixes for cement, epoxy laminating resins, and blends and copolymers thereof;



- Polyurethane and cellulose foam for household, industrial, and institutional sponges and mops;
- Polyurethane and polyethylene foam, when covered;
- Polyurethane foam for packaging and cushioning in non-food contact applications;
- Polyurethane foam used as a growth medium for non-food crops and plants;
- Pre-moistened towelettes and tissue wipes (these do not impart pesticidal properties);
- Roofing materials - defined as shingles, roofing granules, wood shakes, felt, stone and synthetic overcoats;
- Sand bags, tents, tarpaulins, sails, and ropes;
- Athletic and casual shoes;
- Shoe insoles;
- Shower curtains;
- Socks comprised of nylon, nylon/orlon, cotton/nylon, linen/Lycra, acrylic/polypropylene/nylon/Lycra wool/silk/nylon/Lycra and wool/acrylic/nylon/Lycra;
- Throw rugs;
- Toweling made of 100 percent cotton, 100 percent polyester, and blends of the two fibers;
- Toilet tank and seat covers;
- Umbrellas;
- Upholstery made of acetates, acrylics, cotton, fiberglass, nylon, polyester, polyethylene, polyolefins, polypropylene, rayon, spandex, vinyl, and wool;

- Vacuum cleaner bags and filters;
- Vinyl paper-wallpaper for non-food contact surfaces;
- Disposable wiping cloths that can be used for multiple purposes such as dusting or washing furniture, cars, walls, windows, floors, appliances, dishes, counter tops, etc.; the wiping cloths do not impart pesticide properties;
- Women's hosiery; and
- Women's intimate apparel
- For use in formulating products used in residential kitchens and bathrooms on the following hard, non-porous surfaces to impart bacteriostatic/fungistatic activity:
 - Tubs
 - Glazed tile
 - Vanity tops
 - Shower curtains
 - Shower stalls
 - Sinks
 - Washable walls
 - Floors
 - Window sills
 - Cabinets
 - Exterior of refrigerators
 - Appliances
 - Garbage cans

BSTI 1860

Imparts microbiostatic properties. Provides an invisible microbiostatic coating to inhibit the growth of odor causing bacteria. Provides an invisible microbiostatic coating to inhibit the growth of bacteria which cause staining and discoloration. Provides an invisible microbiostatic coating to inhibit the growth of fungi (mold and mildew). Provides an invisible microbiostatic coating to inhibit the growth of algae. Provides an invisible microbiostatic coating to inhibit the growth of odor causing bacteria, bacteria, which cause staining, and discoloration, fungi (mold and mildew), and algae. Prevents deterioration caused by bacteria and fungi (mold and mildew). Inhibits deterioration caused by bacteria. Resists development of microbial odors. Resists development of stains and discoloration due to bacteria. Resists development of stains due to fungi (mold and mildew). Resists stains due to algae. Resists development of microbial odors, stains and discoloration due to bacteria, fungi (mold and mildew), and algae.

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Provides/creates an invisible barrier to inhibit the growth of odor causing bacteria.

Provides/creates an invisible barrier to inhibit the growth of bacteria, which cause staining, and discoloration.

Provides/creates an invisible barrier to inhibit the growth of fungi (mold and mildew).

Provides/creates an invisible barrier to inhibit the growth of algae.

Provides/creates an invisible barrier to inhibit the growth of odor causing bacteria, bacteria which cause staining and discoloration, fungi (mold and mildew), and algae.

Provides bacteriostatic, fungistatic, (mold and mildew), and algaestatic activity.

*Note: Any claims for paint use must be for the preservation of the paint in the can

IMPORTANT: WARRANTY AND DISCLAIMER INFORMATION

BioShield Technologies, Inc., warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated in this label when used in accordance with directions under normal conditions of use; but this warranty of fitness for a particular purpose does not extend to the use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to seller, and buyer assumes the risk of any such use.

BIOSHIELD SPECIFICALLY DISCLAIMS ANY OTHER EXPRESS OR IMPLIED WARRANTY, INCLUDING THE WARRANTY OF MERCHANTABILITY.

FOR MORE INFORMATION CONCERNING THIS PRODUCT, PLEASE CONSULT THE MATERIAL SAFETY DATA SHEET (MSDS). THE MSDS CAN BE OBTAINED BY WRITING BIOSHIELD TECHNOLOGIES, INC. AT 4405 INTERNATIONAL BOULEVARD, SUITE B109, NORCROSS, GEORGIA, 30093. EMERGENCY TELEPHONE NUMBER (800-424-9300)

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in EPA Letter Dated:

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