

02/18/2010

1/7

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



United States
Environmental Protection
Agency

Office of Pesticide Programs

FMC Corporation
Peroxygens Division
1735 Market Street
Philadelphia, PA 19103

FEB 18 2010

AGENT: Keller and Heckman LLP
1001 G Street, N.W., Suite 500 West
Washington, D. C. 20001

Attention: Catherine Rice
Regulatory Manager

Subject: B-Cap 35 Antimicrobial Agent
EPA Registration No. 72372-1
Notification Dated January 28, 2010

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

Proposed Notification

- Revise Container Disposal language per PR Notice 2007-4
- Deletion of Non-notification change 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

A handwritten signature in cursive script, appearing to read "M. Swindell".

Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)

Please read Instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 72372-1	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) B-Cap 35 Antimicrobial Agent	PM# Team 33	
5. Name and Address of Applicant (Include ZIP Code) FMC Corporation Peroxygens Division 1735 Market Street Philadelphia, PA 19103 <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. _____ Product Name _____

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: Revised Container Disposal language per PR Notice 2007-4 (nonrefillable containers only)

Non-notification: Deleted statement "For more information see Material Safety Data Sheet" per PR Notice 98-10

Please refer to the attached cover letter for additional information.

Section III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted.		If "yes," Unit Package wgt.	No. per container	If "yes," Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 Catherine Rice	Title Scientist, Keller and Heckman, LLP	Telephone No. (Include Area Code) 202-434-4145
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 Agent for FMC Corporation	
4. Typed Name Catherine Rice	5. Date 1-28-2010	

1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
tel. 202.434.4100
fax 202.434.4646

Writer's Direct Access
Catherine Rice
(202) 434-4145
Rice@khlaw.com

January 28, 2010

Via Messenger

Document Processing Desk (NOTIF)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

To: Marshall Swindell (7510P)
Product Manager 33
Regulatory Management Division Branch I

Re: Registrant: FMC Corporation, Peroxygens Division
Product: B-Cap 35 Antimicrobial Agent (EPA Reg. No. 72372-1)
Notification of Revised Container Disposal Language per PR Notice 2007-4
Non-Notification Change per PR Notice 98-10

Dear Marshall:

On behalf of our client, FMC Corporation, Peroxygens Division, we are notifying the EPA of revised container disposal language per PR Notice 2007-4. This notification covers nonrefillable containers only and is consistent with the language in the PR Notice. Specifically, this language is:

Containers greater than or equal to 5 gallons but less than or equal to 55 gallons.
Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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 into 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 for disposal. Repeat this procedure two more times.

This notification does not cover refillable containers language. This will be submitted to the Agency at a later time.

At this time, FMC is also making a second change to its product label – it is deleting the phrase “For more information see Material Safety Data Sheet.” This qualifies as a non-

KELLER AND HECKMAN LLP

Marshall Swindell

January 28, 2010

Page 2

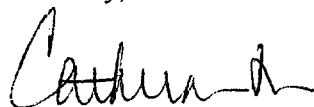
notification allowed under PR Notice 98-10 Section IV.C (Revision, Addition or Deletion of Non-FIFRA Related Label Elements).

No other changes to the label are being made. Attached are five copies of the proposed label along with one highlighted label.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

Please contact me at the above number if you have any questions.

Sincerely,



Catherine Rice
Scientist

Cc: LuAnn Maloney, FMC
John Dubeck

B-Cap™ 35 Antimicrobial Agent

**For Industrial Use Only –
Not for human consumption or household use**

**EPA Registration No. 72372-1
EPA Est. No. 65402-TX-001
60156-IL-001**

**B-Cap™ 35 Antimicrobial Agent is for use as a
sterilant in conjunction with BIOQUELL Clarus™
hydrogen peroxide vapor generating equipment.**

**B-Cap™ 35 Antimicrobial Agent is for biofouling
and slime control in:**

- **Pulp and paper mill systems**
- **Recirculating and once through cooling
water systems**
- **Pasteurizer cooling water systems**
- **Process Waters**
- **Biocidal control in packaging and storage
vessels**

Active Ingredients: Hydrogen Peroxide.....35%

Inert Ingredients:65%
Total 100%

**KEEP OUT OF REACH OF CHILDREN
DANGER**

FMC and B-Cap™ are trademarks of FMC Corporation



**FMC Corporation
Peroxygens Division
1735 Market Street
Philadelphia Pennsylvania 19103**

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER

Corrosive, causes eye and skin damage. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Wear goggles or face shield and rubber gloves when handling. Wash thoroughly with soap and water after handling. Do not breathe vapor or spray mist. Do not enter an enclosed area without proper respiratory protection.

Physical or Chemical Hazards

Strong oxidizing agent. Mix only with water. B-Cap™ 35 Antimicrobial Agent is not combustible; however, at temperatures exceeding 156°F, decomposition occurs releasing oxygen. The oxygen released could initiate or promote combustion of other materials.

Environmental Hazards

This pesticide is toxic to birds, mammals, fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with 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.

Any solution released from the system should be diluted with water and tested for residuals to ensure that there is less than 3 ppm peroxygen remaining.

First Aid

Have the product container or label with you when calling a 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 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 advice.

If inhaled

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible.
- Call a poison control center or doctor for further treatment advice.

If swallowed

- Call 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.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

Net Contents: _____

Storage and Disposal

Storage

NEVER RETURN B-CAP™ 35 ANTIMICROBIAL AGENT TO THE ORIGINAL CONTAINER AFTER IT HAS BEEN REMOVED. Avoid all contaminants, especially dirt, caustic, reducing agents, and metals. Contamination and impurities will reduce shelf life and can induce decomposition. In case of a decomposition, isolate container, douse container with cool water and dilute **B-Cap™ 35 Antimicrobial Agent** with large volumes of water.

Avoid damage to containers. Keep container closed at all times when not in use. Keep container out of direct sunlight. To maintain product quality, store at temperatures below 86°F. Do not store on wooden pallets.

Procedure for Leak or Spill

Stop leak if this can be done without risk. Shut off ignition sources; no flames, smoking, flares, or spark producing tools. Keep combustible and organic materials away. Flush spilled material with large quantities of water. Undiluted material should not enter confined spaces.

Disposal

Pesticide Disposal

If material has been spilled, an acceptable method of disposal is to dilute with at least 20 volumes of water followed by discharge into suitable treatment system in accordance with all local, state, and Federal environmental laws, rules, regulations, standards, and other requirements. Because acceptable methods of disposal may vary by location, regulatory agencies should be contacted prior to disposal.

B-Cap™ 35 Antimicrobial Agent, which is to be discarded, should be disposed of as hazardous waste after contacting the appropriate local, state, or Federal agency to determine proper procedures.

Container Disposal

Containers greater than or equal to 5 gallons but less than or equal to 55 gallons. Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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 into 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 for disposal. Repeat this procedure two more times. Empty drums are not returnable to FMC unless special arrangements have been made. Triple rinse drums with water [DELETE]. Dispose of drums in accordance with local, state, and Federal regulations. **DO NOT REUSE [DELETE].**

Directions for Use

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

B-Cap™ 35 Antimicrobial Agent

A microbiocide for use in controlling slime and sulfate forming bacteria in process waters, air washing systems, recirculating and once through water cooling towers and systems, including pasteurizer cooling water systems and industrial closed recirculating process water systems, and packaging and storage vessels.

Air Washers and Recirculating and Once Through Cooling Water Systems, (cooling towers, evaporative condensers).

1. Severely fouled systems should be cleaned prior to treatment.
2. This product may be used in all types of cooling water systems that have mist-eliminating components. B-Cap™ 35 Antimicrobial Agent should be added at a point where uniform mixing can be achieved, for example the basin area. Addition may be intermittent or continuous. Hydrogen peroxide should not be mixed with other chemicals or additives without first checking for compatibility. Contamination with other chemicals could cause product decomposition.

- Intermittent (Slug Dose) – For severely fouled systems add 3 to 163 fl oz of B-Cap™ 35 Antimicrobial Agent per 1000 gallons of

6/7
water in the system, (10 to 500 ppm). Repeat until control is achieved. When control is evident add 1 to 31 fl oz of B-Cap™ 35 Antimicrobial Agent per 1000 gallons of water in system (3 to 100 ppm H₂O₂) as needed to maintain control.

- Continuous Feed – Initial Dose: If the system is noticeably fouled, use slug dose procedure for the initial treatment. Once control is achieved, use a continuous feed of 0.3 to 16 fl oz B-Cap™ 35 Antimicrobial Agent per 1000 gallons of water per day in the system (1 to 50 ppm H₂O₂). Dosage rates should be increased or decreased depending on the extent of biofouling and control achieved.

Pasteurizer Cooling Water Systems

The product can be used at the same application rates and in the same manner as described above. The solution should be added to the closed recirculating system at a point where uniform mixing can be achieved, e.g., basin, sump, or collection areas.

Biofouling Control in Pulp and Paper Mill Systems

For use in the manufacture of paper and paperboard intended for non-food contact only. Not for use in the manufacture of paper and paperboard intended for food contact.

The product can be used to control bacterial, fungal and yeast growth in pulp, paper and papeboard mills.

1. Severely fouled systems should be cleaned prior to treatment with B-Cap™ 35 Antimicrobial Agent. Add B-Cap™ 35 Antimicrobial Agent directly to the system, don't mix with other chemicals or additives without first testing for compatibility. Contamination with other chemicals could result in product decomposition.
2. Add B-Cap™ 35 Antimicrobial Agent at a point in the system where it can be mixed uniformly with the pulp, e.g., the beater, hydropulper, fan pump, broke pump, etc.
3. Apply 1 to 40 fl oz of B-Cap™ 35 Antimicrobial Agent per ton of (dry basis) pulp or paper produced, (10 to 500 ppm H₂O₂). Addition may be continuous or intermittent depending on the type of system and severity of the biofouling.

Process Water

B-Cap™ 35 Antimicrobial Agent may be used to aid in minimizing slime formation in process waters intended for use in precleaning hard non-porous surfaces, e.g., metals, glass or plastics prior to being painted, plated, or coated; cleaning pipes, equipment or other process equipment.

1. Add B-Cap™ 35 Antimicrobial Agent at a point in the system where it can be mixed uniformly. The quantity of product required will depend upon the severity of the fouling.
2. Apply 0.3 to 163 fl oz per 1000 gallons of water in the system (1 to 500 ppm). Once control is achieved, reduce application rate accordingly.

Control of Slime, Bacteria, Fungi, and Other Microorganisms in packaging and storage vessels such as railcars, trucks, ships, totes, IBCs tanks, etc. used to contain clays, calcium carbonate, titanium dioxide, barium sulfate, and other filler materials.

1. If treating the container or vessel in the field, place the vessel or container on an area with an impervious surface with controlled runoff. Ensure that the antimicrobial treatment solution will not be released to the environment.
2. Remove gross contamination with a cleaner or other suitable detergent and rinse with water.
3. Prepare a dilute solution of the product by adding 1 to 4 volumes of B-Cap™ 35 Antimicrobial Agent to 11 volumes of potable water. This will provide solutions containing 3% to 10% hydrogen peroxide. Apply the diluted solution, at ambient or elevated temperatures, to the surface as a coarse spray, wipe/mop or flood to reduce bacterial and fungal contamination.
4. Allow antimicrobial agent to contact the surface for a period of time sufficient to ensure adequate cleaning. Depending on the microbial load, contact times can range from 5 to 30 minutes or longer.
5. Drain dry. Do not rinse.

B-Cap™ 35 Antimicrobial Agent is a sterilant for use in conjunction with BIOQUELL HPV generating equipment. The hydrogen peroxide vapor is intended for use as a sterilant in treating enclosures up to 3500 cubic feet (validated) or greater (non-validated). Use this product for sterilization as

instructed in the BIOQUELL Use Manual. This product may not be used on food-contact surfaces unless followed by a potable water rinse.

For Enclosures up to 35 cubic feet

1. Ensure that all porous and non-porous surfaces are visibly clean and free from gross organic contamination.
2. Connect the BIOQUELL HPV generator and add B-Cap® 35 Antimicrobial Agent according to the Use Manual instructions. Seal the enclosure to be sterilized.
3. Apply B-Cap® 35 Antimicrobial Agent at an injection rate of 3.1 g/minute for 55 minutes.
4. Allow vapor to remain for a minimum of 3 hours.
5. Aerate the chamber using the BIOQUELL HPV generator until hydrogen peroxide vapor is at or below 1.0 ppm. See the BIOQUELL Use Manual for complete instructions for aeration and recommended methods of measuring hydrogen peroxide vapor.

For Enclosures Greater than 35 Cubic Feet to a Maximum of 3500 Cubic Feet

(Multiple 500 mL containers required for volumes greater than 35 cubic feet – refer to the table in item 3 below)

1. Ensure that all porous and non-porous surfaces are visibly clean and free from gross organic contamination.
2. Connect the BIOQUELL HPV generator and add B-Cap® 35 Antimicrobial Agent according to the Use Manual instructions. Seal the enclosure to be sterilized.
3. Apply B-Cap® 35 Antimicrobial Agent at an injection rate of 10 g/minute for 2.5 hours.

Volume to be treated	B-Cap® 35 Antimicrobial Agent Required	Number of 500 mL Packages Required
Up to 35 cubic feet	170.5 g	1
36 – 3500 cubic feet	1500 g	3

4. Allow vapor to remain for a minimum of 15 minutes.
5. Aerate the chamber using the BIOQUELL HPV generator until hydrogen peroxide vapor is at or below 1.0 ppm. See the BIOQUELL Use Manual for complete instructions for aeration and recommended methods of measuring hydrogen peroxide vapor.

Added by notification January 7, 2010

Added by notification January 5, 2010

In all applications, always prepare a new solution daily to ensure effectiveness. Do not reuse solutions. Dispose of any unused solution.

EMERGENCY TELEPHONE NUMBERS (24 HOURS)

MEDICAL: COLLECT 303-595-9048

TRANSPORTATION: 800-424-9300

OTHER: 609-924-6677

For more information see Material Safety Data Sheet

[DELETE]

Proper Shipping Name:
Hydrogen peroxide,
aqueous solution with not
less than 20 percent but
not more than 40 percent
hydrogen peroxide.

UN 2014

Ver. 01-28-2010