

72372-3

5/12/2010

1/6

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

MAY 12 2010

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

Attention: Catherine Rice

Subject: B-Cap 70 Antimicrobial Agent
EPA Registration No. 72372-3
Notification Dated April 29, 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.

(Replaces the March 11, 2010 label refillable containers amendment.)

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 black ink, appearing to read "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 72372-3	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) B-Cap 70 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

Please refer to the attached cover letter for additional information.

This notification replaces the refillable containers amendment submitted on March 11, 2010.

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 for misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamp)
2. Signature 	3. Title Agent for FMC Corporation	
4. Typed Name Catherine Rice	5. Date 4-29-2010	

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

April 29, 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

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

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

Re: Registrant: FMC Corporation, Peroxygens Division
Product: B-Cap 70 Antimicrobial Agent (EPA Reg. No 72372-3)
Notification of Revised Container Disposal Language per PR Notice 2007-4
Replaces March 11, 2010 label amendment

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 both refillable and nonrefillable containers and is consistent with the language in the PR Notice. **This notification replaces the label amendment that was submitted on March 11, 2010.** Specifically, this new language is:

Nonrefillable containers less than 5 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 and drain for 10 seconds after the flow begins to drip. Fill the container ¼ 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.

Nonrefillable containers greater than or equal to 5 gallons [Deletes the upper limit]. 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

KELLER AND HECKMAN LLP

Marshall Swindell

April 29, 2010

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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.

All Refillable containers. Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

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,

Catharine R.

Catherine Rice
Scientist

Cc: LuAnn Maloney, FMC
John Dubeck

A collection of 15 small, stylized line drawings of various birds, including sparrows, finches, and songbirds, arranged in a grid-like fashion.

B-Cap™ 70 Hydrogen Peroxide

EPA Registration No. 72372-3

EPA Est. No. 65402-TX-001
60156-IL-001

B-Cap™ 70 Hydrogen Peroxide is for formulating
FIFRA registered products.

For Industrial Use Only

Active Ingredient: Hydrogen Peroxide.....70%
Inert Ingredients:30%
Total100%

KEEP OUT OF REACH OF CHILDREN

DANGER

See side panel for additional precautionary statements

FMC and B-Cap™ are trademarks of FMC Corporation

FMC

FMC Corporation
Peroxygens Division
1735 Market Street
Philadelphia Pennsylvania 19103

Net Contents: 55 Gallons Pounds

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER

Corrosive, causes irreversible eye damage and skin burns. May be fatal if inhaled or absorbed through the skin. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Do not breathe vapor or spray mist. Wear protective eyewear (goggles, face shield, or safety glasses), protective clothing and rubber gloves. Wash thoroughly after handling with soap and water, and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse. Wear a mask or pesticide respirator jointly approved by Mine Safety and Health Administration and the National Institute for Occupational Safety and Health.

Physical, or Chemical Hazards

Strong oxidizing agent. Mix only with water. B-Cap™ 70 Hydrogen Peroxide 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.

Storage and Disposal

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

Storage

NEVER RETURN B-CAP™ 70 HYDROGEN PEROXIDE 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™ 70 Hydrogen Peroxide** 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. 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.

Disposal

Pesticide Disposal

Because acceptable methods of disposal may vary by location, regulatory agencies should be contacted prior to disposal.

Container Disposal

Nonrefillable containers less than 5 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 and drain for 10 seconds after the flow begins to drip. Fill the container ¼ 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.

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All Refillable containers. Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Return to FMC for reuse.

Directions for Use

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

Manufacturing Use

Use in Reformulation of other Registered Products. B-Cap™ 70 Hydrogen Peroxide may be used as a source of the active ingredient hydrogen peroxide in the formulation of sanitizers, disinfectants and antimicrobial/biocidal products registered under FIFRA.

Suitable application for hydrogen peroxide as the active include biofouling and slime control in:

- Pulp and paper mill systems
- Commercial industrial recirculating and once through cooling water systems
- Air washer and evaporative condenser systems
- Pasteurizer cooling water systems

B-Cap™ 70 Hydrogen Peroxide may also be used in the manufacture of Peracetic Acid formulations used as sanitizers, disinfectants and antimicrobial/biocidal products registered under FIFRA. These applications include:

- Circulation cleaning and institutional/industrial sanitizing of previously cleaned non-porous food contact surfaces and equipment such as tanks, pipelines, evaporators, fillers, pasteurizers, aseptic equipment in:
 - Dairies, Wineries, Breweries, and Beverage Plants
 - Meat and Poultry Processing/Packing Plants
 - Milk and Dairy Products Processing/Packing Plants
 - Seafood and Vegetable Processing/Packing Plants
 - Food Processing/Packing Plants
 - Egg Processing/Packing Equipment Surfaces
 - Eating Establishments
- General environmental Surfaces Sanitization (Non-Food Contact)
- Formulating into end use disinfectants for hospitals (non-critical premises – labs, waiting rooms), hospitals (non-critical items – items that contact only unbroken skin), hospitals (hard non-porous surfaces such as wall, floors and ceilings).
- Surface Disinfection
- Batch Sanitization of Ultra-Filtration and Reverse Osmosis (RO) Membranes
- Batch Sanitization of Piping Systems Associated with RO Membranes
- Biofouling Control in Pulp and Paper Mill Systems
- Control of Bacteria and Fungi in Dispersed Pigment
- Control of Slime Forming Bacteria in Recirculation Cooling Water Systems (Cooling Towers, Evaporative Condensers)
- Control of Bacteria and Fungi in Coating Preservation
- Sterilization/disinfection of hospital, non-critical items, such as medical laboratory and scientific equipment

Formulators using this product for applications/uses not listed are also responsible for FIFRA registration of their products and for compliance with other FIFRA requirements.

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: 800-424-6300

OTHER: 609-824-6677

ESL100803

REV042910

Proper Shipping Name:
Hydrogen peroxide,
aqueous solution with more
than 60 percent hydrogen
peroxide.

UN 215