

72372-4

05-12-2010

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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 27 Antimicrobial Agent
EPA Registration No. 72372-4
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 cursive script that reads "M Swindell".

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
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Application for Pesticide - Section I

1. Company/Product Number 72372-4	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) B-Cap 27 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"/> Resubmission in response to Agency Letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency Letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - explain below.
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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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," Unit Package wgt.	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," Package wgt.	2. Type of Container <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.		No. per container	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
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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 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

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

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 27 Antimicrobial Agent (EPA Reg. No. 72372-4)
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.

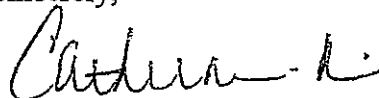
All Refillable containers. Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of 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,



Catherine Rice
Scientist

Cc: LuAnn Maloney, FMC
John Dubeck

B-Cap™ 27 Antimicrobial Agent

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

EPA Registration No. 72372-4
EPA Est. No. 65402-TX -001
60156-IL -001

B-Cap™ 27 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.....27%
 Inert Ingredients:73%
 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

Net Contents Gallons

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER

Corrosive. Causes irreversible eye damage and skin burns. May be fatal if inhaled. Harmful if swallowed or absorbed through the skin. Do not get in eyes or on skin or clothing. Do not breathe (dust, vapor or spray mist). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Wear coveralls over long sleeved shirt and long pants, socks, chemical resistant footwear and chemical resistant gloves. Wear appropriate protective eyewear. Wear a respirator with an organic-vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G).

Physical or Chemical Hazards

Strong oxidizing agent. Mix only with water. B-Cap™ 27 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 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. 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 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.

If on skin

- 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 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.

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

Storage and Disposal

Storage

NEVER RETURN B-CAP™ 27 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 decomposition, isolate container, douse container with cool water and dilute B-Cap™ 27 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™ 27 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

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 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. Dispose of drums in accordance with local, state, and Federal regulations.

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.

B-Cap™ 27 Antimicrobial Agent

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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 such as holding ponds and lagoons, 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™ 27 Antimicrobial Agent should be added at a point where uniform mixing can be achieved, for example, in 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 4 to 215 fl oz of B-Cap™ 27 Antimicrobial Agent per 1000 gallons of 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™ 27 Antimicrobial Agent per 1000 gallons of water in system (3 to 100 ppm) 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, continuous feed of 0.4 to 21.5 fl oz B-Cap™ 27 Antimicrobial Agent per 1000 gallons of water per day in the system (1 to 50 ppm). Dosage rates should be adjusted depending on the extent of biofouling and control achieved.

Pasteurizer Cooling Water Systems

B-Cap™ 27 Antimicrobial Agent may be used for control of slime, bacteria, fungi, and other microorganisms in brewery and other pasteurizer systems and warmers 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. This product may 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™ 27 Antimicrobial Agent. Add B-Cap™ 27 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™ 27 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 52 fl oz. of B-Cap™ 27 Antimicrobial Agent per ton of pulp (dry basis) or paper produced, (10 to 500 ppm). Addition may be continuous or intermittent depending on the type of system and severity of the biofouling.

Process Water

B-Cap™ 27 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™ 27 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 0.4 to 215 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, IBC's 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.

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3. Prepare a dilute solution of the product by adding 1 to 4 volumes of B-Cap™ 27 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 microbial load, contact times can range from 5 to 30 minutes or longer.
5. Drain dry. Do not rinse.

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: 281-474-8750

ESL 042910