

01/17/2013

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

JAN 17 2013



Office of Pesticide Programs

FMC Corporation
Peroxygens Division
1735 Market Street
Philadelphia, PA 19103

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

Attention: John B. Dubeck

Subject: B-Cap 35 MUP
EPA Registration No. 72372-5
Notification Dated December 20, 2012

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

Proposed Notification

- For the addition of non-pesticidal language.

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 "Martha Terry" or similar, written in black ink.

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

<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 72372-5	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 MUP	PM# 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 to add non pesticidal language (to be consistent with competitor's product) 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.

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
	If "yes," Unit Package wgt.	No. per container	If "Yes," Package wgt.	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) _____
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 Coleen K. Waldenmayer	Title Scientist	Telephone No. (Include Area Code) 202-434-4364
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 Registration Agent/Counsel	
4. Typed Name John B. Dubeck	5. Date 20 DEC 2012	

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

December 20, 2012

Writer's Direct Access
John B. Dubeck
(202) 434-4125
Dubeck@khlaw.com

Via Messenger

Document Processing Desk (NEW)
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: Notification of minor label change
B-Cap™ 35 MUP (EPA Reg. No. 72372-5)
FMC Corporation, Peroxygens Division

Dear Marshall:

On behalf of our client, FMC Corporation, Peroxygens Division, we are submitting a notification for the product **B-Cap™ 35 MUP** (EPA Reg. No. 72372-5). This notification is for the addition of non-pesticidal explanatory language to FMC's **B-Cap™ 35 MUP** (EPA Reg. No. 72372-5).

- **Cleaning Formulations, Bleaching, & Non-Pesticide Chemical Manufacturing:**
This product may be used for cleaning formulations, bleaching and non-pesticide chemical manufacturing. Only specifically designed handling and dispensing equipment should be used in accordance with manufacturer's instructions and according to operating instructions or product formulations defined by the use facility.

For your convenience, we have enclosed a copy of the notification approval letter for Olin Corporation's EPA Reg. No. 72315-15 and an e-mail from Michael Hardy providing the non-pesticidal language.

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.

B-Cap™ 35 MUP

EPA Registration No. 72372-5
EPA Est. No. 65402- TX-001
60156-IL-001

B-Cap™ 35 MUP is for formulating FIFRA registered products.

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

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, PA 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 MUP 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 MUP 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 MUP** 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 MUP 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. 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 or 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.

Cleaning Formulations, Bleaching, & Non-Pesticide Chemical Manufacturing:

This product may be used for cleaning formulations, bleaching and non-pesticide chemical manufacturing. Only specifically designed handling and dispensing equipment should be used in accordance with manufacturer's instructions and according to operating instructions or product formulations defined by the use facility.

Manufacturing Use

Use in formulation of other registered products. B-Cap™ 35 MUP may be used as a source of the active ingredient hydrogen peroxide in the formulation of sanitizer, disinfectant and antimicrobial/biocidal formulations/products registered under FIFRA. Formulators using this product for this purpose are responsible for FIFRA registration of their products and for compliance with other requirements of FIFRA. For technical support contact FMC's Hydrogen Peroxygens Division.

EMERGENCY TELEPHONE NUMBERS (24 HOURS)
MEDICAL: COLLECT 303-595-9048
TRANSPORTATION: 800-424-9300
OTHER: 609-924-6677

Label Effective Date: December 2012

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

UN 2014

4841-5214-0306, v. 1

