

75269-1

11/18/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

**FILE COPY**

NOV 18 2009

OFFICE OF  
PREVENTION, PESTICIDE  
AND TOXIC SUBSTANCE

Robert M. Sielaty  
Authorized Representative of Rütgers Organics GmbH  
toXcel, LLC  
7140 Heritage Village Plaza  
Gainesville, VA 20155

Subject: Polymeric betaine Technical Grade Active Ingredient  
EPA Registration No. 75269-1  
Application Date: October 27, 2009  
Receipt Date: October 29, 2009

Dear Mr. Sielaty:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

**Proposed Amendments:**

- Update Storage and Disposal language
- Update Warranty Statement
- Update Address

**Other Comment(s):**

Future labeling amendments may be accomplished by submitting a copy of the electronic label. Refer to the following website for guidance on electronic submissions, including label:  
<http://www.epa.gov/pesticides/regulating/registering/submissions/index.htm>.

If you have any questions concerning electronic label submissions, please refer to the above website for a list of contact personnel for more information.

Enclosed is a copy of the stamped labeling.

**General Comment:**

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6427 or by e-mail at [carlisle.sharon@epa.gov](mailto:carlisle.sharon@epa.gov) or Heather Garvie by telephone at (703) 308-0034 or by e-mail at [garvie.heather@epa.gov](mailto:garvie.heather@epa.gov) during the hours of 8:00am to 4:00pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



ShaRon Carlisle  
(Acting) Product Manager (34)  
Regulatory Management Branch II  
Antimicrobials Division (7510P)

**Enclosed: Stamped Labeling**

**Polymeric betaine  
Technical Grade Active Ingredient  
Wood Preservative**

**FOR MANUFACTURING USE ONLY**  
in formulating end-use products

**DANGER**  **POISON**

**CORROSIVE TO SKIN AND EYES**

Active Ingredient –

Didecyl-bis(2-hydroxyethyl)ammonium

Borate..... 59.6%

Other ingredients.....40.4%

TOTAL..... 100.0%

Net Contents: See waybill; shipped in bulk

Rütgers Organics GmbH  
Oppauer Strasse 43  
D-68305 Mannheim, Germany

EPA Reg. No. 75269-1

EPA Est. No. 75269-DEU-001

**ACCEPTED**  
NOV 18 2009

Under the Federal Insecticide, Fungicide, and  
Rodenticide, Act as amended, for the  
pesticide, registered under  
EPA Reg. No. 75269-1

<b>FIRST AID</b>	
[This product contains a quaternary ammonium salt]	
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>▪ Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after first 5 minutes then continue rinsing eye.</li> <li>▪ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>▪ Take off contaminated clothing.</li> <li>▪ Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>▪ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>▪ Call a poison control center or doctor immediately for treatment advice.</li> <li>▪ Have person sip a glass of water if able to swallow.</li> <li>▪ Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>▪ Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>▪ Move person to fresh air.</li> <li>▪ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>▪ Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
For emergency information call 1-800-262-8200	
Have container, label or product name and Registration Number with you when calling a poison control center or doctor, or going for medical treatment.	
<b>NOTE TO PHYSICIAN</b>	
Probable mucosal damage may contraindicate the use of gastric lavage.	

**PRECAUTIONARY STATEMENTS**  
**HAZARD TO HUMANS AND DOMESTIC ANIMALS**  
**DANGER**

**CORROSIVE.** Causes irreversible eye damage and skin burn. Do not get in eyes, on skin, or on clothing. Fatal if inhaled. Do not breathe vapor or spray. Harmful if swallowed. Wear a chemical resistant apron. When handling in open system, coveralls, long-sleeved shirt and long pants, socks and chemical-resistant footwear; goggles or face shield, and chemical-resistant gloves (such as barrier laminate or butyl nitrile/neoprene Rubber, PVC, viton at  $\geq 14$  mils). Promptly wash hands and skin with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

**ENVIRONMENTAL HAZARDS**

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

**PHYSICAL OR CHEMICAL HAZARDS**

This product, and its diluted solutions, are not compatible with non-ferrous heavy metals such as zinc, brass and galvanized equipment. Please ask for technical advice before mixing with other products. Concentrate becomes very viscous at low temperatures.

**STORAGE AND DISPOSAL**

Batch Code: \_\_\_\_\_

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

**Pesticide Storage:** Store in an appropriate container, such as iron or steel. Keep container tightly sealed. Protect from extreme heat and cold.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide concentrate, diluted solution, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EP Regional Office for guidance.

**Intermediate Bulk Containers (IBC's):** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Pressure rinse (or equivalent) promptly after emptying. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Insert pressure rinsing nozzle into the opening on the top of the container, and rinse at about 40 PSI for at least 30 seconds. Open the drain valves on the bottom of the container to drain the rinsing water. Drain for 10 seconds after the flow begins to drip.

**ISO Containers, Tankers Return:** Refillable container. Refill this container with Polymeric Betaine EP only. Do not reuse this container for any other purpose. Return empty shipping container to the supplier/distributor or the shipping company after offloading PB at the customer's site.

**DIRECTIONS FOR USE**

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

This product is intended only for use by formulators preparing end-use products for pressure-vacuum treatment of wood. It may be used for formulating products for additional uses not listed on the label if the formulator, user group or user has complied with U.S. EPA data submission requirements regarding support of such uses.

## WARRANTY

**RÜTGERS Organics GmbH** warrants that this product complies with the specifications expressed on the label. To the extent consistent with applicable law, **RÜTGERS Organics GmbH** makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose.