

45309-2

1/9/2009



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

January 9, 2009

Mark Jernigan  
Federal Registration Manager  
Aqua-Clear Industries, Inc.  
PO Box 2456  
Suwanee, GA 30024-0980

Subject: Aqua-Clear Non-Foaming Algaecide 60  
EPA Registration No. 45309-2  
Application Date: December 15, 2008  
Receipt Date: December 17, 2008

Dear Mr. Jernigan:

This acknowledges receipt of your notification, submitted under the provision of PR Notice 98-10, FIFRA section 3(c)9.

**Proposed Notification**

- Revision of Storage and Disposal statement per PR Notice 2007-4

**General Comments**

Based on a review of the material submitted, the following comments apply:

The notification application is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions concerning this letter, please contact me by telephone at (703) 308-7003 or email address at: [whitaker.renae@epa.gov](mailto:whitaker.renae@epa.gov) during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Renae Whitaker  
(Acting) Product Manager (34)  
Regulatory Management Branch II  
Antimicrobials Division (7510P)

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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 Aqua-Clear Industries, Inc. / 45309-2	2. EPA Product Manager A. Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aqua-Clear Black Algacide	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Aqua-Clear Industries, Inc. PO Box 2456 Suwanee, GA 30024-0980 <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.)  
 Fee Determination: Fee Category - Not Applicable (Notification) mark.jernigan@chemtura.com  
 Notification to change the Pesticide Container Disposal language per PR Notice 2007-4.  
 See attached page for certification.

**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
* Certification must be submitted		If "Yes" Unit Packaging 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) Retail Container		5. Location of Label Directions <input type="checkbox"/> On label	
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 Mark Jernigan	Title Federal Registration Manager	Telephone No. (Include Area Code) 678-502-4149
<b>Certification</b> 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 <i>Mark Jernigan</i>	3. Title Federal Registration Manager	
4. Typed Name Mark Jernigan	5. Date 12/15/08	

EPA Registration Number: 45309-2

Product: Aqua Clear Non-Foaming Algaecide 60

Application for Pesticide dated: December 15, 2008

**Section - II**

**Explanation (Continued)**

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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."

*Mark Jernigan*  
*12/15/08*



{All text in brackets [xxx] is optional and may or may not be included on a final label.}  
{All text in braces {xxx} is administrative and will not appear on a final label.}

AQUA-CLEAR NON-FOAMING ALGAECIDE 60

{Optional marketing statements that may be used with swimming pool and spa algaecide.}  
[Non-foaming, ideal for pools with attached spas]  
[Algaecide for Use in Swimming Pools and Spas]  
[Non-foaming algae preventative]  
[Prevents all types of algae ]  
[Algae Control for Swimming Pools]  
[Non-Foaming]

NOTIFICATION  
Date Reviewed: 1/2/09  
Reviewed By: [Signature]

{Optional marketing statements that may be used with swimming pool algaecide.}  
[Non-foaming, ideal for pools with attached spas]  
[Algaecide for Use in Swimming Pools]  
[Non-foaming algae preventative]  
[Prevents all types of algae ]  
[Algae Control for Swimming Pools]  
[Non-Foaming]

{Optional marketing statements that may be used with spa algaecide.}  
[Algae Control for Spas]  
[Prevents all types of algae ]  
[For Spas]  
[Non-Foaming]  
[Non-foaming algae preventative]

{Optional marketing statements that may be used with winter pool algae preventative.}  
[Winter Algaecide]  
[Prevents all types of algae ]  
[Non-foaming algae preventative]

ACTIVE INGREDIENT:  
Poly [oxyethylene (dimethyliminio)  
ethylene-(dimethyliminio) ethylene dichloride] 60.0%  
OTHER INGREDIENT: 40.0%  
TOTAL INGREDIENTS: 100.0%

KEEP OUT OF REACH OF CHILDREN

**CAUTION**

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**FIRST AID: 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 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 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 the 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. [IN CASE OF MEDICAL EMERGENCY, CALL [1-303-623-5716] [1-877-800-5553] [telephone number supplied by supplemental registrant].]

See [back] [side] panel for additional precautionary statements.

MANUFACTURED FOR:  
AQUA-CLEAR INDUSTRIES, INC.  
P.O. BOX 2456  
SUWANEE, GEORGIA 30024

EPA REG. NO. 45309-2  
EPA EST. NO. 5185-CAN-1

NET CONTENTS:

*{Directions to be used for swimming pool & spa algaecide.}*

## **SWIMMING POOL AND SPA ALGAECIDE AND ALGAE PREVENTATIVE**

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

Aqua-Clear Non-Foaming Algaecide 60 is used to control the growth of algae in swimming pools, exterior spas, whirlpools and hot tubs. For maximum effectiveness, pools, spas, whirlpools and hot tubs containing heavy growth of algae should be cleaned prior to using this product.

For pools having just visible algae growth, add an initial dose of 11 to 17 fluid ounces of this product per 10,000 gallons of water and remove settled algae debris by cleaning. For treatment of a freshly cleaned and filled pool, add initially 6 to 11 fluid ounces of this product per 10,000 gallons of water. Subsequent additions of 2 to 4 fluid ounces of this product per 10,000 gallons of water should be made every 5 to 7 days after initial treatment for maintenance.

Spas, whirlpools or hot tubs having just visible growth require an initial dose of  $\frac{1}{2}$  to 1 teaspoon of this product per 100 gallons of water. For treatment of a freshly cleaned whirlpool, spa or hot tub, add initially  $\frac{1}{4}$  to  $\frac{1}{2}$  teaspoon of this product per 100 gallons of water. Subsequent additions of  $\frac{1}{8}$  to  $\frac{1}{4}$  teaspoon of this product per 100 gallons of water should be made every 5 to 7 days after initial treatment for maintenance.

This product is compatible with those chemicals normally used to treat pools and spas and is effective at both acid and alkaline pH. This product can be used in pools and spas treated with chlorinating chemicals and may reduce the amount of those chemicals normally required. Do not mix this product with concentrated dry or liquid chlorinating products.

*{Directions to be used for swimming pool algaecide.}*

**SWIMMING POOL ALGAECIDE AND ALGAE PREVENTATIVE**

This product is used to control and prevent the growth of algae in swimming pools [and swimming pools with attached spas] [and swimming pools with attached spas, waterfalls, or decorative fountains]. This product may be used in chlorinated or brominated systems. This product will not foam and prevents all types of algae.

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

Ensure all equipment is working properly. Backwash the filter system following manufacturer's directions. Adjust pH to between 7.2-7.6. In chlorinated pools, add stabilizer to establish a minimum stabilizer level of 30-40 ppm to reduce the degradative effects of sunlight upon the chlorine residual. Check for metals and if present add a stain and scale inhibitor to prevent staining of pool surface due to metals. Adjust chlorine residual to 1-3 ppm. When using other products as outlined in directions for this product, always follow directions on those products.

Pools containing heavy growth of algae should be cleaned prior to using this product. For pools having light algae growth, pour directly into pool initial dose of 11-17 fluid ounces of this product per 10,000 gallons of water and remove settled algae debris by cleaning. For treatment of a freshly cleaned and filled pool, pour directly into pool initial dose of 6-11 fluid ounces of this product per 10,000 gallons of water. Additions of 2-4 fluid ounces of this product per 10,000 gallons of water should be made every 5-7 days after initial treatment for maintenance.



*{Directions to be used for spa algaecide.}*

**ALGAECIDE AND ALGAE PREVENTATIVE FOR SPAS AND HOT TUBS**

This non-foaming product is used to control the growth of algae in spas, whirlpools, and hot tubs. This product may be used in chlorinated or brominated systems.

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

Ensure all equipment is working properly. Backwash the filter system following manufacturer's directions. Adjust pH to between 7.2-7.6. Adjust chlorine residual to 1-3 ppm or bromine residual to 2-4 ppm. When using other products as outlined in directions for this product, always follow directions on those products.

Spas containing heavy growth of algae should be cleaned prior to using this product. Spas, whirlpools, or hot tubs having just visible algae growth require an initial dose of 1/2 to 1 teaspoons of this product per 100 gallons of water. For treatment of a freshly cleaned and filled spa, whirlpool, or hot tub, add initially 1/4 to 1/2 teaspoon of this product per 100 gallons of water. Subsequent additions of 1/8 - 1/4 teaspoons of this product per 100 gallons of water should be made every 5 to 7 days after initial treatment for maintenance.

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*{Directions to be used for winter pool algae preventative.}*

**WINTER ALGAE PREVENTATIVE FOR SWIMMING POOLS**

This product when used as directed will prevent growth of most algae during the off-season winter months when pools are not in use.

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

For pools which have been properly treated during the swimming season and are free of visible algae, add 6-10 fluid ounces of this product per 10,000 gallons of water. If at the end of the swimming pool season pool has some visible algae growth, add 12-17 fluid ounces per 10,000 gallons. It is necessary that a uniform distribution of this product throughout the pool be made for maximum effectiveness. If pool is not covered, it may be necessary to repeat the treatment one or more times during the off season.

**STORAGE AND DISPOSAL:** Keep this product dry in original tightly closed container when not in use. Store in a cool, dry, well ventilated area. Do not contaminate food or feed by storage or disposal.

**CONTAINER DISPOSAL:** ~~Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying.~~

*Changed per PR Notice 2007-45*

**PRECAUTIONARY STATEMENTS:**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS:** CAUTION: Avoid contact with skin, eyes, or clothing. Harmful if swallowed. Wear goggles or safety glasses and rubber gloves when handling this product.

**PHYSICAL OR CHEMICAL HAZARDS:** Do not mix with other chemicals.

*{Environmental hazards statement for end-use products in containers of less than 5 gallons (liquid).}*

**[ENVIRONMENTAL HAZARDS:** This pesticide is toxic to fish and aquatic organisms. ]

*{Environmental hazards statement for end-use products in containers of equal to or greater than 5 gallons (liquid).}*

**[ENVIRONMENTAL HAZARDS:** This pesticide is toxic to fish and aquatic organisms. 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.]

**NOTE:** Buyer assumes all responsibility for safety and use not in accordance with directions.