



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

September 29, 2004

Robert W. Gruber
Arch Chemicals, Inc.
1955 Lake Park Drive
Suite 250
Smyrna, GA 30080

Subject: **Chlorine Free Baquacil Premium Algicide**
EPA Registration No. 1258-1269
Application Dated September 9, 2004
Receipt Date: 20, 2004

Dear Mr. Gruber:

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

Proposed Notification:

- Remove Company Warranty Statement
- Change EPA Registration Number from 72674 (Avecia) to 1258 (Arch) Chemicals
- Change Name, Address, Trademark, Ownership and Phone Number from Avecia to Arch

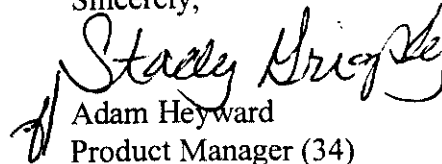
General Comment:

Based on a review of the material submitted, the following comment applies.

The notification is acceptable. A copy of the notification has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6422 or Stacey Grigsby at (703) 305-6440.

Sincerely,

A handwritten signature in black ink that reads "Stacey Grigsby". The signature is written in a cursive style with a large initial "S".

Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510C)

Chlorine-free

Baquacil®
PREMIUM ALGICIDE
FOR PERSISTENT ALGAE

ACTIVE INGREDIENTS
POLY(OXYETHYLENE
(DIMETHYLIMINIO) ETHYLENE
(DIMETHYLIMINIO) ETHYLENE
DICHLORIDE]20.0%
INERT INGREDIENTS80.0%
TOTAL100.0%

NOTIFICATION
Date Reviewed: 9/22/04
Reviewed By: T. J. G. 9/22/04

WARNING:

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS
KEEP OUT OF REACH OF CHILDREN

FIRST AID:

IF INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.
- Call a poison control center doctor for further 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 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 a 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.
- Avoid alcohol.

MEDICAL EMERGENCY INFORMATION CENTER 1-800-654-6911

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Net Contents: 1 qt. (946 ml)

EPA Reg. No. 1258-1269

If lot no. ends with "M" EPA Est. No. is 36209-NJ-01.

If lot no. ends with "B" EPA Est. No. is 4091-TN-3

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not stack more than four drums high. Leaking or damaged drums should be placed in overpack drums for disposal. Spills should be absorbed in sawdust or sand and disposed of in a sanitary landfill. Keep container closed when not in use.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, 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 EPA Regional Office for guidance.

CONTAINER DISPOSAL:

PLASTIC: Triple rinse, then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

FOR INFORMATION ON SPILLS, CALL 1-800-654-6911

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes eye and skin irritation. Do not get in eyes, on skin or on clothing. Harmful if swallowed. Avoid breathing vapors.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic organisms. Do not contaminate water by the cleaning of equipment or disposal of waste. 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 Systems (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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL OR CHEMICAL HAZARDS: Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. BAQUACIL Premium Algicide for Persistent Algae is used to control the growth of algae recreational water systems such as pools. For optimum results, systems containing heavy algae growth should be cleaned prior to using BAQUACIL Premium Algicide for Persistent Algae.

For swimming pools having algae growth add 30 fluid ounces of BAQUACIL Premium Algicide for Persistent Algae per 10,000 gallons of water. Run filter continuously for 24 to 48 hours. Brush sides and bottom of pool daily until algae growth is eliminated. If algae growth is still present after 7 days, repeat treatment.

BAQUACIL Premium Algicide for Persistent Algae is not compatible with chlorine. Do not mix BAQUACIL Premium Algicide for Persistent Algae with concentrated dry or liquid chlorine products.

BAQUACIL is a registered trademark of Arch UK Biocides Limited.

Made in U.S.A.

Arch Chemicals, Inc.
501 Merritt 7
P.O. Box 5204
Norwalk, CT 06856-5204

© 2004, Arch Chemicals, Inc.

For more information, visit our website at www.baquacil.com.
For product support, call 1-877-929-7945.



Arch
Chemicals

Arch Chemicals, Inc.
1955 Lake Park Drive
Suite 250

Smyrna, GA 30080
770.805.3214 • Fax: 770.805.3241

September 9, 2004

Document Processing Desk

NOTIF
Office of Pesticide Programs (7510C)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

NOTIFICATION
Date Reviewed: 9-22-04
Reviewed By: *[Signature]*

Subject: Notification for minor label changes

EPA File Symbol: 1258-1269

This notification is to make minor label changes resulting from the recent transfer of pesticide registrations from Number 72674 (Avecia) to Number 1258 (Arch Chemicals). The labels have been modified to include:

1. Removal of the warranty statement, which read:

NOTICE TO BUYER AND USER – LIMITED WARRANTY FROM AVECIA INC. (“Avecia.”)
warrants that this product conforms to the chemical description on the label, and that it is reasonably fit for the purposes stated on the label when used in accordance with Avecia’s instructions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions. Avecia will replace the product or refund the purchase price at your option should this warranty be breached within one year of sale. THE DURATION OF ANY IMPLIED WARRANTIES IS LIMITED TO ONE YEAR.

Some states do not allow limitations on how long an implied warranty lasts, so the above limitations may not apply to you. IN NO EVENT SHALL AVECIA BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, and no person is authorized to alter the terms of Avecia’s warranty. Some states do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you. For warranty assistance, write Business Manager, BAQUACIL, Wilmington, DE 19850. This warranty gives you specific legal rights and you may have other rights which vary from state to state.

2. Change EPA registration number from Avecia to Arch.

3. Change name, address, trademark ownership and phone number from Avecia to Arch.

617

Even though notification is not necessary for company designation and EPA registration Number, this notification is being submitted to also include the removal of the Warranty statement.

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 the 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 with any questions.

Regards,



Robert W. Gruber
Regulatory Manager
770-805-3214
770-805-3241 fax
rwgruber@archchemicals.com

EPA	United States Environmental Protection Agency Washington, DC 20460	Registration Amendment X Other	OPP Identifier Number
------------	---	---	-----------------------

Application for Pesticide – Section I

1. Company/Product Number 1258-1269	2. EPA Product Manager E Mitchell	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Arch Chemicals/Chlorine Free Baquacil Premium	PM# 32	
5. Name and Address of Applicant (Include ZIP Code) Arch Chemicals, Inc. 1955 Lake Park Dr. Smyrna, GA 30080 <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

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.
---	--

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Notification to:
 Remove company warranty statement
 Change EPA registration number from Avecia to Arch Chemicals
 Change name, address, trademark ownership and phone number from Avecia to Arch

NOTIFICATION
 Date Reviewed: 9-22-04
 Reviewed By: SERIGBY

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	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	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 If "Yes" Unit Packaging wgt. No. per Container		If "Yes" Packaging wgt. No. per Container	
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 <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Robert W Gruber	Title Regulatory Manager	Telephone No. (Include Area Code) 770-805-3214

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	2. Title Regulatory Manager	
4. Typed Name Robert W Gruber	5. Date 9/9/04	