

1258-1272

1-4-2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 4, 2008

Mark E. Burt, Ph. D.
Arch Chemicals, Inc.
1955 Lake Park Drive, suite 100
Smyrna, GA 30080

Subject: Product Name: Baquacil Performance Algicide
EPA Registration Number 1258-1272
Application Date: 03-Dec-2007
Receipt Date: 06-Dec-2007

Dear Dr. Burt:

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

Proposed Notification

- Add responsible care symbol as an advisory statement
- Add marking statements
- Add advisory statements
- Revise label per Notice 2007-4

General Comments:

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

The subject application is acceptable, except for the following proposed notification request:

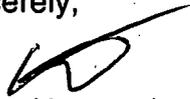
- Add a responsible care symbol as an advisory statement. The proposed symbol must submit as a label amendment.

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A copy of the approved notification has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me by telephone at 703) 308-6422 or by e-mail at heyward.adam@epamail.epa.gov during the hours of 7:00 am to 4:00 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,



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

Arch Chemicals, Inc.

1955 Lake Park Drive
Suite 100
Smyrna, GA 30080
Tel: 770.801.6600

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Via Federal Express

December 3, 2007

Mr. Adam Heyward
Product Manager 34
Office of Pesticide Programs (7504P)
C/O Document Processing Desk (NOTIF)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Baquacil Performance Algicide
- EPA Reg. No. 1258-1272
- Combined PR Notice 2007-4 Notification and PR Notice 98-10
Notification:
o To Revise Label to Comply With Container Regulations in
Subpart H Container Labeling, §156.140
o To Add a Responsible Care Symbol as Advisory Statement

Dear Mr. Heyward:

Arch Chemicals, Inc. is submitting a combined PR Notice 2007-4 Notification and a PR Notice 98-10 Notification for the above subject project.

Please note that the batch number or lot number will be printed directly on the container.

Additionally, Arch proposes to add optional advisory statements to the directions for use section. Arch believes that these items can also be added via a PR Notice 98-10 notification.

Arch Chemicals, Inc.

1955 Lake Park Drive

Suite 100

Smyrna, GA 30080

Tel: 770.801.6600

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In support of this application for notification, enclosed are the following documents:

- A completed application for amendment (EPA 8570-1) form, with attached certification statements, as required by PR Notice 2007-4 and PR Notice 98-10.
- Two copies of the product labeling with additions in red print.

Thank you for your cooperation. Please contact me 770-803-2526 or by e-mail at meburt@archchemicals.com, if there are any questions. If I am not available, please contact John Hott at 770-598-7735.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Burt". The signature is written in a cursive, flowing style.

Mark E. Burt, Ph.D.
Regulatory Manager

	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 1258-1272	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Baquacil Performance Algicide	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Arch Chemicals, Inc. 1955 Lake Park Drive 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

<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.

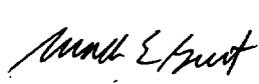
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Arch is submitting this notification per PR Notice 98-10 and PR Notice 2007-4 (see attached certification statements)
 PRIA Category: N/A (notification)
 PRIA Fee: N/A
 Contact: Mark E. Burt, phone 770-803-2526, e-mail, meburt@archchemicals.com.
 If I am unavailable call John Hott, phone 770-598-7735

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 <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" Package wgt No. per container			
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input type="checkbox"/> Container				<input type="checkbox"/> _____	
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 E. Burt	Title Regulatory Manager	Telephone No. (Include Area Code) (770) 803-2526
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 Regulatory Manager	
4. Typed Name Mark E. Burt	5. Date December 3, 2007	

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Notification Statements for:

Product: Baquacil Performance Algicide

EPA Reg. No.: 1258-1272

Registrant: Arch Chemicals, Inc.

PR Notice 98-10 Certification Statement

Notification to add optional marketing claims and advisory 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 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.

PR Notice 2007-04 Certification Statement

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR Sections 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 Sections 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.

Company Agent: M.E. Burt
Title: Regulatory Manager
Date: December 3, 2007

Signature: *M.E. Burt*

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{Baquacil Performance Algicide, EPA Reg. No. 1258-1272}
[All text in square brackets [AAA] is optional and may/may not be included on final label]
{All text in rounded brackets (AAA) is for information purposes and will not appear on final label}

Baquacil® Performance Algicide

ACTIVE INGREDIENTS

POLY[OXYETHYLENE
(DIMETHYLIMINIO) ETHYLENE
(DIMETHYLIMINIO) ETHYLENE
DICHLORIDE] 60.0%
INERT INGREDIENTS 40.0%
TOTAL 100.0%

NOTIFICATION
Date Reviewed: 1-4-08
Reviewed By: [Signature]

CAUTION

KEEP OUT OF REACH OF CHILDREN
See First Aid and additional precautionary statements on [side] [back] panel.

Product Weight:
Net Contents:

EPA Reg. No. 1258-1272
EPA Est. No.

FIRST AID

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 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.

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.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid breathing vapors. Avoid contact with skin, eyes, or clothing.

{Environmental hazards statement for end-use products in containers 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 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 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

{The following statement replaced by the preceeding added statements, as per PR Notice 93-1} **ENVIRONMENTAL HAZARDS:** This product 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.

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: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: {Optional statements – usage depends on whether or not refillable or nonrefillable containers are used and whether or not product is packaged for household/residential use only}

{Nonrefillable container - household/residential use}

[Keep this product in its tightly closed container when not in use. Nonrefillable container. Do not reuse or refill this container. Rinse empty container thoroughly with water prior to disposal. Offer for recycling if available. Do not contaminate food or feed by storage or disposal or cleaning of equipment.]

{Refillable container – household/residential use}

[Keep this product in its tightly closed container when not in use. Do not contaminate food or feed by storage or disposal or cleaning of equipment. Refillable container. Refill this container with Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] only. Do not use this container for any other purpose. Rinse empty container thoroughly with water prior to disposal.]

{Nonrefillable container - non-household/residential use}

[Keep this product in its tightly closed container when not in use. Do not contaminate food or feed by storage or disposal or cleaning of equipment. Nonrefillable container. Do not reuse this container. Offer for recycling if available. Rinse empty container thoroughly with water prior to disposal.]

{Refillable container – non-household/residential use}

[Keep this product in its tightly closed container when not in use. Do not contaminate food or feed by storage or disposal or cleaning of equipment. Refillable container. Refill this container with Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] only. Do not use this container for any other purpose. Cleaning of this container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Rinse empty container thoroughly with water prior to disposal.]

