

3432-7

04/15/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 15 2009

Wendy A. McCombie
Agent for N.Jones & Co., Inc.
Lewis and Harrison
122 C Street N.W. Suite 740
Washington, DC 20001

Subject: ALGAE RX
EPA Reg. No. 3432-7
Application Dated: March 11, 2009
Receipt Date: March 16, 2009

Dear Wendy A. McCombie

The following notification submitted in connection with registration under the provisions of PR Notice 98-10, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)9, is acceptable.

Proposed Notification

Minor Label Changes

Revise Environmental Hazard Language
Revise Storage and Disposal per 2007-4
Revise Panal Reference Statement

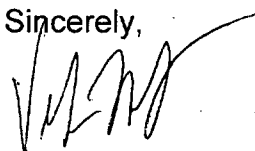
Comments

Based on a review of the material submitted, the following comments apply: This application for notification to revise the label as stated above is acceptable. A copy has been placed in our records for future reference.

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

Should you have any questions or comments concerning this letter,
please contact Velma Noble at (703) 308-6233.

Sincerely,

A handwritten signature in black ink, appearing to read 'Velma Noble', with a long horizontal flourish extending to the right.

Velma Noble
Product Manager (31)
Regulatory Management Branch1
Antimicrobial Division (7510P)

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other NOTIFICATION	OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3432-7	2. EPA Product Manager Velma Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ALGAE RX	PM# Team 31	
5. Name and Address of Applicant (Include ZIP Code) N. Jonas & Co., Inc. 4520 Adams Circle Bensalem, PA 19020	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 _____	
NOTE: PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW <input type="checkbox"/> Check if this is a new address		

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.)**APPLICATION FOR NOTIFICATION: MINOR LABEL CHANGES****Notification of Minor Label Changes in Accordance With PR Notices 1998-10, 2007-1 and 2007-4**

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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be the subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Signature: Wendy A. McCombieDate: 11 MARCH 2009**THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES****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	
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
					<input type="checkbox"/> Plastic
					<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 <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 Wendy A. McCombie, Lewis & Harrison 122 C Street NW Ste. 740, Washington DC 20001	Title Agent for N. Jonas & Co., Inc.	Telephone No. (Include Area Code) 202-393-3903 ext. 11	
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.		Date Application Received (Stamped)	
2. Signature <u>Wendy A. McCombie</u>	3. Title Agent for N. Jonas & Co., Inc.		
4. Typed Name Wendy A. McCombie, Lewis & Harrison	5. Date March 11, 2009		

LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001

telephone 202.393.3903
fax 202.393.3906

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direct 202.393.3903 ext. 11
wmccombie@lewisharrison.com

March 11, 2009

HAND DELIVERED

Registration Division (Mail Code 7504P)
Office of Pesticide Programs
Document Processing Desk [NOTIFY]
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

ATTENTION: Velma Noble
Product Manager, Team 31
Antimicrobials Division

SUBJECT: N. Jonas & Company Inc.
Algae Rx (EPA Reg. No. 3432-7)
Notification of Minor Label Changes per PR Notices 1998-10, 2007-1, and 2007-4
This Submission Is Not Subject To PRIA Fees

Dear Ms. Noble:

As Agent for N. Jonas & Company Inc. ("Jonas"), I am submitting a Notification under the provisions of PR Notices 1998-10, 2007-1 and 2007-4 to advise the Agency of minor changes to the label for **Algae Rx (EPA Reg. No. 3432-7)**.

The label changes are as follows:

- 1) Replace the Environmental Hazards language, which was inadvertently omitted from the last label notification.
- 2) Update the container disposal language in the Storage and Disposal section per the instructions provided in PR Notice 2007-1 and PR Notice 2007-4. Please note that this Jonas product is sold for household/residential use only. Therefore, only the label language for household/residential containers required by these PR Notices is applicable to this product.
- 3) Revise the panel reference statement to read, "See [back] [side] panel for further precautions and First Aid."

Please find enclosed the following documents to support the notification for **Algae Rx**:

- 1) Pesticide Application Form; and,
- 2) Three (3) copies of the revised product label with the changes highlighted.

Insofar as I am the authorized "Contact Point" and "Company Agent" for Jonas, please relay all correspondence directly to me at 122 C Street NW, Suite 740, Washington DC 20001. If you have any questions, please contact me by telephone at 202-393-3903 ext. 11 or by e-mail at wmccombie@lewisharrison.com.

Thank you very much for your cooperation.

Sincerely,



Wendy A. McCombie
for,
N. Jonas & Company Inc.

Enclosures

ON GUARD

Algae-Rx

**FOR PREVENTING AND TREATING
ALGAE IN SWIMMING POOLS**

ACTIVE INGREDIENT:

n-alkyl (50% C14, 40% C12, 10% C16)

dimethyl benzyl ammonium

chloride..... 10%

OTHER INGREDIENTS..... 90%

TOTAL 100%

KEEP OUT OF REACH OF CHILDREN

DANGER

See [back] [side] panel for further precautions and First Aid

EPA EST. NO. 3432-PA-1

EPA REG. NO. 3432-7

NET CONT: 1 QT.

Mfg. by: N. Jonas & Co., Inc. • Bensalem, PA 19020

PRECAUTIONARY STATEMENTS**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

DANGER. CORROSIVE: Causes irreversible eye damage and skin burns. Do not get in eyes, or on skin, or on clothing. Wear goggles or face shield and rubber gloves when handling. Harmful if swallowed. Avoid contamination of food. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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 SWALLOWED	<ul style="list-style-type: none"> • 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF INHALED	<ul style="list-style-type: none"> • 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 or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

(If container size is less than 5 gallons, use the following Environmental Hazards statement)

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

(If container size is 5 gallons or larger, use the following Environmental Hazards statement)

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 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.

DIRECTIONS FOR USE: It is a violation of federal law to use this product in a manner inconsistent with its labeling.

When first filling pool or when no algae are visible use this product at a rate of 32 fluid oz. to each 12,500 gallons of pool water. If algae growth is visible apply 32 fluid oz. to each 5,000 gallons. Vacuum pool after 24 hours to remove dead algae. If algae is still visible repeat dose as necessary until pool is free of visible algae. Thereafter follow up with maintenance dose of 32 fluid oz. per 12,500 gallons pool water every 5 to 7 days or as needed. Add this product to pool water in front of the pool return while filter is on, for best results allow filter to run for at least 24 hours after adding this product. This product is effective over all normal pool balance values. Bathers should not be in

the pool when this product is added and should not re-enter for at least 15 minutes. The above directions should be followed even when the pool is not in use.

[For winterization application, add 1 quart of this product per 12,500 gallons pool water to treat water left in pool. This dose helps provide a measure of control of algae growth during the winter months. This treatment will also help the servicing of the pool before it is returned to use the following season.]

Do not mix this product with other pool chemicals, especially chlorine.

Do not use water containing residue from this product to irrigate crops used for food or feed.

TO CALCULATE GALLONAGE FOR ROUND OR OVAL POOLS: Diameter of pool x diameter of pool x average depth (all in feet) x 5.9 = gallons.

TO CALCULATE GALLONAGE FOR RECTANGULAR POOLS: Average depth x length x width (all in feet) x 7.5 = gallons.

SPILLS OR LEAKAGES: Mop small spills or flush away with water.

STORAGE AND DISPOSAL:

Do not contaminate food or feed by storage, disposal, or cleaning of equipment.

PESTICIDE STORAGE: Store in original container and place in a locked storage area inaccessible to children or persons unfamiliar with its use. Keep from freezing.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If Empty: Do not reuse this container. Place in trash or offer for recycling if available. If Partly Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

[Lot Number _____][Batch Number _____]