UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON. DC 20460

APR - 7 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject:

Notification per PR Notice 98-10

Winter Algaecide

EPA Registration Number: 3432-26 Application Date: March 10, 2010 Receipt Date: March 12, 2010

Dear Ms. McCombie

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

Proposed Notification:

Add alternate marketing statement.

General Comments:

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

If you have further questions concerning this letter, then please contact me by telephone at 703-308-6416 or by e-mail at mcfarlane.jacqueline@epa.gov or Killian Swift by telephone at 703-308-6346 or by e-mail at swift.killian@epa.gov. When you are submitting information or data in response to this letter, send a copy of this letter to accompany the submission in order to facilitate processing.

Sincerely,

Jacqueline McFarlane

(Acting) Product Manager 34

Regulatory Management Branch II Antimicrobials Division (7510P)

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Pleàse read instructions on reverse befo				ed 18 No. 2070-0				
EPA Env	√ ∠nited States	_	☐ Regis	tràuon	OPP Identifier Number			
Env	ironmental Protection	•	Amen	dment	İ			
	Washington, DC 2046	0	Other	NOTIFICATIO	ON			
Application for Pesticide - Section I								
Company/Product Number			duct Manager		Proposed Classification			
3432-26 4. Company/Product (Name)		Jacquelir PM#	ne McFarlane (Acting)	None Restricted			
WINTER ALGAECIDE		Team 34						
5. Name and Address of Applicant (Inc.	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)							
N. Jonas & Co., Inc. 4520 Adams Circle		(b)(I), my product is similar or identical in composition and labeling to:						
Bensalem, PA 19020	EPA Reg. No							
	The second of th	EPAReg	. NO					
NOTE: PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW		Product Name						
Check if this is a new ac	ldress							
		Section	ı - II					
Amendment – Explain below.			Final printed la	abels in response to	Agency letter dated			
Resubmission in response to Age	"Me Too" Application							
Notification - Explain below.	nago(a) if nagonaga. (For Costion	Other - Explai					
Explanation: Use additional					-0			
	LICATION FOR NOT							
Notification of Minor Label Changes in Accordance With PR Notice 1998-10 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:	<u>.</u>		Date:	March 10, 2010				
THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES								
		Section						
Material This Product Will Be Packa								
Child-Resistant Packaging	Unit Packaging	l v	Vater Soluble Pack	caging	2. Type of Container			
│	│		☐ Yes ☐ No		☐ Metal Plastic			
		No. per If	"Yes"	No. per	Glass			
*Certification must	Unit Packaging wgt.	container P	ackage wgt	container	Paper			
be submitted	1				Other (Specify)			
3. Location of Net Contents Information 4. Size(s) Retail C				5. Location of On Lab	Label Directions pel			
O de la compania IVIII de la compania ASS de la compania IVII de la compania ASS de la co	Described District			On labe	eling accompanying product			
6. Manner in Which Label is Affixed to	Product Lithogra	ued	☐ Other _					
		Section	- IV					
Contact Point (Complete items die	rectly below for identification of	of individual to	be contacted, if ne	ecessary, to proces	s this application)			
Name wmccombie Wendy A: McCombie; Lewis & H 122 C Street NW Ste. 740; Washi	**************************************	Agent f	or 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								

3. Title

5. Date

both under applicable law.

2. Signature

4. Typed Name

Agent for N. Jonas & Co., Inc.

March 10, 2010



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

telephone 202.393.3903 fax 202.393.3906

direct 202.393.3903 ext. 11 wmccombie@lewisharrison.com

March 10, 2010

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: Jacqueline McFarlane

Product Manager, Team 34 Antimicrobials Division

SUBJECT: N. Jonas & Company Inc.

Winter Algaecide (EPA Reg. No. 3432-26)

Notification of Minor Label Changes per PR Notice 1998-10

This Submission Is Not Subject To PRIA Fees

Dear Ms. McFarlane:

As Agent for N. Jonas & Company Inc. ("Jonas"), I am submitting a Notification under the provisions of PR Notice 1998-10 to advise the Agency of minor changes to the label for **Winter Algaecide (EPA Reg. No. 3432-26)**.

The label change includes adding the alternate marketing statements "Effective Against Green Algae," "Effective Against Black Algae," and "Effective Against Mustard Algae," all of which are another way of stating the existing marketing claim, "Effective Against Green, Black And Mustard Algae."

Please find enclosed the following documents to support the notification for Winter Algaecide:

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

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Insofar as I am the authorize 'Contact Point' and "Company Agent' 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

March 10, 2010/ Page 2 of 2

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WINTER ALGAECIDE

[A SPECIALLY PREPARED FLUID TO HELP KEEP POOL WATER ALGAE FREE DURING THE WINTER MONTHS]
[EFFECTIVE AGAINST GREEN, BLACK AND MUSTARD ALGAE]
[EFFECTIVE AGAINST GREEN ALGAE]
[EFFECTIVE AGAINST BLACK ALGAE]
[INO FOAMING]
[INO STAINING]
[INO DISCOLORATION]
[INO METALS]

Date Reviewed:

Active Ingredient:

This product contains .87 lbs. of active ingredient per gallon and weighs 8.69 lbs. per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

See [back] [side] panel for additional precautions and First Aid.

EPA EST. NO. 3432-PA-1 EPA REG. NO. 3432-26

Net Cont: 1qt.

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

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PRECAUTIONARY STATEMENT HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

FIRST AID				
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 by a poison control center or doctor. Do not give anything by mouth to an unconscious person. 			
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 or 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 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. 			
	ave the product container or label with you when calling a poison control center or doctor or going for treatment.			

(NOTE TO REVIEWER: 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.]

(NOTE TO REVIEWER: 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 no 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.

[This product is used to control the growth of algae, including so-called "black algae", in swimming pools. For maximum effectiveness, pools containing heavy algae growth should be cleaned prior to using this product.

For pools having visible growth of algae, add an initial dose of 36 to 54 oz. per 5,000 gal. water and remove settled algae debris by cleaning (vacuuming). For treatment of freshly cleaned and filled pool, add initial dose of 21 to 36 oz. per 5,000 gal. pool water. T6 °° °° °° maintain pools free of visible algae growth, subsequent additions of 6 ¾ ozs. per 5,000 gal. (approx. 1 oz. per 740 gal.) should be used every 5-7 days after initial treatment. Uniform

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Revised February 10, 2010 Page 2 of 3 [NOTE TO REVIEWER: Bracketed text denotes alternate or optional language]

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distribution is necessary. Pour this product all around pool and throughout the pool water for maximum effectiveness.]

[This product will prevent growth of most algae during the off-season winter months when pools are not in use. For pools which have been properly treated during the swimming season and are free of visible algae, add 40 to 64 fl. oz. of this product per 10,000 gals. of water. If, at the end of the swimming season pools have some visible algae growth, add 74 to 112 fl. oz. per 10,000 gals. of water. It is necessary that a uniform distribution of this product be made throughout the water and the pool for maximum effectiveness. If the pool is not covered, it may be necessary to repeat the treatment one or more times during the season.]

[This product will prevent growth of most algae during the off-season winter months when pools are not in use. For pools which have been properly treated during the swimming season and are free of visible algae, add 20 to 32 fluid ounces of this product per 5,000 gallons of water. If, at the end of the swimming season pools have some visible algae growth, add 37 to 57 fluid ounces per 5,000 gallons of water. It is necessary that a uniform distribution of this product be made throughout the water and the pool for maximum effectiveness. If the pool is not covered, it may be necessary to repeat the treatment one or more times during the season.]

[This product is used to control the growth of algae in spas and hot tubs. For maximum effectiveness spas and hot tubs containing heavy growth of algae should be cleaned prior to using this product.

Spas and hot tubs having just visible algae growth require an initial dose of 4 to 6 fluid ounces of this product per 500 gallons of water. For treatment of a freshly cleaned and filled spa or hot tub, add initially 2 to 4 ounces of this product per 500 gallons of water. Subsequent additions of 1 to 2 ounces of this product per 500 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 is effective at both acid and alkaline pH. This product can be used in pools treated with chlorine chemicals and may reduce the amount of those chemicals normally required. However, do not mix this product with concentrated dry or liquid chlorine products.

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

FOR RECTANGULAR POOLS: Multiply length x width x average depth (all in feet) \times 7.5 = gallons.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container closed and in a cool place when not in use. Leaking or damaged containers should be placed in a plastic bag and discarded in trash. Mop up spills with clear water. All pesticides should be kept out of reach of children and stored away from food.

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: 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.

[Lot Number_][Batch Number]	