

3432-42

7/14/2009

1 of 7

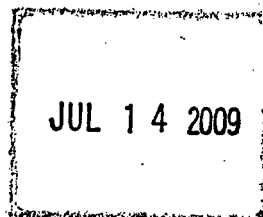
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, DC 20460

 OFFICE OF
 PREVENTION, PESTICIDES
 AND TOXIC SUBSTANCES

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

Subject: Algicil Algaecide
 EPA Registration No.: 3432-42
 Application Date: June 22 2009
 Receipt Date: June 25, 2009



Dear Ms. McCombie:

This acknowledges receipt of the notification identified above submitted under the provision section 3 (c) 9 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10.

Proposed Notification:

- Minor Label Revision per PR Notice 98-10

Based on a review of the material submitted, this notification has been found acceptable.

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

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

Sincerely,

Tracy Lantz
 (Acting) Product Manager (34)
 Regulatory Management Branch II
 Antimicrobials Division (7510P)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

2007

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060



EPA

United States
Environmental Protection Agency
Washington, DC 20460

- ☐ Registration
☐ Amendment
☒ **Other NOTIFICATION**

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3432-42	2. EPA Product Manager Tracy Lantz	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ALGICIL ALGAECIDE	PM# Team 34	
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

☐ Check if this is a new address

Section - II

☐ Amendment - Explain below. ☐ Final printed labels in response to Agency letter dated _____
☐ Resubmission in response to Agency letter dated _____ ☐ "Me Too" Application
☒ Notification - Explain below. ☐ Other - Explain below

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

APPLICATION FOR NOTIFICATION: MINOR LABEL CHANGE (TYPO CORRECTION)
Notification of Minor Label Change (Typo Correction) 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: Wendy A. McCombie Date: June 22, 2009

THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES

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 If "Yes" Unit Packaging wgt. _____ No. per container _____	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt _____ No. per container _____	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) _____
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***Certification must be submitted**

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
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6. Manner in Which Label is Affixed to Product
☐ Lithograph ☐ Paper glued ☐ Other _____
☐ Stenciled

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
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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.

2. Signature <u>Wendy A. McCombie</u>	3. Title Agent for N. Jonas & Co., Inc.	Date Application Received (Stamped)
4. Typed Name Wendy A. McCombie, Lewis & Harrison	5. Date June 22, 2009	

3087

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

direct 202.393.3903 ext. 11
wmccombie@lewisharrison.com

June 22, 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: Tracy Lantz
Acting Product Manager, Team 34
Antimicrobials Division

SUBJECT: N. Jonas & Company Inc.
Algicil Algaecide (EPA Reg. No. 3432-42)
Notification of Minor Label Change per PR Notice 1998-10
Correction To Label Language
This Submission Is Not Subject To PRIA Fees

Dear Ms. Lantz:

As Agent for N. Jonas & Company Inc. ("Jonas"), I am submitting a Notification under the provisions of PR Notice 1998-10 to advise the EPA of a minor change to correct the label for **Algicil Algaecide (EPA Reg. No. 3432-42)**.

The January 26, 2009 label Notification for **Algicil Algaecide**, which was approved by EPA on February 24, 2009 (*copy attached*), inadvertently included a "Note To Physician" statement in the First Aid section of the label due to a typographical error. A "Note To Physician" statement is inappropriate for this product and does not appear on any of the previous EPA stamped-accepted labels or Notification approvals. Therefore, we are removing the erroneous "Note To Physician" statement from the First Aid section to ensure the label is in compliance with the previously reviewed versions.

No other changes have been made to the corrected **Algicil Algaecide** label. Aside from the removal of the "Note To Physician" statement, it is identical to that approved by the EPA on February 24, 2009.

We would also like to point out that a previously approved brand name is now reflected in the NPIRS and PPIS databases as the primary name for **Algicil Algaecide**. The March 6, 2009 Notification (*copy attached*) submitted by Jonas was for an alternate brand name, not an amendment to the primary brand name. We hope that the EPA will correct this error so that the databases reflect the originally approved primary brand name, **Algicil Algaecide**.

Please find enclosed the following documents to support the Notification for **Algicil Algaecide**:

- 1) Pesticide Application Form and,
- 2) Three (3) copies of the corrected product label.

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

5087

Algicil

ALGAECIDE

[EFFECTIVE AGAINST GREEN, BLACK & MUSTARD ALGAE]

[NO FOAMING] [NO STAINING]

[NO DISCOLORATION] [NO METALS]

ACTIVE INGREDIENT:

Poly [oxyethylene (dimethyliminio)
ethylene (dimethyliminio)
ethylene dichloride] 60%

OTHER INGREDIENT: 40%

TOTAL 100%

This product contains 5.76 lbs. of active ingredient
per gallon and weighs 9.6 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. 3432-42

Net Cont: 1qt.

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

NOTIFICATION
Date Reviewed: 7/14/09
Reviewed By: [Signature]

6007

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

(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.

This product is used to kill and control the growth of algae, including so called "black algae", in swimming pools. For maximum effectiveness, pools containing heavy growth of algae, should be cleaned prior to using this product. For pools having visible growth of algae, add an initial dose of 12 to 18 oz. per 10,000 gal. water (approx. 1 1/2 ozs. per 1000 gal.) and remove settled algae debris by cleaning (vacuuming). For treatment of freshly cleaned and filled pool, add initial dose 7 to 12 oz. per 10,000 gal. pool water. (approx. 1 oz. per 1000 gal.) To maintain pools free of visible algae growth, subsequent additions of 2 1/2 ozs. per 10,000 gal. (approx. 1 oz. per 5000 gal.) should be used every 5-7 days after initial treatment. Uniform distribution is necessary. Pour this product all around pool and throughout the pool water for maximum effectiveness. 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) x 7.5 = gallons

STORAGE AND DISPOSAL:

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

PESTICIDE STORAGE: Keep container closed and in 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 instructions. Never place unused product down any indoor or outdoor drain..

[Lot Number _____][Batch Number _____]