

3482-69

12/16/2009

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**



Office of Pesticide Programs

DEC 16 2009

Wendy A. McCombie
Lewis and Harrison
122 C Street NW, Ste. 740
Washington, DC 20001

FILE COPY

Subject: N. Jonas & Co., Inc.
Maxi-Clor II
EPA Registration No. 3432-69
Application Date: November 18, 2009
Receipt Date: November 20, 2009

Dear Ms. McCombie:

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

Proposed Notification:

- Revision to First Aid statement per PR Notice 98-10
- Revision to panel reference statement to read, "See [back] [side] panel for additional precautionary statements" per PR Notice 98-10

General Comments:

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

The notification application is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me at (703) 308-6345.

Sincerely,

Wanda Y. Henson
Acting Product Manager (32)
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other NOTIFICATION

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3432-69	2. EPA Product Manager Emily Mitchell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MAXI-CLOR II	PM# Team 32	
5. Name and Address of Applicant (Include ZIP Code) N. Jonas & Co., Inc. 4520 Adams Circle Bensalem, PA 19020 <u>NOTE: PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW</u> <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.)

APPLICATION FOR NOTIFICATION: MINOR LABEL CHANGES

Notification of Minor Label Changes in Accordance With PR Notices 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: _____ Date: November 18, 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	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<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"/> Other _____	
				<input type="checkbox"/> Lithograph	
				<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: wmccombie@lewisharrison.com 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 	3. Title Agent for N. Jonas & Co., Inc.
4. Typed Name Wendy A. McCombie, Lewis & Harrison	5. Date November 18, 2009

6. Date Application Received

(Stamped)

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

November 18, 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: Emily Mitchell
Product Manager, Team 32
Antimicrobials Division**

**SUBJECT: N. Jonas & Company Inc.
Maxi-Clor II (EPA Reg. No. 3432-69)
Notification of Minor Label Changes per PR Notice 1998-10
This Submission Is Not Subject To PRIA Fees**

Dear Ms. Mitchell:

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 **Maxi-Clor II (EPA Reg. No. 3432-69)**.

The label changes are as follows:

- 1) Move the First Aid statements to the front panel per the Agency's recent internal policy changing the current guidelines set forth in the Label Review Manual at Chapter 7, Part III, Section F(3). Previously, the Agency did "permit reasonable variations in the placement of the First Aid statement as long as the reference statement, 'See First Aid (or Statement of Practical Treatment) on [identify appropriate panel]' appears on the front panel." However, since recent comments for EPA Reg. Nos. 3432-35, 3432-36 and 3432-56 have indicated that this former policy has changed, Jonas wants to ensure that all of their Toxicity Category I chlorinated products are in compliance with the new rule.
- 2) Revise the panel reference statement to read, "See [back] [side] panel for additional precautionary statements"

Please find enclosed the following documents to support the notification for **Maxi-Clor II**:

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE: Causes irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Do not breathe dust, vapor or spray mist. Wear goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

(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.

PHYSICAL AND CHEMICAL HAZARDS: STRONG OXIDIZING AGENT. Contact with water slowly liberates irritating and hazardous chlorine containing gases. Decomposes at temperatures above 464°F with liberation of harmful gases. When ignited, will burn with the evolution of chlorine and equally toxic gases. Never add water to this product. Always add product to large quantities of water. Use clean dry utensils. Do not add this product to any dispensing device containing remnants of any other product. Such use may cause a violent reaction leading to fire or explosion. Contamination with moisture, organic matter, or other chemicals may start a chemical reaction with generation of heat, liberation of hazardous gases, and possible fire and explosion. **IN CASE OF FIRE OR SMOKE:** Call the fire department. Do not attempt to extinguish the fire without a self contained breathing apparatus (SCBA). Do not let the fire burn. Flood with copious amounts of water. **DO NOT** use ABC or other dry chemical extinguishers since there is the potential for a violent reaction. **IN CASE OF CONTAMINATION OR DECOMPOSITION: DO NOT** reseal container. Neutralize material to a non-oxidizing state for a safe disposal.

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

SWIMMING POOL WATER DISINFECTION: This product is intended for use in controlling bacteria and algae in swimming pools. This product should be added directly to the surface of circulating water according to the directions. Reentry into treated swimming pools of spas is prohibited above levels of 3 ppm of chlorine. **START UP:** Before using this product, make sure that the filtration system is clean and operating properly. Adjust the pH of the water to the range of 7.2-7.6 using suitable products and a reliable test kit. Adjust the alkalinity of the water to a minimum of 125 ppm (mg/L), based on the test kit reading. Add a sufficient amount of this product directly to the surface of circulating water to raise the free chlorine level in the water to 5-6 ppm (mg/L), based on reading from a suitable test kit. The addition of 10 ounces of this product for each 10,000 gals. of water (7.5 grams / 1,000 liters) will provide approximately 5 ppm (mg/L) of available chlorine.

SHOCK TREATMENT: The pool water should be superchlorinated or shocked every 7 days or whenever the *combined* chlorine level is above 0.5 ppm (mg/L). Combined chlorine is the difference between *total* and *free* chlorine, as measured by a suitable test kit. Add a sufficient amount of this product directly to the surface of circulating water to raise the available chlorine level to 5-6 ppm (mg/L), based on the test kit reading. The addition of 10 ozs. of this product for each 10,000 gals. of water (7.5 grams / 1,000 L) will provide approximately 5 ppm (mg/L) of available chlorine. If the combined chlorine reading is not below 0.5 ppm (mg/L) and the water has not been restored to its normal clarity, repeat the shock treatment described above. Do not enter water until free available chlorine reading is below 3 ppm (mg/L), combined chlorine is below 0.5 ppm (mg/L) and the water is restored to its normal clarity.

MAINTENANCE TREATMENT: Add this product daily or as needed to maintain the free available chlorine residual in the water at 1-3 ppm (mg/L) as indicated by a reliable test kit. The addition of 2 ozs. of this

product per 10,000 gals. of water (1.5 grams / 1,000 L) will provide approximately 1 ppm (mg/L) of available chlorine. Weather and usage effect sanitizer levels. In addition, some oils, lotions, fragrances, cleaners, etc. may cause foaming or cloudy water as well as reduce the efficiency of this product. Maintain the pH at 7.2-7.6 and the alkalinity at a minimum of 125 ppm (mg/L).

When the total dissolved solid (TDS) reaches 3000 ppm (mg/L) or whenever the water becomes difficult to manage, the water should be drained and fresh water added to the pool. Chlorine must be allowed to dissipate from treated pool water before discharge. Do not chlorinate the pool within 24 hrs. prior to discharge.

WINTERIZING: Thoroughly clean and vacuum the pool. While the water is still clear and clean, apply 16 ounces of this product for each 10,000 gallons of water (12 grams per 1,000 liters), while the filtration system is running. This will increase the available chlorine by approximately 8 ppm (mg/L). Cover pool, prepare heater, filter and heater components for winter by following manufacturers' instructions.

STORAGE AND DISPOSAL:

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

STORAGE: Keep material dry and in a dry area. Store in original container where temperatures do not exceed 125°F (52°C) for 24 hours. Retie polyethylene liner after each use and keep container tightly closed.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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. Do not put product, spilled product, or filled or partially filled containers into the trash or wastecompactor. Contact with incompatible materials could cause a reaction and fire. DO NOT transport wet or damp material. Neutralize material to a non-oxidizing state for safe disposal.

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 _____]

