

3432-72

01-20-2011

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

JAN 20 2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Subject: BOR-X
EPA Reg. No. 3432-72
Application Dated: December 10, 2010
Receipt Date: December 22, 2010

Dear Ms. McCombie:

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

Proposed Notification:

- Updating Container Disposal statements per PR Notice 2007-4
- Updating Environmental Hazard Statements

General Comments:

Based on a review of the material submitted, your notification to revise the product label, as referenced above, is acceptable. A copy has been placed in our records for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by email at Campbell-mcfarlane.jacqueline@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Jacqueline McFarlane
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



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 3432-72	2. EPA Product Manager Jacqueline Campbell-McFarlane	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BOR-X	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 CHANGES

Notification of Minor Label Changes in Accordance With PR Notice 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. McCombie Date: December 10, 2010

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
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"/> Other _____ <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 Wendy A. McCombie, Lewis & Harrison 122 C Street NW Ste. 740, Washington DC 20001	wmccombie@lewisharrison.com	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.

6. 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 December 10, 2010

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

December 10, 2010

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

HAND DELIVERED

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**ATTENTION: Jacqueline Campbell-MacFarlane
 Product Manager, Team 34
 Antimicrobials Division**

**SUBJECT: N. Jonas & Company Inc.
 Bor-X (EPA Reg. No. 3432-72)
 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. Campbell-MacFarlane:

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 **Bor-X (EPA Reg. No. 3432-72)**.

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.

Please find enclosed the following documents to support the notification for **Bor-X**:

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

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BOR-X

Intended to reduce algae growth.
Improves the effectiveness of sanitizers.
Compatible with all pool chemicals.
FOR USE IN SWIMMING POOLS

ACTIVE INGREDIENT:
Sodium Tetraborate Pentahydrate..... 100%

EPA REG. NO. 3432-72
EPA EST. NO. 3432-PA-1

KEEP OUT OF REACH OF CHILDREN
DANGER

NOTIFICATION
Date Reviewed: 1/28/11
Reviewed By: SA Boudon

See additional precautionary statements on side panel

NET WT. 2 LBS.

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

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE: Causes irreversible eye damage. Do not get in eyes or on clothing. Harmful if swallowed. Wear protective eye wear (goggles, face shield, or safety glasses.) Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing 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 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 do so by a poison control center or doctor. •Do not give anything by mouth to an unconscious person.
IF ON SKIN OR ON 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 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.

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

Initial Application:

1. While the filter is running, broadcast two pounds of this product per 1,000 gallons over the pool water surface. Divide the initial dose into two half doses and add each half dose to the pool 10 minutes apart. The initial application of this product will raise the pH of the pool, to regulate this pH change add 3/4 lbs. pH Down (Sodium Bisulfate) for each pound of this product. Dissolve the pH Down in a pail of water, one pound at a time. When fully dissolved add to the pool water.
2. Run the filter for approx. 4 hrs then test the pH. Adjust the pH, if needed, at this time. The pH must be maintained between 7.4 and 7.6. Correct water balance should be maintained, see your dealer for instruction.
3. Once each month test this product residual. It should be maintained at 30-50 ppm. Your professional dealer can test this for you. Only filter backwashing and splash-out will result in the loss of this product from the water.

WINTERIZATION: This product will also enhance your winterizing program. This product can be used with your regular winterizing kit. Test this product level to insure that it is at the recommended value. Your professional dealer can test this for you.

(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 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.]

STORAGE AND DISPOSAL:

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

PESTICIDE STORAGE: Store in original container in a locked area, inaccessible to children and pets. Store in a cool, dry well-ventilated area.

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 _____]