

3432-73

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 & Harrison
122 C Street NW Suite 740
Washington, DC 20001

FILE COPY

Subject: N Jonas & Co., Inc.
Spa Shock
EPA Registration No. 3432-73
Application Date: Nov 18, 2009
Receipt Date: Nov 20, 2009

Dear Wendy A. McCombie:

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

Proposed Notification:

- Revision of label with Minor label changes including container handling instructions per PR-Notice 2007-4

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)

| | | |
|---|--|-----------------------|
|  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 3432-73 | 2. EPA Product Manager Emily Mitchell | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) SPA SHOCK | PM# Team 32 | |
| 5. Name and Address of Applicant (Include ZIP Code) N. Jonas & Co., Inc. 4520 Adams Circle Bensalem, PA 19020 NOTE: PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW <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, 2007-1 and 2007-4: See Cover Letter

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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) | |
| *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

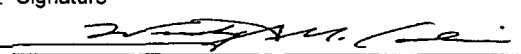
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

| | | |
|--|--|--|
| Name: <u>wmccombie@lewisharrison.com</u> 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.

6. Date Application Received
(Stamped)

| | |
|---|---|
| 2. Signature  | 3. Title Agent for N. Jonas & Co., Inc. |
| 4. Typed Name Wendy A. McCombie, Lewis & Harrison | 5. Date November 18, 2009 |

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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

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.
Spa Shock (EPA Reg. No. 3432-73)
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. Mitchell:

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 **Spa Shock (EPA Reg. No. 3432-73)**.

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) 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.
- 4) Revise the panel reference statement to read, "See [back] [side] panel for additional precautionary statements"

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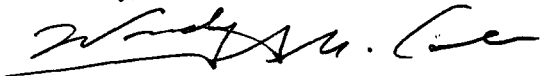
Please find enclosed the following documents to support the notification for **Spa Shock**:

- 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

[bracketed text denotes alternate language options]

LITHIUM SPA SHOCK

COMPLETE AND RAPID SOLUBILITY,
FORMULATED SPECIFICALLY FOR SPAS AND HOT TUBS

NOTIFICATION
Date Reviewed: 12/16/09
Reviewed By: W. Hershner

Active ingredient:

| | |
|---------------------------|------|
| Lithium hypochlorite..... | 29% |
| Inert ingredients..... | 71% |
| TOTAL..... | 100% |

Contains 35% available chlorine

**KEEP OUT OF REACH OF CHILDREN
DANGER**

See [back] [side] panel for additional precautionary statements

FIRST AID

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-303-595-9048 (collect) for emergency treatment information or 800-424-9300 (CHEMTREC) for transportation or spills information.

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 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 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 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.

NOTE TO PHYSICIAN: Lithium hypochlorite is corrosive to eyes, skin and mucous membranes with chemical burns (caustic). Treatment is dilution/flushing of site with copious amounts of water with controlled removal of exposure followed by symptomatic and supportive care to maintain life functions. Consideration should be given to careful endoscopy as stomach or esophageal burns, perforations or strictures may occur. Probable mucosal damage may contraindicate the use of gastric lavage. Careful gastric lavage with an endotracheal tube in place should be considered. Observation may be warranted.

EPA Reg No 3432-73
EPA Est No 3432-PA-1

Net Wt: _____

Mfg. by: N. Jonas & Company, Inc. Bensalem, PA 19020-0425

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

Corrosive: Causes irreversible eye damage or skin burns. May be fatal if swallowed. Harmful if inhaled. Do not get in eyes, on skin or on clothing. Avoid breathing dust. Wear goggles or face shield, protective clothing and rubber gloves when handling. Wash hands thoroughly with soap and water before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing 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. Mix only with 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 generation of fire and explosion. In case of contamination or decomposition, do not reseal container. If possible isolate container in open air or well-ventilated area. Flood with large volumes of water, if necessary.

DIRECTIONS FOR USE

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

SPA WATER CARE: Effective use of all spa sanitizers depends on maintaining proper water balance. The following ranges are highly recommended:

| | | | |
|---|-------------|--------------------------------|-------------|
| • pH: | 7.4-7.8 | • Residual Available Chlorine: | 2.0-3.0 ppm |
| • Total Alkalinity: | 125-150 ppm | • Calcium Hardness: | 200-300 ppm |
| • Cyanuric Acid: (Indoors) 0 ppm; (Outdoors) 30 ppm | | | |

DIRECTIONS: SPA SHOCK is compatible with all spa sanitizers, but always add spa chemicals separately. Use a reliable test kit with fresh solutions for pH and chlorine testing. Add SPA SHOCK daily when the water appears dingy or hazy from bather contamination. Turn off the air blower and circulation system. Sprinkle SPA SHOCK into water at the rate of one ounce per 250 gallons. The granules will dissolve completely within seconds and liberate 10 ppm of available chlorine. Allow the ensuing reaction to proceed 10-15 minutes before covering the spa. Turn on the circulation system. Bathers should not re-enter the spa until the available chlorine residual falls to 3.0 ppm. Before using the spa, shower in order to avoid adding soap, lotions, or oils from the body into the water. Do not add food or beverages to the water. Avoid overloading the spa. SPA SHOCK should not be used more than once a day. If the spa is used daily, it should be drained and fresh-filled about once a month.

STORAGE AND DISPOSAL: Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Do not transfer into unlabeled containers. Close container tightly after each use. Store in a cool, dry well-ventilated area away from heat or open flame. Protect from moisture. In case of decomposition, isolate container, if possible, and flood with large amounts of water to dissolve all material before discarding.

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]