

3432-79

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

MAR 01 2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Subject: Algitec 7.0
EPA Reg. No.: 3432-79
Notification Date: January 25, 2011
EPA Receipt Date: February 2, 2011

Dear Ms. McCombie:

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

Proposed Notification

- Add alternative marketing claims;
- Add optional environmental hazards text;
- Add precautionary statement referral statement.

General Comments

Based on review of submitted materials, your notification to add label changes as referenced above is acceptable. A copy of this letter has been made a part of the permanent record for 3432-79.

If you have questions concerning this letter, then please contact me at (703) 308-6416 or by email at campbell-mcfarlane.jacqueline@epa.gov or Killian Swift at (703) 308-6346 or by email 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 Campbell-McFarlane
Jacqueline Campbell-McFarlane
Product Manager (34)

REGULANCE Management Branch II

Antimicrobials Division (7510P)

SYMBOL							
SURNAME							
DATE							



United States
Environmental Protection Agency
 Washington, DC 20460

- Registration
 Amendment
 Other NOTIFICATION

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 3432-79	2. EPA Product Manager Jacqueline McFarlane	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ALGITEC 7.0	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 _____
<p>NOTE: PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW</p> <input type="checkbox"/> 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 1993-10/1995-1, 1998-10 & 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: January 25, 2011

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 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.

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 January 25, 2011

LEWIS & HARRISON

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

Consultants in Government Affairs

January 25, 2011

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
Acting Product Manager, Team 34
Antimicrobials Division

SUBJECT: N. Jonas & Company Inc.
ALGITEC 7.0 (EPA Reg. No. 3432-79)
Notification of Minor Label Changes
PR Notices 1993-10/1995-1, 1998-10 & 2007-4
This Submission Is Not Subject To PRIA Fees

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Dear Ms. McFarlane:

As Agent for N. Jonas & Company Inc. ("Jonas"), I am submitting a Notification under the provisions of PR Notices 1998-10 to advise the Agency of minor changes to the label for **ALGITEC 7.0 (EPA Reg. No. 3432-42)**.

The label changes include:

- 1) Adding the alternate marketing statements "Kills Green And Mustard Algae," which is another way of stating the existing marketing claim, "... Algae Preventative."
- 2) Replace the optional Environmental Hazards effluent discharge language for containers 5 gallons and larger per PR Notices 1993-10 and 1995-1, which was inadvertently omitted from the last label notification.
- 3) Add options for "and First Aid" and either "back" or "side" to the referral statement, "See ... panel for additional precautionary statements."

Per the Agency Notice dated December 27, 2010 (*copy attached*), the container disposal language in the Storage and Disposal section has been revised to comply with PR Notice 2007-4. However,

K. H. H.

please note that we have reinstated the statement, "Do not contaminate food or feed by storage or disposal," for the residential product Storage and Disposal language, which is not indicated by the Agency comments. In addition, we have delineated the categories for the language in the Storage and Disposal section to correlate with that which has been approved for the other Jonas product labels.

In addition to the aforementioned attachment, please find enclosed the following documents to support the Notification for **ALGITEC 7.0**:

- 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

ALGITEC 7.0

**Algaecide For Swimming Pools
Non-Foaming Algae Preventative
[Kills Green and Mustard Algae]**

ACTIVE INGREDIENTS:

Copper Triethanolamine Complex*..... 24.75%

OTHER INGREDIENTS..... 75.25%

TOTAL INGREDIENTS: 100.00%

* This product contains 0.76 lbs. of elemental copper per gallon from Copper Triethanolamine.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

EPA EST. NO. 3432-PA-1

EPA REG. NO. 3432-79

NET CONT. 1 QT.

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

NOTIFICATION
Date Reviewed: 3/10/11
Reviewed By: [Signature]

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if swallowed, absorbed through the skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing vapors or spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

FIRST AID	
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.
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.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 303-595-9048 (collect) for emergency treatment information or 800-424-9300 (CHEMTREC) for transportation and spills information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

PHYSICAL OR CHEMICAL HAZARDS: Do not mix with other chemicals.

(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. Read entire label and use strictly in accordance with precautionary statements and directions. This product is concentrated. Mix the correct amount of this product with one (1)

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[NOTE TO REVIEWER: Bracketed text denotes alternate or optional language]

gallon of water and distribute around the edge of the pool. Apply the initial treatment dosage to a freshly filled pool or at first visible signs of algae. Thereafter, apply maintenance dose every two (2) weeks. For each 10,000 gallon of pool volume add an initial dose of 4.0 oz. And thereafter, a maintenance dose of 2.0 oz. every two (2) weeks.

NOTE: Buyer assumes all responsibility for safety and use not in accordance with directions.

This product is especially made to control algae growth in all types of swimming pools.

Water treated with this product can be used immediately-**NO WAITING**. The long lasting action controls existing algae and the maintenance dosages control algae regrowth. This product will not cause the water to foam and will not alter the pH or chlorine residual of the water.

POOL FORMULA: (Capacity in Gallons)

Rectangular or Square Pools: Length x width x average depth (feet) x 7.5=gallons.

Round Pools: Diameter x Diameter x Average Depth (feet) x 5.9=gallons.

(If the container size is for use at residential pools, use the following Storage and Disposal Statement language)

STORAGE AND DISPOSAL:

Do not contaminate food or feed by storage or disposal.

Pesticide Storage: Keep this product in original tightly closed container in an area inaccessible to children and persons unfamiliar with its use.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. If Empty: Offer for recycling or wrap securely in several layers of newspaper and discard in trash. If Partly Filled: Call your local waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

(If the container size is for use at commercial pools, use the following Storage and Disposal Statement language)

STORAGE AND DISPOSAL:

Do not contaminate food or feed by storage or disposal.

Pesticide Storage: Keep this product in original tightly closed container in an area inaccessible to children and persons unfamiliar with its use.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Then, offer for recycling if available. If not, dispose of container in a sanitary landfill.

[Lot Number _____][Batch Number _____]