185-382

3/18/2010

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Mark Jernigan Regulatory Affairs Manager for, Bio-Lab, Inc. P. O. Box 300002 Lawerenceville, GA 30049 MAR 1 8 2010

Subject: BioGuard MSA Algicide II EPA Registration Number 5185-382 Your Notification Dated February 15th, 2010 EPA Received Date February 17th, 2010

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to revise the pesticide container disposal language as per PR Notice 2007-4, is acceptable.

The notification has been part of the permanent record of this file.

If you have any questions concerning this letter, please contact Karen M. Leavy-Munk at (703)-308-6237.

Marshall Swindell

Product Manager 33 Regulatory Management Branch I Antimicrobial Division(7510C)

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	on reverse before completi <u>ym</u> . United States Environmental Protection Agen Washington, DC 20460				Registrati Amendme Other	on	O, Approval expires 2-28-5 OPP Identifier Number	
		Applicatio	on for Pesticio	le - Section	 n I			
1. Company/Product Number Bio-Lab, Inc. / 5185-382			2. EPA Product Manager M. Swindell		•	3. Proposed Classification		
. Company/Product (Name) BioGuard MSA Algicide II			PM#	None Restrict				
5. Name and Address of Applicant (Include ZIP Code)			6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3)					
Bio-Lab, Inc. PO Box 300002 Lawrenceville, GA 30049			(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No					
Check if this	s is a new address		Produc	ct Name				
			Section - II					
Amendment - Explain		Final printed labels in repsonse to Agency letter dated "Me Too" Application. Other - Explain below.						
Notification to change the Pe Please see attached page fo		sal language po	er PR Notice 2007-4.					
1. Material This Product Wil	Be Packaged In:		Gection - In	; 				
Child-Resistant Packaging Yes No * Certification must	Unit Packaging Yes No If "Yes" Unit Packaging wgt.	No. per container	Water Soluble Packaging Yes No If "Yes" No. per Package wgt container		2. Type of Container Metal Plastic Glass Paper Other (Specify)		pecify)	
e submitted Location of Net Contents Information 4. Size(s) Retail			eil Conteiner	teiner 5. Location of Label Directions				
Label C 3. Manner in Which Label is	ontainer Affixed to Product	Lithog Paper Stenci	raph glued led	Other				
			Section - IV	,				
I. Contact Point (Complete	items directly below f	or identificatio	n of individual to be	contacted, if ne	cessary, to proce	ss this	application.)	
Name Mark Jernigan			Title Regulatory Affairs Manager		1	Telephone No. (Include Area Code) 678-502-4149		
l certify that the state I acknowledge that an both under applicable	y knowlinglly false or	Certifica this form and misleading sta	all attachments the	reto are true, ac shable by fine o	curate and compl r imprisonment or	ete.	6. Date Application Received (Stamped)	
2. Signature Mart Jermjen				gulatory Affairs Manager			ι () ι ι ι(() ι	
4. Typed Name Mark Jernigan	V		5. Date 2/15	-/10	(() () (()	I		
PA Form 8570-1 (Rev. 3.94	Previous editions are	obsolete.		White -	EPA File Copy (o	riginal)	Yellow - Applicant Cop	

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EPA Registration Number: 5185-382

Product: BioGuard MSA Algicide II

Application for Pesticide dated: February 15, 2010

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Section - II Explanation (Continued)

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

Mar Jernigan 2/15/10

Biola

February 15, 2010

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) U. S. Environmental Protection Agency Roo^tm S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202

Re: BioGuard MSA Algicide II EPA Registration No.: 5185-382

Dear Sir/Madam:

Please process the enclosed notification for the above referenced product.

The purpose of this notification is to: Add language required by the Pesticide Container Rule ...

Enclosed are:

- 1. Application for Pesticide (EPA
- 2. Notification Certification Staten
- 3. Proposed label with changes man

If you have any questions, please call

Thank you for your attention to this ma

Sincerely,

1An Mark Jernigan

Regulatory Affairs Manager

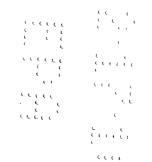
Enclosures

P.O. Box 300002 Lawrenceville, GA 30049-1002 USA (678) 502-4000 (678) 502-4764 FAX



per PR Notice 2007-4.

.com.



{All text in brackets [xxx] is optional and may or may not be included on a final label.} {All text in braces {xxx} is administrative and will not appear on a final label.}

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BIOGUARD MSA ALGICIDE II

[A swimming pool algicide.] [Kills "mustard" algae.] (Pre-Dilute for Use)

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ACTIVE INGREDIENTS:	
Copper [*]	7.1%
Alkyl (C ₁₄ , 50%; C ₁₂ , 40%; C ₁₆ , 10%)	
dimethyl benzyl ammonium chloride	2.5%
OTHER INGREDIENTS:	<u>90.4%</u>
TOTAL INGREDIENTS:	100.0%
[*] (from copper triethanolamine complex)	

KEEP OUT OF REACH OF CHILDREN DANGER

See [back] [side] panel for first aid and additional precautionary statements.

BIO-LAB, INC. PO BOX 300002 LAWRENCEVILLE, GEORGIA 30049 EPA REG. # 5185-382 EPA EST. # 5185-GA-1

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Net Contents:

This product is used for controlling algae in swimming pools. It is specifically formulated for green, blue-green (frequently called black or spot algae) and mustard colored algae growths. This product may be used in pools treated with chlorinating products, brominating products or any other sanitization system **except** biguanides.

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.

Ensure all pool equipment is working properly. Backwash the filter system following manufacturer's directions. Adjust pH to between 7.2-7.6.

Dilution Directions

Always dilute product before addition to pool water. All dilutions should be done outdoors in a well ventilated area. In a clean plastic container, dilute the required amount of this product by adding it into 3 to 4 gallons of pool or tap water. Stir and mix with a clean wooden or plastic utensil. With the pool pump and filter in operation, dispense the diluted solution equally around the inside edges of the pool.

POOLS WITH VISIBLE ALGAE:

In chlorinated pools, add stabilizer to establish a minimum level of 40-50 ppm to reduce the degradative effects of sunlight upon the chlorine residual. Check for metals and if present, add stain and scale inhibitor to prevent staining of pool surface due to metals. Add 1 pound of [Burn Out] {or} [BurnOut Extreme] per 10,000 gallons of water to oxidize water soluble organic wastes. Allow to circulate one hour before addition of this product. When using other products as outlined in directions for this product, always follow directions on those products. Following **Dilution Directions** above, add 8 fluid ounces of this product per 10,000 gallons of water. If necessary, the next day brush dead algae off pool surfaces so it can be filtered away. In extreme cases if algae still persist, repeat treatment after 2-4 days. Use of a stain and scale control and filter aid is recommended 2 days after final treatment to remove residual copper from pool water.

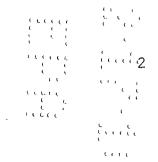
POOLS WITHOUT VISIBLE ALGAE GROWTH:

Initial Treatment: Following <u>Dilution Directions</u> above, apply 4 fluid ounces of this product per 10,000 gallons of water.

Maintenance Treatment: Following **<u>Dilution Directions</u>** above, apply 2 fluid ounces of this product per 10,000 gallons of water every two weeks as a maintenance application.

Wait at least 15 minutes after application before entering pool.

NOTE: Shocking compounds should be pre-dissolved before addition when using this product.



{OPTIONAL INFORMATION IF CONTAINER SPACE PERMITS}

Preventive maintenance is the most effective method for algae control. Prevention starts with a sound and comprehensive pool maintenance program.

* Maintain a continuous sanitizer residual.

* Stabilize outdoor chlorinated pools with 40 ppm of cyanuric acid to avoid chlorine loss to sunlight.

* Shock/superchlorinate pool water at least every other week.

* Utilize a quality algicide for reserve protection.

* Maintain proper pH balance.

* Adjust mineral balance such as total alkalinity and calcium hardness.

* Run pump/filter a minimum of 8 hours daily.

TO DETERMINE POOL CAPACITY: Rectangular Pools - Length times width times average depth (in feet) times 7.5 equals gallons.

Round and Oval Pools - Long diameter times short diameter times average depth (in feet) times 5.9 equals gallons.

STORAGE AND DISPOSAL Keep this product in original tightly closed container when not in use. Store in a cool, dry, well ventilated area away from heat or open flame. **CONTAINER DISPOSAL:** Non-refillable container. Do not reuse or refill this container. Wrap container and put in trash. Offer for recycling, if available.

2007-4

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: DANGER: Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed. Do not get in eyes, on skin or on clothing. Wear goggles or safety glasses, rubber gloves, and protective clothing when handling this product. Irritating to nose and throat. Avoid breathing fumes. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

FIRST AID: 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. **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 poison control center or doctor for treatment advice. **IF SWALLOWED:** Call 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [IN CASE OF MEDICAL EMERGENCY, CALL [1-303-623-5/16]. [1-877-800-5553] [telephone number supplied by supplemental registrant].]

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

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

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Environmental hazards statement for end-use products in containers of 1 gallon (liquid) or less. **ENVIRONMENTAL HAZARDS:** This pesticide is toxic to fish and aquatic organisms.

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

