

5185-382

9/28/2010

1098



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number:

5185-382

Date of Issuance

SEP 28 2010

Term of Issuance:

Conditional

Name of Pesticide

Product:

BioGuard MSA Algicide II

NOTICE OF PESTICIDE:

Registration
[X] Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Bio-Lab, Inc.
P.O. Box 2000002
Lawrenceville, GA 30049-4000

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Copper Salts RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g) (2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

1. Make the following label changes:

a. Revise the EPA Registration Number to read "5185-382."

Signature of Approving Official:

Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Date:

SEP 28 2010

b. Revise the active ingredient name, "Copper\*", to read as follows:  
"Copper Triethanolamine Complex."

c. Add the CAS number below or next to the active ingredient,  
"Copper Triethanolamine Complex."

d. Revise the nominal concentration of Copper Triethanolamine Complex from 7.1% to 23.6%.

e. Revise the statement, "( from copper triethanolamine complex)"  
to read as follows:

"Metallic Copper Equivalent: 7.1%."

f. Revise the Storage and Disposal statements as per PR Notice 2007-1.

g. Under the Storage and Disposal section, add a "Pesticide Disposal"  
subheading and provide instructions for disposing of unused product.

h. Under the Container Disposal section, identify disposal options for the  
container.

i. Revise the Hazards to Humans and Domestic Animals to read as  
follows:

"Danger

Corrosive. Cause irreversible eye damage. Cause skin burns. May be fatal if absorbed through skin. Avoid breathing vapor. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or faceshield, coveralls over long-sleeved shirt or long pants, chemical resistant footwear plus socks and chemical resistant gloves made of any waterproof material."

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j. Add a User Safety Recommendations section to the label to read as follows:

**User Safety Recommendations**

User should wash hands before, eating, drinking, chewing gum, using tobacco, or using the toilet.

User should remove clothing/**PPE** immediately if pesticide gets inside. then wash thoroughly and put on clean clothing.

User should remove **PPE** immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

k. As per the acute toxicity review, additional text must be added to the Note to Physician section to address the eye and skin irritation concerns to read as follows:

- technical information on symptomatology;
- use of supportive treatments to maintain life functions;
- medicine that will counteract the specific physiological effects on the pesticide;
- company telephone number to specific medical personnel who can provide specialized medical advice.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Submit two (2) copies of the revised labeling bearing the labeling revisions listed above. A stamped copy of the label is enclosed for your records.

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If you have questions concerning this matter, please contact me at (703) 308-6341 or by email at [swindell.marshall@epa.gov](mailto:swindell.marshall@epa.gov) or Karen M. Leavy at (703) 308-6237 or by email at [leavy.karen@epa.gov](mailto:leavy.karen@epa.gov).

Sincerely,

Marshall Swindell  
Product Manager 33  
Regulatory Management Branch I  
Antimicrobials Division (7510P)

Enclosures: (Stamped Label)

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{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.}

BIOGUARD MSA ALGICIDE II

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

ACTIVE INGREDIENTS:	
Copper*	7.1%
Alkyl (C <sub>14</sub> , 50%; C <sub>12</sub> , 40%; C <sub>16</sub> , 10%)	
dimethyl benzyl ammonium chloride	2.5%
OTHER INGREDIENTS:	90.4%
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

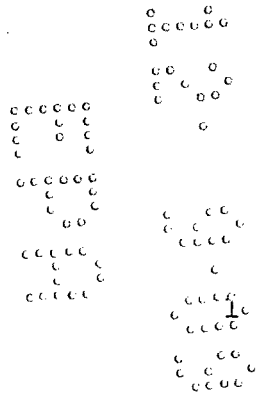
EPA REG. # 5185-382  
EPA EST. # 5185-GA-1

Net Contents: {as indicated on container}

ACCEPTED  
with COMMENTS  
EPA Letter Dated:

SEP 28 2010

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act as  
amended, for the pesticide  
registered under EPA Reg. No. 5185-382



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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 **Dilution Directions** above, apply 4 fluid ounces of this product per 10,000 gallons of water.

**Maintenance Treatment:** Following **Dilution Directions** 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.**

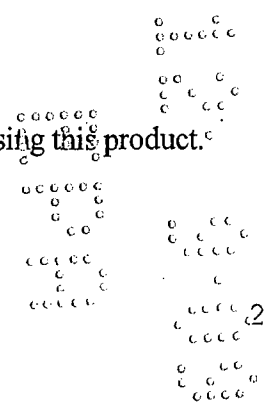
NOTE: Shocking compounds should be pre-dissolved before addition when using this product.

ACCEPTED  
with COMMENTS

EPA Letter Dated:

SEP 28 2010

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Fungicide, and Rodenticide Act as  
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registered under EPA Reg. No. 5185-382



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{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.

ACCEPTED  
with COMMENTS  
EPA Letter Dated:

SEP 28 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No.

5185-382

**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. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying.

per Pesticide Container Rule

**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 [1-303-623-5716] [1-877-800-5553] [telephone number supplied by supplemental registrant].]

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