

5185-382

10/7/2014

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

OCT 07 2014

Mr. Mark Jernigan
Regulatory Affairs Manager for,
Bio-Lab, Inc.
P. O. Box 300002
Lawrenceville, GA 30049 -1002

Subject: BioGuard MSA Algicide II
EPA Registration Number 5185-382
Your Notification Dated September 9, 2014
EPA Received Date September 11, 2014

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to delete the statement, "NOTE: Shocking compounds should be pre-dissolved before addition when using this product", as per PR Notice 2000-5, 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Miederhoff".

Eric Miederhoff
Acting Product Manager, Team 33
Regulatory Management Branch I
Antimicrobials Division (7510P)
Office of Pesticide Programs
Environmental Protection Agency

EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company / Product Name 5185-382	2. EPA Product Manager Eric Miederhoff	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) BioGuard MSA Algicide II	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) Bio-Lab, Inc. PO Box 300002 Lawrenceville, GA 30049 <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:
 Fee Determination: Fee Category - Not Applicable (Notification) mark.jernigan@biolabinc.com
 Notification to remove the statement "NOTE: Shocking compounds should be pre-dissolved before addition when using this product." (Per PR Notice 2000-5, use of "should") and add "per label directions". Per PR Notice 98-10, Section II, (Labeling Notifications), Part N (Other Revisions). See cover letter for additional information. Please see attached page for certification.

Section - III

1. Material This Product Will Be Packaged In:

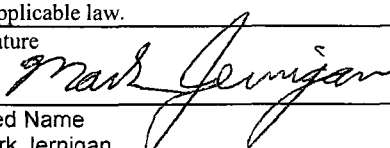
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No * Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Packaging wgt	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
	No. Per container	No. Per container	

3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 8 fl oz, pint, quart, gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" 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 Mark Jernigan	Title Registration Manager	Telephone No. (Include Area Code) 678-502-4149
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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 statements may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager	
4. Typed Name Mark Jernigan	5. Date 9/9/14	

EPA Registration Number:5185-382

Product: BioGuard MSA Algicide II

Application for Pesticide dated: 9/9/14

Section - II

Explanation (Continued)

Notification to (1) add "per label directions" so that statement with "should" can be removed and (2) remove statement that contains "should". Addition and deletion marked on submitted label. Per PR Notice 98-10, Section II, (Labeling Notifications), Part N (Other Revisions).

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 98-10 and 40 CFR 152.46, 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.

Mark Jernigan
9/9/14



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September 9, 2014

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

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

Dear Mr. Miederhoff:

Please process the enclosed notification for the above referenced product.

The purpose of this notification is to delete the statement "NOTE: Shocking compounds should be pre-dissolved before addition when using this product." (Per PR Notice 2000-5, restricting use of "should"). To offset the removal of the statement, "per label directions" has been added to the original statement regarding addition of a shock/oxidizing product. Now all three optional statements regarding addition of a shock/oxidizing product to be used with BioGuard MSA Algicide II include the statement "per label directions" so that the directions of the shock/oxidizing product are followed.

Enclosed are:

1. Application for Pesticide (EPA Form 8570-1);
2. Notification Certification Statement; and
3. Proposed label with changes marked.

If you have any questions, please call me at 678-502-4149 or mark.jernigan@biolabinc.com.

Thank you for your attention to this matter.

Sincerely,


Mark Jernigan
Registration Manager

Enclosures

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

{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 Triethanolamine Complex *	23.6%
(CAS # 31089-39-1)	
Alkyl (C ₁₄ , 50%; C ₁₂ , 40%; C ₁₆ , 10%)	
dimethyl benzyl ammonium chloride	2.5%
OTHER INGREDIENTS:	<u>73.9%</u>
TOTAL INGREDIENTS:	100.0%
*(Metallic Copper Equivalent: 7.1%)	

KEEP OUT OF REACH OF CHILDREN

DANGER

[See [back] [side] panel for first aid and additional precautionary statements.]
[See [back] [side] panel for additional precautionary statements.] {If first aid is on front panel}

EPA REG. # 5185-382
EPA EST. NO. 5185-GA-1 [(BL)] {or} [(Z)]
7616-CA-1 [(C)]

{If multiple EPA Establishment Numbers appear on the label.}
[Actual establishment shown in code above or below label printed on [bottle] [container]]

[Letter designation in lot code printed above or below on [bottle] [container] identifies actual establishment.]

BIO-LAB, INC.
PO BOX 300002
LAWRENCEVILLE, GEORGIA 30049

Net Contents: {as indicated on container}

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 per label directions to oxidize water soluble organic wastes.] [Add a calcium hypochlorite shock per label directions.] [Add a shock product per label directions.] 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.

{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. **PESTICIDE**

DISPOSAL: Securely wrap original container in several layers of newspaper and discard in trash.

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: DANGER: Corrosive. Causes irreversible eye damage and skin burns. May be fatal if absorbed through skin. Harmful if swallowed. 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 safety glasses, rubber gloves, long-sleeved shirt, long pants, socks and shoes when handling this product. Wash thoroughly with soap and water after handling and before eating, drinking chewing gum, using tobacco, or using the toilet. 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].]**

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

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

{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 invertebrates and may contaminate water through runoff. Other than uses permitted by this label, do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

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

[NOTE: User assumes all responsibility for use not in accordance with directions.]