

5185-401

4-24-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


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

APR 24 2003

 OFFICE OF
 PREVENTION, PESTICIDES
 AND TOXIC SUBSTANCES

 Mark Jernigan
 Federal Registration Manager
 Bio-Lab, Inc.
 P.O. Box 1489
 Decatur, GA 30031

 Subject: BioGuard Back-Up Algae Inhibitor
 EPA Registration No. 5185-401
 Application Date: January 18, 2003
 EPA Received Date: January 29, 2003

Dear Mr. Jernigan:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below:

Proposed Amendment

- Update First Aid Statements per PR Notice 2001-1
- Revise Hazards to Humans and Domestic Animals
- Add alternate front panel marketing statements
- Add re-entry statement

Conditions

Revise the label as follows:

1. Revise the Precautionary Statements to read as follows:

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: DANGER: Corrosive. Causes irreversible eye damage and skin burns. May be fatal if swallowed, absorbed through

CONCURRENCES

SYMBOL	7510c						
SURNAME	W. J. Jernigan						
DATE	4-17-2003						

skin, or inhaled. Do not get in eyes, on skin, or on clothing. Do not breathe vapor or spray mist. Wear protective eyewear (goggles, face shield, or safety glasses), protective clothing and rubber gloves when handling this product. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash before reuse.

2. Revise the Storage and Disposal Statements by including the following statements for containers greater than one gallon:

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: 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: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke

General Comments

A stamped copy of the labeling accepted with conditions is enclosed. Submit three(3) copies your final printed labeling before distributing or selling the product bearing the revised labeling.

Should you have any questions or comments concerning this letter, please contact me at 703-308-6233.

Sincerely,



Velma Noble

Product Manager 31

Regulatory Management Branch I
Antimicrobials Division (7510 C)

{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® BACK-UP® ALGAE INHIBITOR

{Optional marketing statements that may be used with swimming pool algicide, halogen sanitizer.}
 [Step 3] *{Algicides are marketed as step three of a three step program to treat swimming pool water.}*

- [Step 3 of the 3 Step System]
- [Swimming Pool Algicide]
- [For fast algae control]
- [Controls algae and algal slime growth in swimming pools.]
- [Keeps pool water clear and free of visible algae.]
- [C₁₄ Formula]
- [PATENTED FORMULA]
- [Wide Spectrum]
- [Algae Inhibitor]
- [Effective against algae growth]
- [Use every other week] *{This statement will only be used on label when directions for two week application intervals are included under routine maintenance.}*
- [Highly effective]
- [Highly effective, broad spectrum algae preventative]
- [Contains special wetting agents for maximum efficiency.]
- [Complements pool sanitizer efficiency against algae]
- [Non-staining]
- [For all pool types]
- [Once-A-Week Premium Application]

ACCEPTED
 with COMMENTS
 in EPA Letter Dated:

APR 24 2003

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act as
 amended, for the pesticide,
 registered under EPA Reg. No. 5185-401

{Optional marketing statements that may be used with swimming pool algicide, non-halogen sanitizer.}

- [Algae Inhibitor and Preventative]
- [A BioGuard® Pool Care Product]
- [A Swimming Pool Algicide]
- [C₁₄ Formula]
- [PATENTED FORMULA]

ACTIVE INGREDIENTS:

Alkyl (C ₁₄ , 95%; C ₁₂ , 3%; C ₁₆ , 2%) dimethyl benzyl ammonium chloride	30.0%
Alkyl (C ₁₂ , 61%; C ₁₄ , 23%; C ₁₆ , 11%; C ₈ & C ₁₀ , 2.5%; C ₁₈ , 2.5%) dimethyl benzyl ammonium chloride	10.0%
OTHER INGREDIENTS:	60.0%
TOTAL INGREDIENTS:	100.0%

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**KEEP OUT OF REACH OF CHILDREN
DANGER**

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.

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

BIOLAB, INC.
PO BOX 1489
DECATUR, GEORGIA

EPA REG. # 5185-401
EPA EST. # 5185-GA-1

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Under the Federal Insecticide,
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{Directions to be used for swimming pool algicide, halogen sanitizer.}

SWIMMING POOL ALGAE PREVENTATIVE

This product is formulated to complement most swimming pool sanitizers. This product is effective against the growth of algae. The wetting agent in this product allows it to penetrate small crevices where algae is likely to form. This product is efficient and non-staining when used as directed. This product will not evaporate and its algae fighting abilities actually increase as pool water temperature increases. This product supports your overall pool chemical maintenance program, offering a residual effectiveness that protects your pool against algae formation while keeping your pool water sparkling clear. This product protects the unattended pool when you're away (refer to "Vacation Treat" section in Directions For Use). This product may foam and therefore should not be used for spa treatment or in pools with attached spas or jetted returns.

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. Adjust chlorine residual to 1-3 ppm. In a chlorinated pool, add stabilizer to establish a minimum stabilizer level of 30-40 ppm to reduce the degradative effects of sunlight upon the chlorine residual. Check for metals and if present add a stain and scale inhibitor to prevent staining of pool surface due to metals. Check chlorine residual and adjust to 1-3 ppm. When using other products as outlined in directions for this product, always follow directions on those products. Wait at least 15 minutes after application before entering pool.

FOR AN INITIAL APPLICATION OR WHEN POOL WATER IS CHANGED:

Pour 32 fluid ounces (4 ppm) directly into pool per 25,000 gallons of water.

FOR ROUTINE MAINTENANCE: *{Only one or both of these statements may be used}*

[For weekly application intervals, use 1 fluid ounce per 5,000 gallons of water (0.5 ppm).]

[For two week application intervals, use 2 fluid ounces per 5,000 gallons of water (1 ppm) every other week.]

Following heavy rain showers, add an additional 1 fluid ounce per 5,000 gallons.

TO "VACATION TREAT" your pool (when away for one week or more): add 4 fluid ounces (2 ppm) of this product per 5,000 gallons for every week unattended. Pour product around the edges of the shallow end of the pool if shock is also being applied in the deep end of pool.

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{Directions to be used for swimming pool algicide, non-halogen based sanitizer.}

SWIMMING POOL ALGAE PREVENTATIVE

This product is formulated to complement swimming pool water being treated with the BioGuard SoftSwim System. It is effective against the growth of algae. The wetting agent in this product allows it to penetrate small crevices where algae are likely to form. This product is efficient and non-staining when used as directed. This product will not evaporate and its algae fighting abilities actually increase as pool water temperature increases. The residual effectiveness of this product tends to stabilize the total chemical treatment system. This product may foam and therefore should not be used for spa treatment or in pools with attached spas or jetted returns.

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. Check for metals and if present add a stain and scale inhibitor to prevent staining of pool surface due to metals. When using other products as outlined in directions for this product, always follow directions on those products. Wait at least 15 minutes after application before entering pool.

FOR AN INITIAL APPLICATION OR WHEN POOL WATER IS CHANGED:

Pour 32 fluid ounces (4 ppm) directly into pool per 25,000 gallons of water.

FOR ROUTINE MAINTENANCE: *{Only one or both of these statements may be used}*

[For weekly application intervals, use 1 fluid ounce per 5,000 gallons of water (0.5 ppm)

[For two week application intervals, use 2 fluid ounces per 5,000 gallons of water (1 ppm) every other week.]

Following heavy rain showers, add an additional 1 fluid ounce per 5,000 gallons.

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Under the Federal Insecticide,
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amended, for the period
registered under EPA Reg. No. 5185-401

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{The following is optional text to be used at BioLab's discretion with swimming pool use directions. This information is non-essential and will be provided only as a courtesy. Will not appear on all swimming pool products.}

TO DETERMINE POOL CAPACITY: Rectangular Pools - Length times width time 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:** Do not reuse container, but place in trash collection. Rinse thoroughly before discarding in trash.

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 before reuse.

PHYSICAL OR CHEMICAL HAZARDS Do not mix with other chemicals.

{Environmental hazards statement for end-use products in containers of less than 5 gallons (liquid).}

[ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic organisms.]

{Environmental hazards statement for end-use products in containers of equal to or greater than 5 gallons (liquid).}

[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 a National Pollutant Discharge Elimination System (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.]

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

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