

5185-461

5/9/2013

Page 1 of 10

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

May 9, 2013

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

Subject: BioGuard Algae Optimizer Plus®
EPA Registration No.: 5185-461
Notification Date: April 11, 2013
EPA Receipt Date: April 15, 2013

Dear Mr. Jernigan,

This letter acknowledges receipt of your notification submitted under the provisions of FIFRA PR Notice 98-10.

Proposed Notification

- Updating the name of the product to "BioGuard®" and "Maintain" as part of the product name on page 3.
- Adding optional graphic diagram for required bucket size "Drowning Baby Symbol" page 6.

General Comments

Based on a review of the submitted materials, your notification to update the name of the product plus; to add optional graphic diagram to the label is acceptable. A copy of this letter has been made a part of the record on file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 305-5027 or by e-mail at rivas.lorena@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



Mike Mendelsohn
Acting Product Manager (32)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL	7510P						
SURNAME	J. Rivas						
DATE	5/9/13						

2810



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 5185-461	2. EPA Product Manager Monisha Harris	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bio-Lab, Inc. / BioGuard ALGAE Optimizer Plus	PM# 32	
5. Name and Address of Applicant (Include ZIP Code) Bio-Lab, Inc. PO Box 300002 Lawrenceville, GA 30049-1002 <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: Use additional page(s) if necessary. (For section I and Section II.)

Fee Determination: Fee Category - Not Applicable (Notification) mark.jernigan@chemtura.com

Notification to add "BioGuard" and "Maintain" as part of the product name for "Lo 'N Slo" (BioGuard Maintain Lo'N Slo) a pH decriaser. There are 2 references to this product on page 3 of label. Also add "Drowning Baby Symbol" on page 6 that will be used with required bucket sizes. Please see the cover letter for additional details.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container All sizes for 4 oz to 75 lb		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

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 Regulatory Affairs Manager		Telephone No. (Include Area Code) 678-502-4149	
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 		3. Title Regulatory Affairs Manager			
4. Typed Name Mark Jernigan		5. Date 4/11/13			



3810

April 11, 2013

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 Algae Optimizer Plus
EPA Registration No.: 5185-461**

Dear Ms. Harris:

Please process the enclosed notification to add "BioGuard" and "Maintain" as part of the product name for "Lo 'N Slo", a pH decriaser, so that the name matches the complete product name as sold: BioGuard Maintain Lo'N Slo. There are 2 references to this product on page 3 of label. Also add "Drowning Baby Symbol" on page 6 that will be used with required bucket sizes.

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@chemtura.com.

Thank you for your attention to this matter.

Sincerely,



Mark Jernigan
Regulatory Affairs 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 ALGAE
OPTIMIZER PLUS®***

*Algae suppression plus water softening

ACTIVE INGREDIENT:

Sodium Tetraborate Pentahydrate 100.0%

KEEP OUT OF REACH OF CHILDREN

WARNING

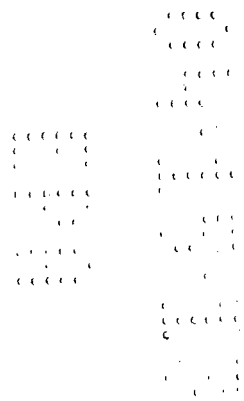
See [back] [side] panel for First Aid and additional precautionary statements.

BIO-LAB, INC.
PO Box 300002
Lawrenceville, Georgia 30049

EPA REG. NO. 5185-461
EPA EST. NO. 5185-GA-1

NET WEIGHT: {as indicated on container}

[Made in USA]



NOTIFICATION
Date Reviewed: 5/9/13
Reviewed By: [Signature]

{Optional use claims that may be used with this label.}

[Continuous algae suppression**]

[**When used per label directions.]

[For use in pools sanitized with brominating or chlorinating products, or biguanide]

[Improves water quality while suppressing algae growth]

[Algae suppressant]

[Long-lasting algae suppressant]

[Helps prevent algae growth]

[Improves water quality]

[Patented Technology***]

[***U.S. Patent # 4,594,091]

[Softens water]

[Makes water feels softer]

[Algae preventive]

[Ideal for use with BioLab UV system]

[Suitable for use with BioLab UV system]

[Compatible with BioLab UV system]

[BioLab UV system approved]

[Use Optimizer Plus with BioLab UV system]

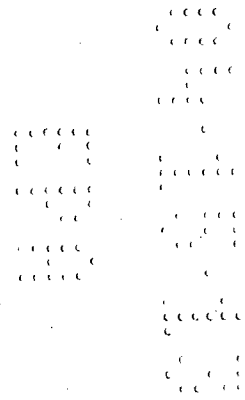
[Inhibit] {Designates that this product is part of a preventative line of products}

[As Needed****] {Application frequency per routine maintenance directions.}

[Test and Add****] {Application frequency per routine maintenance directions.}

[****Please refer to directions for use]

[Suitable for use in pools with saline chlorine generators]



{To maintain brand segmentation, two sets of marketing statements are provided to maintain separate brand identity. One of the following two paragraphs will be used on the label}

{Option A}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]
[BioGuard® Algae Optimizer Plus®] [This product] is for use in chlorinated, brominated, and biguanide pools and provides continuous algae suppression, when used per label directions. [This product] [BioGuard® Algae Optimizer Plus®] helps create clear swimming pool water and leaves water soft and soothing. This product suppresses algae growth which reduces work and decreases need for additional algae removal products. [This product does not replace the need to use a weekly preventative [algicide][algaecide].

{Option B}

[BioGuard® has a wide variety of products that prevent specific pool situations. These products are designated as "Inhibit".]
This product is a unique pool care product that suppresses algae growth and improves water quality. [This product]{or} [BioGuard® Algae Optimizer Plus®] helps create clear swimming pool water and leaves water soft and soothing. This product works for pools using chlorinating, brominating and biguanide sanitizing systems. Suppression of algae growth by this product helps keep pool water clear.] [This product does not replace the need to use a weekly preventative [algicide][algaecide].

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.

FOR INITIAL APPLICATION IN POOLS SANITIZED WITH BROMINATING PRODUCTS, CHLORINATING PRODUCTS and [SoftSwim®] [Biguanide] {or} [Clear Comfort]:

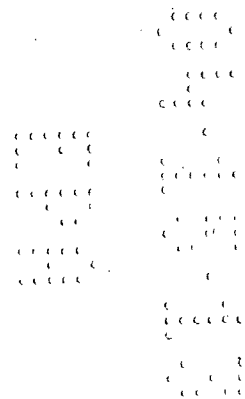
Clean or backwash filter following manufacturer's directions. Balance your pool water and adjust pH between 7.2 - 7.6. Add 2 lbs. of [Optimizer Plus®] [this product] per 1,000 gallons of pool water (this gives approximately a 35 ppm residual) by broadcasting the product over the surface of the pool with the pump running. [BioGuard®] [Omni®] [Guardex®] [Hydrotech®] [Simplicity®] [recommends] This initial treatment should be added in three doses with one third of the required amount being added each application. Brush any undissolved product from the bottom of the pool. The pH of the pool water will rise as a normal reaction to the introduction of [Optimizer Plus®] [this product]. One hour after each application, adjust the pH to 7.2 - 7.6 with [[BioGuard®][Maintain] Lo'N Slo®] [pH decreaser], according to label directions. Allow at least 8 hours between the applications of [Optimizer Plus®] [this product]. Do not add additional product until the pH is between 7.2 - 7.6 (NOTE: For every 2 pounds of [Optimizer Plus®] [this product], approximately 1 pound of [[BioGuard®][Maintain] Lo'N Slo®] [pH decreaser] will be required for pH adjustment).

↑ new

Within 10 days, take a water sample to your [BioGuard®] [Omni®] [Guardex®] [Hydrotech®] [Simplicity®] dealer to test for water balance and to determine if an adequate amount of this product has been added.

FOR MAINTENANCE APPLICATION:

This product is stable in pool water and not degraded by sunlight. The primary loss of product is through splash-out, backwashing and dilution from heavy rains. Therefore, once the initial application is made, minor and infrequent additions would be all that is required unless a substantial amount of water is drained from the pool. Monthly testing by your [BioGuard®] [Omni®] [Guardex®] [Hydrotech®] [Simplicity®] dealer is important to determine if your [Optimizer Plus®] [product] level is within the acceptable range. Upon spring opening, make sure the circulation system operates for at least 48 hours prior to obtaining a water sample for testing.



STORAGE AND DISPOSAL: Keep this product dry in original tightly closed container until 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.

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: WARNING: Causes substantial but temporary eye injury. Harmful if swallowed. Irritating to nose and throat. Avoid breathing dust. Avoid contact with eyes, skin or clothing. Wear protective eyewear (goggles or safety glasses) and rubber gloves when handling this product. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse.

{First Aid will be separated by rule lines from adjacent text and be in a different color.}

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

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

PHYSICAL OR CHEMICAL HAZARDS: Do not mix with other chemicals. Do not add through skimmer. Do not add to any dispensing device.

{Environmental hazards statement for end-use products in containers of less than 50 pounds (solid, dry weight).}

[ENVIRONMENTAL HAZARDS: Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes.]

{Environmental hazards statement for end-use products in containers of equal to or greater than 50 pounds (solid, dry weight).}

[ENVIRONMENTAL HAZARDS: Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes. 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.

