

PM33

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

1.76

5185-474

9/23/99

SEP 23 1999

Bio-Lab, Inc.
P.O. Box 1489
Decatur, GA. 30031

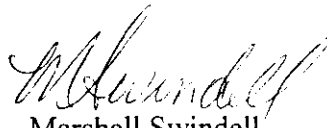
Attention: Mark Jernigan
Federal Registration Manager

Subject: BioGuard Banish
EPA Registration No. 5185-474
Your Resubmission Dated August 5, 1999

The resubmission referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to revise your label is acceptable, provided that you delete the phrase "Compatible with all types of pool surfaces". A stamped copy of the label is enclosed for your records.

If you have any questions concerning this letter, please contact Pam Hasty at (703) 308-7933.

Sincerely,



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

CONCURRENCES

SYMBOL								
SURNAME								
DATE								

{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 Banish

- {Optional marketing statements that may be used with treatment of visible algae.}
- [Step 3] {Algicides are marketed as step three of a three step program to treat swimming pool water.}
- [Kills All Pool Algae Types]
- [Kills Green, Mustard and Black Algae]
- [Patented Pool Algaecide that Kills All Types of Pool Algae]
- [Patented Pool Algaecide that Kills Green, Mustard and Black Algae]
- [Kills Green, Mustard and Black Algae]
- [Non-Staining Copper Pool Algaecide]
- [Patented Non-Staining Pool Algaecide that Kills All Algae Types]
- [Non-Staining]
- [Ideal for Pools]
- Compatible with all types of pool surfaces]
- [Non-Staining and Ideal for Pools]
- [Kills All Types of Pool Algae]
- [Results in 24 hours]
- [Kills Most Pool Algae Types in 24 Hours]
- [Kills Pool Algae in 24 Hours]
- [Long-Lasting]
- [Long-Lasting, Non-Staining and Ideal for Pools]
- [Long-Lasting and Non-Staining for Pools]
- [Destroys All Types of Pool Algae]
- [An Effective, Non-Staining Pool Algaecide for All Types of Algae]
- [A Non-Staining Pool Algaecide for All Types of Algae]
- [An Effective, Pool Algaecide for All Types of Algae]
- [An Effective, Non-Staining Pool Algaecide for All Types of Algae]
- [An Effective Pool Algaecide for All Types of Algae]
- [Treats 10,000 gallons] {This statement will only be used when sold in pint bottles for Treatment}
- [Treats 20,000 gallons] {This statement will only be used when sold in quart bottles for Treatment}
- [Treats 40,000 gallons] {This statement will only be used when sold in half gallon bottles for Treatment}
- [Works in sanitized pools]
- [Convenient and easy to use with results in 24 hours]
- [No mixing or predissolving needed]
- [An algicide with clarifiers that kills algae and clears cloudy water]
- [Long lasting, simple treatment for algae]

ACCEPTED
with COMMENTS
in EPA Letter Dated:
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Under the Federal Insecticide,
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{Optional marketing statements that may be used with winterization.}

- [Provides Winter Protection against [Unsightly] Algae]
- [Prevents Algae Growth During Winter Months]
- [Treats 12,000 gallons] {[This statement will only be used when sold in pint bottles for Winterization]}
- [Treats 24,000 gallons] {[This statement will only be used when sold in quart bottles for Winterization]}
- [Treats 48,000 gallons] {[This statement will only be used when sold in half gallon bottles for Winterization]}
- [For clear water at spring opening]
- [One application will protect your pool water from algae through the winter months]
- [No mixing or pre-dissolving needed]
- [Prevents algae growth when the pool is not in use]
- [Controls algae during winter months]
- [Winter algicide]
- [Works in bromine and chlorine sanitized pools]
- [Prevents algae growth during winter months]
- [Long lasting winter protection against algae]
- An algicide with clarifiers that kills algae and maintains clears water through the winter months]

ACTIVE INGREDIENT:

Copper (metallic)*

3.3%

OTHER INGREDIENTS:**

96.7%

Total

100.0%

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*Derived from copper sulfate pentahydrate

**Contains polymeric polyacrylate and gluconate stabilizing agents

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KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID: IF CONTACT WITH EYE OCCURS: Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention. IF SWALLOWED: Call a doctor or get medical attention. Do not induce vomiting or give anything by mouth to an unconscious person. Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol. Call a physician or poison control center immediately. IF CONTACT WITH SKIN: Wash with plenty of soap and water. If irritation develops, get medical attention. [IN CASE OF A MEDICAL EMERGENCY, CALL [1-877-800-5553][telephone number supplied by supplemental registrant].]

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

MANUFACTURED BY:

BIOLAB, INC.

DECATUR, GEORGIA

EPA REG. # 5185-474

EPA EST. # 5185-GA-1

[U.S. Patent # 5,541,150]

Net Contents:

{Directions to be used for treatment of visible algae}

Treatment of Visible Algae

[BioGuard Banish] [algaecide] [This product] is a highly effective, patented, non-staining pool algaecide that kills all types of algae in swimming pools [and clears pool water when used as directed]. [BioGuard Banish] [algaecide] [This product] is especially recommended for killing green, blue-green (frequently called black or spot algae) and mustard algae growths. This product is formulated for use in chlorine or bromine sanitized swimming pools of all surface and filter types.

IMPORTANT NOTES: 1. Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide. 2. Prior to the initial application of this product, test pool water for the presence of metals. If metals are present, apply stain and scale inhibitor (chelating agent) per label directions. 3. In use dilution, this product is non-staining to pool surfaces and equipment [and clears water].

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.

PRIOR TO APPLICATION: Ensure all equipment is working properly. If necessary, clean the filter system, adjust pH between 7.2-7.6, and establish a minimum level of 30-40 ppm of [stabilizer] [cyanuric acid] in chlorine sanitized pools. Vacuum leaves and any other foreign debris from pool. If metals testing indicates a need to use a stain and scale inhibitor, apply that product per label directions. Brush visible algae thoroughly from the pool's surface with a surface-compatible brush. Establish and maintain proper chlorine or bromine levels.

TREATMENT OF VISIBLE ALGAE: Add 1 lb. of [Burnout WP] [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [Burnout 35] [granular lithium hypochlorite] per 6,000 gallons of pool water. Follow application directions on these products. Allow to circulate for 1 hour. With pump and filter operating, apply 16 fluid ounces of [BioGuard Banish] [algaecide] [this product] per 10,000 gallons of pool water directly to the pool water in areas of heaviest algae growth. Continuously circulate pool water for the next 24 hours. Afterwards, thoroughly brush pool surfaces. In cases of persistent algae, repeat brushing and application after 2-4 days. A filter aid may be used 3 days after treatment to enhance filter efficiency.

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{Directions to be used for winterization}

Winter Algae Preventative for Swimming Pools

[BioGuard Banish] [winter][algaecide] [This product] prevents the growth of all types of pool algae and aids in maintaining pool water clarity during the winter when the pool is not in use. [BioGuard Banish] [winter][algaecide] [The product] is formulated for use in chlorine or bromine sanitized swimming pools of all surface and filter types.

IMPORTANT NOTES: 1) Do not use in pools sanitized with biguanides or pools treated with hydrogen peroxide. 2) In use dilution, this product is non-staining to pool surfaces and equipment.

PRIOR TO APPLICATION: Take a sample of your pool water to your BioGuard Authorized Dealer. Follow their directions for product application(s) to properly balance your water for conditions in your area. If metals testing indicate a need to use a stain and scale inhibitor, apply that product per label directions. Allow the pool to circulate at least 1 hour before adding other products.

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.

[Add 1 lb. of [Burnout WP] [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [Burnout 35] [granular lithium hypochlorite] per 6,000 gallons of pool water]. {or} [Add the appropriate amount of [Enhanced] [Winter Shock] [winter shock] according to the label directions of that product.] Allow to circulate 2-4 hours. Then pour this product into the pool around its edges with the pool circulation system operating. Add 16 fluid ounces of [BioGuard Banish] [winter] [algaecide] [this product] for each 12,000 gallons of pool water. Circulate pool water for 1 hour. Then, clean filter and pool walls at water line.

In areas with severe freezing, drain pool equipment and plumbing lines or use an antifreeze recommended for swimming pool plumbing and equipment. Always follow the cleaning directions established by the manufacturer and/or pool builder. Pools with mesh covers or without covers may need to [apply 1 lb. of [Burnout WP] [granular calcium hypochlorite] per 10,000 gallons of pool water or 1 lb. of [Burnout 35] [granular lithium hypochlorite] per 6,000 gallons of pool water] {or} [add the appropriate amount of [Enhanced] [Winter Shock] [winter shock] according to the label directions for that product] midwinter or just prior to freezing.

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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 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 its original tightly closed container when not in use. Store in a cool, dry, well ventilated area. Do not contaminate food or feed by storage or disposal. **PRODUCT DISPOSAL:** Securely wrap original container in several layers of newspaper and discard in trash. **CONTAINER DISPOSAL:** Do not reuse container, but place in trash collection. Rinse thoroughly before discarding in trash.

RECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: CAUTION: Harmful if swallowed. Causes moderate, but temporary, eye irritation. Avoid contact with eyes or clothing. Wear protective eye wear (safety glasses). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing 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) or less than 50 pounds (solid, dry weight).}

[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) or equal to or greater than 50 pounds (solid, dry weight).}

[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. [Metals from source water, ionizers or poorly sequestered algaecides have the potential to stain pool surfaces. Treat these problems with an appropriate stain and scale inhibitor (chelating agent) before using this product.]

[Visit BioGuard's Internet Web site at [[http://](http://www.bioguard.com)] www.bioguard.com]

[U.S. Patent # 5,541,150]

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