

5741-23

5/4/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

MAY - 4 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Ronald T. Cook
Spartan Chemical Company, Inc.
1110 Spartan Drive
Maumee, Ohio 43537

Subject: Foamy Q & A
EPA Registration Number: 5741-23
Notification Date: March 31, 2010
EPA Receipt Date: April 7, 2010

Dear Mr. Cook:

This letter acknowledges receipt of your notification submitted under the provisions of FIFRA 3(c)9 and PR Notice 98-10.

Proposed Notification]

Add marketing claim

General Comments

Based on a review of the submitted materials, your notification to add a marketing claim, RTU Handi Spray, is acceptable and apart of the records on file

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-6416 or by e-mail at Campbell-mcfarlane.jacqueline@epa.gov or Killian Swift by telephone at (703) 308-6346 or by email at swift.killian@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,

Jacqueline McFarlane
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL	SURNAME	DATE					

34

2008

Please read instructions on reverse before completing form.

Form Approved

No. 2070-0080

Print Form



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 5741-23	2. EPA Product Manager Jacqueline McFarlane	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Foamy Q&A	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Spartan Chemical Company, Inc. 1110 Spartan Drive Maumee, Ohio 43537 <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: <input checked="" type="checkbox"/> 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: Notification of Addition of Marketing Phrase per PR Notice 98-10.
Spartan Chemical Company is adding the following marketing phrase to the label of this registration:
"RTU Handi Spray"
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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input 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 Ronald T. Cook		Title Manager, Reg Affairs		Telephone No. (Include Area Code) 800-537-8990	
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 Manager, Regulatory Affairs			
4. Typed Name Ronald T. Cook		5. Date 3/31/2010			



Spartan Chemical Company, Inc.
Manufacturer of Guaranteed Specialty Maintenance Products

March 31, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Attn: Jacqueline McFarlane PM/34

Subject: Foamy Q&A
EPA Reg. No. 5741-23
Notification: Addition of Marketing Phrase

Dear Ms. McFarlane,

Spartan Chemical Company, Inc. would like to add the following marketing phrase to the label of this registration:

“RTU Handi Spray”

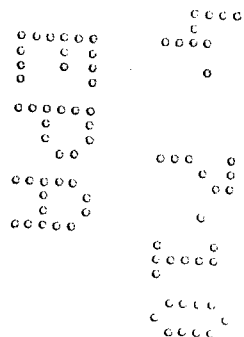
In accordance with PR Notice 98-10, a completed EPA Form 8570-5 is attached. Also included is one copy of the revised label with the marketing phrase highlighted for reference.

If you have any questions regarding this submission, please contact me at 800-537-8990. Thank you for your assistance.

Sincerely,
SPARTAN CHEMICAL COMPANY, INC.

Ronald T. Cook
Manager, Regulatory Affairs

cc: William Schalitz



Front Label Copy



Spartan
Foamy Q & A
Acid Disinfectant Cleaner
Ready To Use
~~RTU Handi Spray~~

NOTIFICATION
Date Reviewed: 8/4/10
Reviewed By: *[Signature]*

Foaming Clinging Action Kills Many Germs in Five Minutes!

Staphylocidal, Pseudomonicidal, Salmonellacidal, Virucidal*
Effective Against Antibiotic-Resistant Bacteria**

*Kills HIV-1 (AIDS Virus), Kills Herpes Simplex Type 2 and Influenza A₂/Hong Kong viruses.
**Kills Methicillin-resistant Staphylococcus aureus (MRSA) and Vancomycin-resistant Enterococcus faecalis (VRE).

(Note to EPA -The use of the following phrases are optional :)

- Respiratory illnesses attributable to Pandemic 2009 H1N1 are caused by influenza A virus. This product is a broad-spectrum hard surface disinfectant that has been shown to be effective against Influenza A₂/Hong Kong and is expected to inactivate all influenza A viruses including Pandemic 2009 H1N1 (formerly called swine flu).
- This product has demonstrated effectiveness against influenza A virus and is expected to inactivate all influenza A viruses including Pandemic 2009 H1N1 influenza A virus.
- This product has demonstrated effectiveness against influenza A₂/Hong Kong and is expected to inactivate all influenza A viruses including Pandemic 2009 H1N1 influenza A virus (formerly called swine flu).
- Kills Pandemic 2009 H1N1 influenza A virus (formerly called swine flu).
- Kills Pandemic 2009 H1N1 influenza A virus

ACTIVE INGREDIENTS:

Phosphoric acid	12.00%
Alkyl (C ₁₄ -50%, C ₁₂ -40%, C ₁₆ -10%) dimethyl benzyl ammonium chlorides.....	0.50%
INERT INGREDIENTS:	87.50%
TOTAL:	100.00%

E.P.A. Reg. No. 5741-23 E.P.A. Est. No. 5741-OH-1

KEEP OUT OF REACH OF CHILDREN
DANGER
See back panel for additional precautionary and first aid statements.

5048

FOR INSTITUTIONAL AND INDUSTRIAL USE

Spartan Chemical Company, Inc., 1110 Spartan Drive, Maumee, OH 43537
1-800-537-8990 / www.spartanchemical.com

NET CONTENTS:

Back Label Copy

Foamy Q & A is a ready-to-use acid-based cleaner disinfectant with special foaming action for fast and efficient maintenance of shower stalls, tubs, sinks, floors, walls, toilet bowls, urinals and other similar surfaces. Use only on acid-resistant surfaces such as glazed ceramic tile, fiberglass, glazed quarry tile, chrome and stainless steel. Foamy Q & A is effective against the pathogenic bacteria *Staphylococcus aureus*, *Pseudomonas aeruginosa*, *Salmonella enterica* even in the presence of organic soil! In addition, Foamy Q & A has been tested and found effective against the antibiotic-resistant bacteria Methicillin-resistant *Staphylococcus aureus* (MRSA) and Vancomycin-resistant *Enterococcus faecalis* (VRE). Foamy Q & A is also effective against the pathogenic viruses HIV-1 (AIDS Virus), Herpes Simplex Type 2 and Influenza A₂/Hong Kong on hard non-porous inanimate surfaces.

Foamy Q & A is for use in schools, hotels, hospitals or any other commercial, industrial and institutional facility where a clean and sanitary environment is important.

Directions for Use: It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

This product is not for use on medical device surfaces.

Five-Minute Disinfection Action: For 5-minute disinfectant activity against **bacteria and *viruses in the presence of organic soil:

1. Spray directly on soiled surface.
2. Allow foam to wet surface for 5 minutes.
3. Wipe off with a damp cloth or sponge.
4. Rinse surfaces thoroughly with water.

Preliminary cleaning is required for heavily soiled areas. Extremely heavy soils may require agitation with a mild scrubbing pad or brush.

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***FOAMY Q & A KILLS HIV-1 (AIDS VIRUS) ON PRE-CLEANED ENVIRONMENTAL SURFACES/OBJECTS PREVIOUSLY SOILED WITH BLOOD/BODY FLUIDS** in healthcare settings or other settings in which there is an expected likelihood of soiling of inanimate surfaces/objects with blood or body fluids, and in which the surfaces/objects likely to be soiled with blood or body fluids can be associated with the potential for transmission of human immunodeficiency virus Type 1 (HIV-1) (associated with AIDS).

SPECIAL INSTRUCTIONS FOR CLEANING AND DECONTAMINATION AGAINST HIV-1 ON SURFACES OR OBJECTS SOILED WITH BLOOD/BODY FLUIDS:

Personal Protection: Exposure to blood or body fluids must be avoided by use of barrier protection such as latex or other impervious gloves. Face shields and impervious gowns must also be worn if splashing of blood or body fluids may occur.

Cleaning Procedure: Blood and other body fluids must be thoroughly cleaned from surfaces and objects before application of Foamy Q & A.

Contact Time: Leave surfaces wet for 5 minutes.

Disposal of Infectious Material: Gross contamination of blood or body fluids must be autoclaved and/or disposed of according to local regulations for infectious waste disposal.

General Cleaning and Deodorizing: Dilute Foamy Q & A 1:10 (12 oz./gal. of water) for general cleaning and deodorizing of hard non-porous surfaces.

NOTE: Foamy Q & A contains phosphoric acid. Do not use with ammonia or bleach, or any other chemicals. Use of Foamy Q & A on older sinks and tubs, polished marble or aluminum, galvanized metal, resilient flooring, terrazzo or carpeting may cause etching or other damage. Some fiberglass such as Sterling's Vikrell is not acid-resistant. Consult manufacturer's warranty. Test in inconspicuous area before use.

PRECAUTIONARY STATEMENTS
Hazard to Humans and Domestic Animals

DANGER

Corrosive. Causes irreversible eye damage or skin burns. May be fatal if swallowed. Harmful if absorbed through the skin or inhaled. Do not get in eyes, on skin or on clothing. Avoid breathing spray mist. Wear goggles or face shield. Wear protective clothing and rubber gloves. 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.

7 of 8

(NOTE TO EPA –The following text will be used on containers of 5 gallons or larger)

ENVIRONMENTAL HAZARDS:

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.

FIRST AID

IF IN EYES: Hold eyes 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. 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 further treatment advice.

IF SWALLOWED: Call a 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 by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person.

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 a Poison Control Center or doctor for further treatment advice.

NOTE TO PHYSICIAN Probable mucosal damage may contraindicate the use of gastric lavage.

24 HOUR MEDICAL EMERGENCY NUMBER: 888-314-6171

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

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(NOTE TO EPA: The following text will be used on containers of 5 gallons or less)

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry area inaccessible to children.

Pesticide Disposal: Pesticide wastes may be 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: Non-refillable container. Do not reuse this container to hold materials other than pesticides or diluted pesticides. Offer for recycling if available. If not, puncture and dispose on in a sanitary landfill.

Residue Removal Instructions: Triple rinse container promptly after emptying. Triple rinse as follows: Fill container 1/4 full with water and recap. Shake 10 seconds. Follow Pesticide Disposal instructions for rinsate disposal. Drain 10 seconds after the flow begins to drip. Repeat procedure two more times.

(NOTE TO EPA: The following text will be used on containers of greater than 5 gallons)

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry area inaccessible to children.

Pesticide Disposal: Pesticide wastes may be 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: Non-refillable container. Do not reuse this container to hold materials other than pesticides or diluted pesticides. Offer for recycling if available. If not, puncture and dispose on in a sanitary landfill.

Residue Removal Instructions: Triple rinse container promptly after emptying. Triple rinse as follows: Fill container 1/4 full with water. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over its other end and tip it back and forth several times. Follow Pesticide Disposal instructions for rinsate disposal. Repeat procedure two more times.