

6836-310

5/20/2013

1/12

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Ruth Trager
Manager, Regulatory Services
Lonza, Inc.
5560 New Northside Drive, Suite 1100
Atlanta, GA 30328

MAY 20 2013

SUBJECT: Barquat 50-65B P&S
EPA Registration Number: 6836-310
Application Dated: April 23, 2013
Receipt Date: April 24, 2013

Dear Ms. Trager:

This letter acknowledges receipt of the notification identified above submitted under the provisions of section 3 (c) 9 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10 and 40 CFR 152.46.

- Add The Lonza emergency phone number as optional to the First Aid section.
- Add note to reviewer above Environmental Hazards to allow only the first sentence for containers less than 5 gallons.
- Add or revise optional marketing language on page 3.
- On page 5, make "and outdoor spas" and "or spa" optional for pool products.
- Add optional marketing language on page 5.
- Also on page 5, add "fl. oz." as an option for "fluid ounces" and make "or use an antifreeze recommended for swimming pool plumbing and equipment" optional.

General Comments

Based on a review of the submitted information, this notification is acceptable. A copy has been inserted in your file for future reference. Should you have any questions concerning this letter, please contact Emilia Oiguenblik at (703) 347-0199 or Velma Noble at (703) 308-6233.

Sincerely,



Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobials Division (7510P)

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

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United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 6836-310	2. EPA Product Manager Velma Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Barquat 50-65B P&S	PM# 31	
5. Name and Address of Applicant (Include ZIP Code) Lonza Inc. 90 Boroline Road Allendale, NJ 07401 <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

- Amendment - Explain below.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Not Subject to PRIA

Label Notification to add marketing text and other revisions as indicated in the cover letter.

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.

Signature:

Ruth Trager

Date:

4-23-13

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 <i>*Certification must be submitted</i>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input checked="" type="checkbox"/> Other (Specify) Bag-in-box			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container Various		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On labeling accompanying product			
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input checked="" 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 Ruth Trager	Title Manager, Regulatory Services	Telephone No. (Include Area Code) 201-316-9327
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 <i>Ruth Trager</i>	3. Title Manager, Regulatory Services	
4. Typed Name Ruth Trager	5. Date April 23, 2013	

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Via FedEx

Lonza Inc.
90 Boroline Road
Allendale, NJ 07401

Ms. Velma Noble, PM-31
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2227 S. Crystal Drive
Arlington, VA 22202

Ruth Trager
Manager, Regulatory Services

Tel 201-316-9327
Fax 201-696-3560
Ruth.trager@lonza.com

April 23, 2013

**SUBJECT: Barquat 50-65B P&S,
EPA Reg. No. 6836-310
Application for Label Notification**

Dear Ms. Noble:

In response to the EPA rejection letter dated April 9, 2013, Lonza is resubmitting a notification to make the following changes to the above mentioned label:

- Add The Lonza emergency phone number as optional to the First Aid section.
- Add note to reviewer above Environmental Hazards to allow only the first sentence for containers less than 5 gallons.
- Add or revise optional marketing language on page 3.
 - Revise "Barquat 50-65B P&S is compatible with most chemicals used in pool water and will not damage tile, concrete, metal or plastics." to read "Barquat 50-65B P&S can be used with tile, concrete, metal or plastic surfaces."
 - Revise "Barquat 50-65B P&S keeps pool water free and sparkling, clear of visible green and bluegreen algae, slime and green brown colors." to read "Barquat 50-65B P&S keeps pool water free and clear of visible green and bluegreen algae."
- Add optional marketing language on page 5.
 - [Step] 1 Balance
 - [Step] 2 Sanitize
 - [Step] 3 Shock
 - [Step] 4 Prevent Algae *{This step is highlighted}*
 - 50% strength
 - Non-foaming formula
 - Advanced non-foaming additive
 - [For crystal clear pool water, follow the HTH 4-step pool care program: Step 1: Test and balance, Step 2: Sanitize, Step 3: Shock weekly, and Step 4: Add algaecide as directed.]
- On page 5, make "and outdoor spas" and "or spa" optional for pool products.
- Also on page 5, add "fl. oz." as an option for "fluid ounces" and make "or use an antifreeze recommended for swimming pool plumbing and equipment" optional.

Note to reviewer:
[Items in brackets [AAA] are optional and may/may not be included on final label]
{Items in braces {AAA} are for information purposes and will not appear on final label}

BARQUAT 50-65B P&S

Swimming Pool and Spa Algaecide [Algicide]
Outstanding Algae Growth Depressant

Active Ingredient:

Alkyl [C ₁₂ -67%; C ₁₄ -25%; C ₁₆ -7%; C ₁₈ -1%] dimethyl benzyl ammonium chloride.....	50.0%
[Other] [Inert] Ingredients:.....	50.0%
Total:.....	100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER [PELIGRO]

{Note to reviewer: Although this product has a "Danger" signal word, as per the EPA label review manual "The Agency may permit reasonable variations in the placement of the First Aid statement as long as the reference statement, "See First Aid (or Statement of Practical Treatment) on (identify appropriate panel)" appears on the front panel." If the First Aid Statements are placed on the front panel of the final graphic label, the statement below will not reference First Aid :}

See [left] [side] [right] [back] panel for Precautionary Statements [and First Aid]

EPA Reg. No. 6836-310
EPA Est. No. 6836-IL-1
Net Contents (insert container size here)

[DOT symbols]
[Country of origin (insert country)]
[Manufactured in (insert country)]
[Barcode]

Manufactured By:
Lonza Inc.
90 Boroline Rd.
Allendale, NJ 07401

NOTIFICATION
Date Reviewed: 5/20/13
Reviewed By: [Signature]

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

DANGER. Corrosive, causes irreversible eye damage and skin burns. May be fatal if swallowed or inhaled. Harmful if absorbed through the skin. Do not get in eyes, on skin or on clothing. Wear safety glasses when applying. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. 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 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.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for treatment advice.

[IN CASE OF EMERGENCY CALL 1-800-654-6911]

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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

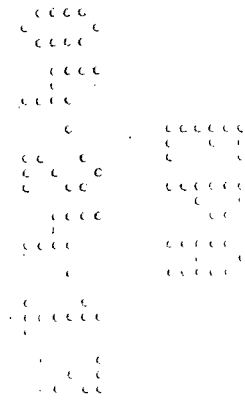
{Environmental hazards statement for end-use products in containers less than 5 gallons (liquid) use only the first sentence; all others use the full paragraph.}

ENVIRONMENTAL HAZARDS:

This product 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.

PHYSICAL OR CHEMICAL HAZARDS:

Combustible. Do not use or store near heat or flame.



{Optional Marketing language}

What? {For use on front panel of label as a header above/beside product name.}

Why? {For use on front panel of label as a header above/beside marketing statements chosen from accepted label text that relates to the consumer features and benefits of product.}

Barquat 50-65B P&S is efficient, economical and stable in use dilution.

Barquat 50-65B P&S can be used with tile, concrete, metal or plastic surfaces.

Barquat 50-65B P&S keeps pool water free and clear of visible green and bluegreen algae.

Barquat 50-65B P&S is effective in controlling the growth of the following types of algae: *Chlorella protothecoides* [green algae], *Phormidium inundatum* [blue-green algae] and *Phormidium autumnale*.

Prevents [against] algae growth

Prevents and controls algae growth

Weekly use prevents algae growth
Suitable for all pool types

Reduces growth of green and blue-green algae in pools

[Green] algae control for [inground] [and] [above ground] pools]

Kills [green] algae

Keeps water clear and free of visible [green] algae

For visible green algae

For Treatment of green algae

For green algae

Suitable for opening pools

Can be used in salt pools

Compatible with salt pools

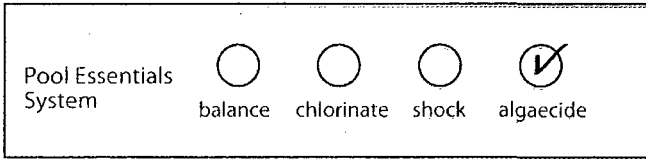
Made in USA [other country of origin]

When? {For use on front panel of label as a header above/beside text chosen from accepted label text that relates to the consumer anticipated frequency of product use.}

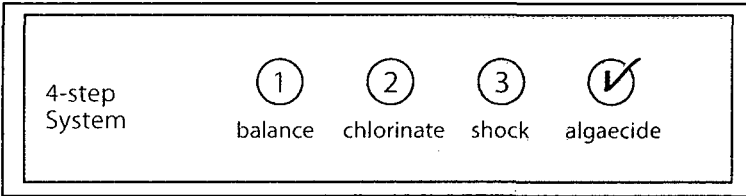
As Needed {For use on front panel of label that relates to the consumer anticipated frequency of product use.}

[Optional Marketing language]

{The "Pool Essentials System" box below may be placed on the label to allow easy product category identification by consumers.}



{The "4-step System" box below may be placed on the label to allow easy product category identification by consumers.}



[Optional marketing language that may be used with winter algaecide]

Winter Algae Preventative

Reduces growth of green and blue-green algae in pools over the winter months

Reduces growth of green algae in pools during the winter

Suitable for closing your pool

Step 4

Algae Preventer

Controls the Growth of Algae in Swimming Pools

Effective both as a preventative and as a corrective treatment on most forms of algae

Highly Concentrated

Will not stain

Step 4 Algae Control and Prevention

[Product] is a very low foaming algaecide.

[Product] can be used to control algae where foam is a concern.

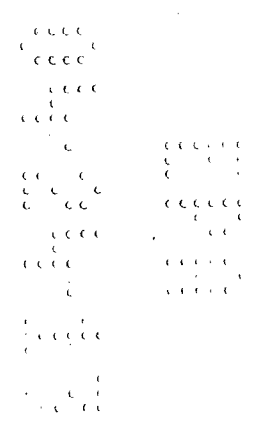
[Product] controls algae without foam problems.

[Product] controls algae without creating foam problems.

Barquat 50-65B P&S

EPA Reg. No. 6836-310

EPA Stamped label 3-28-08 with 12-18-08, 12-17-09, 6-25-10, 9-15-10 & 7-13-12 Notifications 4-23-13 draft



[Optional Marketing language]

[Product] kills [green] algae without foam problems.

[2 x ½ gallons] [1 gallon] will give an initial treatment for up to 256,000 gallons of pool water.

[2 x ½ gallons] [1 gallon] will provide maintenance treatment for up to 640,000 gallons.

[2 x ½ gallons] [1 gallon] will provide weekly treatment for up to 640,000 gallons.

Will treat 10,000 gallons of water for 40 weeks. [use with 2 x ½ gallon package]

Will treat 20,000 gallons for 20 weeks [use with 2 x ½ gallon package]

Will treat 15,000 gallons for 30 weeks [use with 2 x ½ gallon package]

[Step] 1 Balance

[Step] 2 Sanitize

[Step] 3 Shock

[Step] 4 Prevent Algae *{This step is highlighted}*

50% strength

Non-foaming formula

Advanced non-foaming additive

*{If the following Spanish statement is used, it must appear directly above DIRECTIONS FOR USE.}
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. [If you do not understand the label, find someone to explain it to you in detail.]*

DIRECTIONS FOR USE:

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

SWIMMING POOLS [AND OUTDOOR SPAS]

Barquat 50-65B P&S must be added along pool [or spa] edges while filter and pump are in operation. To provide time for even distribution in the pool[or spa] water, bathers should wait a minimum of 15 minutes after Barquat 50-65B P&S addition before entering the pool[or spa].

[For crystal clear pool water, follow the HTH 4-step pool care program: Step 1: Test and balance, Step 2: Sanitize, Step 3: Shock weekly, and Step 4: Add algaecide as directed.]

Initial Application:

Pools [and Spas] with Visible Algae

For pools [and spas] with visible algae, add 14 [fluid ounces] *{or}* [fl. oz.] of Barquat 50-65B P&S for every 10,000 gallons of water [5 ppm active quaternary]. After 24 hours, remove dead algae by cleaning. If algae are still present, repeat dosage as necessary.

Clean Pools [and Spas]

For initial treatment of clean pools [and spas], add 5 to 8 [fluid ounces] *{or}* [fl. oz.] of Barquat 50-65B P&S for every 10,000 gallons of water [2 to 3 ppm active quaternary].

Barquat 50-65B P&S

EPA Reg. No. 6836-310

EPA Stamped label 3-28-08 with 12-18-08, 12-17-09, 6-25-10, 9-15-10 & 7-13-12 Notifications 4-23-13 draft

Maintenance Dose:

Maintenance additions of 2 to 3 [fluid ounces] {or} [fl. oz.] per 10,000 gallons [0.5 to 1 ppm active quaternary] must be added every 7 days, or more frequently depending on water and use factors. A booster dose of 2 [fluid ounces] {or} [fl. oz.] per 10,000 gallons [0.5 ppm active quaternary] must be provided after each rain.

Sunlight, rainfall, temperature, number of swimmers, and frequency of pool [or spa] use, all affect the rate of chlorine loss. Always maintain chlorine levels between 1-3 ppm. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Ensure all pool [or spa] equipment is working properly. Clean or backwash the filter following manufactures directions.

[FOR WINTERIZATION [OF POOLS]

1. Barquat 50-65B P&S aids in the prevention of algae in swimming pools during the winter months, when the pool is out of service.
2. Test water for hardness, alkalinity, pH and the presence of metals. Take corrective action if necessary.
3. Superchlorinate the pool using a recommended winter shock treatment according to label directions.
4. Apply Barquat 50-65B P&S directly to the pool water, pouring along the edges of the pool. Use 14 [fluid ounces] {or} [fl. oz.] per 10,000 gallons of water [5 ppm active quaternary] and allow to circulate 2 to 4 hours. Pools without covers may need a second treatment in mid-winter or just prior to freezing.
5. Clean pool piping and filter. In geographical areas that experience freezing, drain pool equipment and plumbing lines[, or use an antifreeze recommended for swimming pool plumbing and equipment].]

{Simplified use directions covering product use as a swimming pool algaecide and for a swimming pool winter algaecide [to close pool].}

[How?]

DIRECTIONS FOR USE

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

To Kill Green Algae:

- Test and balance water before using this product. Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool balancing instructions.
- Add 14 fluid ounces for every 10,000 gallons along pool edges with filter and pump operating.
- If algae is still present after 72 hours, repeat dosage.
- Wait at least 15 minutes after adding product before entering the pool.
- This product may foam; do not use in spas, pools with attached spas, or water features.

To Close Pools:

- Add 14 fluid ounces per 10,000 gallons along pool edges and allow filter and pump to operate for 2-4 hours.

[Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool closing instructions.]

Sunlight, rainfall, temperature, number of swimmers, and frequency of pool use, all affect the rate of chlorine loss. Always maintain chlorine levels between 1-3 ppm. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Ensure all pool equipment is working properly. Clean or backwash the filter following manufactures directions.

Barquat 50-65B P&S

EPA Reg. No. 6836-310

EPA Stamped label 3-28-08 with 12-18-08, 12-17-09, 6-25-10, 9-15-10 & 7-13-12 Notifications 4-23-13 draft

{Note to reviewer: For Nonrefillable Containers, Ready to Use Household/Residential Use Products}

STORAGE AND DISPOSAL

Store in original container in areas inaccessible to children. Nonrefillable container. Do not reuse or refill this container. Wrap [container] and put in trash or offer for recycling if available.

{or}

Store in original container in areas inaccessible to children. Nonrefillable container. Do not reuse or refill this container. Wrap [container] and put in trash or offer for reconditioning if appropriate.

{Note to reviewer: Nonrefillable Containers, Ready-To-Use Products for Commercial/Institutional/Industrial Uses- no new container rinsing directions, not a dilutable per PRN 2007-4}

STORAGE AND DISPOSAL

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

Pesticide Storage:

Open dumping is prohibited. Store in original container in areas inaccessible to children.

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:

Nonrefillable container. Do not reuse or refill this container.

[Plastic Containers:] Triple rinse [or equivalent]. 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. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state, and federal regulations.

[Metal Containers:] Triple rinse [or equivalent]. Offer for recycling if available or puncture and dispose of in sanitary landfill or by other procedures approved by state and local authorities. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state, and federal regulations. DO NOT cut or weld metal containers.

[Bag in Box Containers:] Completely empty bag into application equipment. Then offer for recycling if available or dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

{Note to reviewer: For Refillable Containers. Chapter 13, Table 6 of the Label Review Manual states that for "All products in containers that could be burned," the registrant has the option to "Remain silent on burning;" therefore, no incineration language is provided for plastic containers.}

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Pesticide Storage:

Open dumping is prohibited. Store in original container in areas inaccessible to children.

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:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before refilling is the responsibility of the refiller. Cleaning the container before final disposal is the responsibility of the person disposing of the container.

[Plastic or Metal Containers:] To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in sanitary landfill. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state, and federal regulations.

[For metal containers only: DO NOT cut or weld metal containers.]

