

7616-73

10/21/2010

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460**

OCT 21 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Dana Wm. Somesla, Chemist
Chem Lab Products, Inc.
5160 East Airport Drive
Ontario, CA 91761

Subject: Notification per PR Notice 98-10
Kem Tek Algacide 60% Concentrated
EPA Reg. No.: 7616-73
Application Date: August 31, 2010
Receipt Date: October 5, 2010

Dear Mr. Somesla:

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

Proposed Notification:

Chem Lab, Inc. is adding two statements to packaging: 1.) For Green & Mustard Algae; 2.) Effective Treatment & Preventative.

General Comments:

Based on review of submitted materials, your notification to add the two statements is acceptable and has been placed in your file for future reference.

If you have further questions concerning this letter, then 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 email address at swift.killian@epa.gov. When you are submitting information or data in response to this letter, send a copy of this letter to accompany the submission in order to facilitate processing.

Sincerely,

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

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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 7616-73		2. EPA Product Manager		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Kem Tek Algaecide (Kem Tek Algaecide 60% Concentrated)		PM# 34			
5. Name and Address of Applicant (Include ZIP Code) Chem Lab Products, Inc. 5160 East Airport Drive Ontario, CA 91761 <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. 7616-57 Product Name Algy Bar 230			

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.)

-Adding two statements to packaging: 1) For Green & Mustard Algae 2) Effective Treatment & Preventative. These statements have already been reviewed and found acceptable by EPA on two of our other weaker Algaecides (7616-57 & 7616-58) of identical active ingredient.
 -Attached is PR Notice 98-10 Certification Statement.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On Label
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph
 Paper glued
 Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Dana Wm. Somesla	Title Chemist	Telephone No. (Include Area Code) (909) 390-9912
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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.

2. Signature 	3. Title Chemist	6. Date Application Received (Stamped)
4. Typed Name Dana Wm. Somesla	5. Date August 31, 2010	

Chem Lab Products, Inc.

5160 E. Airport Drive ▪ Ontario ▪ California 91761-7824
Telephone: (909) 390-9912 ▪ Fax: (909) 390-9911

August 31, 2010

Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7504C)
United States Environmental Protection Agency
Washington, D.C. 20460

RE: Notification of the Addition of Statements to product Kem Tek Algaecide; EPA Reg. No 7616-73

Dear Product Manager 34,

Enclosed is an Application for Pesticide for the Notification of the addition of the following statements:

- For Green & Mustard Algae
- Effective Treatment & Preventative

The statements are being added to front panel of the product's packaging to help customers identify the product's use as purported in Directions for Use. The statements do not change or make new claims rather feature product's use. The statements have also already been reviewed and approved by EPA for two other algaecide products (EPA Reg. No.'s 7616-58 and 7616-57) that are virtually identical to the Kem Tek Algaecide with the exception of their weaker percentages of active ingredient.

If you need to contact me, I can be reached by telephone at (909) 390-9912 extension 253 or by e-mail at dana@kem-tek.com

Respectfully,



Dana Wm. Somesla, Chemist
Chem Lab Products, Inc.

Enclosure



MANUFACTURER OF QUALITY SWIMMING POOL PRODUCTS SINCE 1958

Chem Lab Products, Inc.

5160 E. Airport Drive ▪ Ontario ▪ California 91761-7824
Telephone: (909) 390-9912 ▪ Fax: (909) 390-9911

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August 31, 2010

Regulatory Management Branch II
Antimicrobials Division (7504C)
United States Environmental Protection Agency
Washington, D.C. 20460

RE: Notification of the Addition of Statements to product Kem Tek Algaecide; EPA Reg.
No. 7616-73

“This notification is consistent with the provisions of PR Notice 98-10 and EPA regulation 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 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.”

Certified by: Dana Wm. Somesla, Chemist



MANUFACTURER OF QUALITY SWIMMING POOL PRODUCTS SINCE 1958



ALGAECIDE

(ABN: Kem Tek Algaecide 60% Concentrated)

Effective Treatment & Preventative For Green & Mustard Algae

Non-Foaming . Reduces Chlorine Consumption

*Tratamiento Y Preventivo Eficaz
Para Algas De Color Verde Y Mostaza*

ACTIVE INGREDIENT:
Poly [oxyethylene (dimethyliminio) ethylene
(dimethyliminio) ethylene dichloride].....**60.0%**
OTHER INGREDIENTS.....40.0%
TOTAL.....100.0%

NOTIFICATION
Date Reviewed: 10/21/10
Reviewed By: *[Signature]*

KEEP OUT OF REACH OF CHILDREN
NO SE DEJE AL ALCANCE DE LOS NIÑOS

CAUTION
PRECAUCION

See back panel for first aid statement and other precautions

NET **32** FL. OZ.
(.946 L.)

ALGAE CARE
CUIDADO DE LAS ALGAS

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

The presence of algae in swimming pools is objectionable and can be difficult to remove. KEM-TEK™ ALGAECIDE helps prevent the growth of chlorine-resistant algae, (such as mustard and "black" algae). It also acts as an added defense against algae due to low chlorination periods. Once started, algae greatly increases chlorine demand and the associated increased cost.

DIRECTIONS FOR USE: It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Freshly Filled And/Or Algae-Free Swimming Pools: Add 8 ounces of KEM-TEK™ ALGAECIDE per 10,000 gallons pool water. Add 2 to 4 ounces (per 10,000 gallons) weekly as a maintenance dose to prevent algae growth through the swimming season.

Visible Algae Growth: Super-chlorinate with a fast-acting, unstabilized chlorinating product to a chlorine reading of 5 ppm. Do not use the pool until the chlorine residual has dropped to 3 ppm. Remove all debris by vacuuming or sweeping and filtering. In order to aid in the removal of the fine particles resulting from the affected algae, the use of KEM-TEK™ ULTRA CLARIFIER is recommended. Add an initial dose of 16 ounces of KEM-TEK™ ALGAECIDE per 10,000 gallons of water to rid the water of the remaining chlorine-resistant algae. Thereafter, add 2 to 4 ounces (per 10,000 gallons) weekly during swimming season to prevent regrowth of algae.

NOTE: In order to ensure maximum effectiveness of KEM-TEK™ ALGAECIDE (and all other swimming pool chemicals), always maintain pH at 7.2 to 7.6 and a free-chlorine residual of 1 to 2 ppm. Measure by using a reliable test kit.

PRECAUTIONARY STATEMENTS: HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid breathing vapors. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish.

STORAGE AND DISPOSAL: STORAGE: Keep product in tightly closed container when not in use. Store in a cool, dry, well ventilated area away from heat or open flame. **DISPOSAL:** IF EMPTY: Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. IF PARTLY FILLED: Call your local solid waste agency for disposal instruction. Never place unused product down any indoor or outdoor drain.

FIRST AID

If In Eyes	Hold eye open and flush with plenty of 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 immediately 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 immediately for 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 to do so by 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 immediately for treatment advice.

Have the product container or label with you when calling poison control center or doctor, or going for treatment. For assistance call 1-800-767-7665

Manufactured by:
CHEM LAB PRODUCTS, INC.
Ontario, CA 91761
EPA Reg.No. 7616-73
EPA Est.No. 7616-CA-1

Free Pool Care Advice 1-800-SOS-POOL · www.kem-tek.com

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