

8959-10

7-15-2008



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

1/7

July 15, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Marianne Radtke
Regulatory Affairs Manager
Applied Biochemists
W 175 N11163 Stonewood Dr. Ste 234
Germantown, WI 53022

Subject: Product Name: Cutrine Plus Algaecide/Herbicide
EPA Registration No.: 8959-10
Application Date: June 23, 2008
Receipt Date: June 25, 2008

Dear Ms. Radtke,

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

Proposed Notification

- Correcting a typo in the tank mix directions.

General Comments

Based on a review of the material submitted, the following comments apply:

The notification application is acceptable and a copy has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, please contact me by telephone at (703) 308-6422 or email at heyward.adam@epa.gov between the hours of 7:00am and 4:00pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

CONCURRENCES						
SYMBOL	7510 P					
SURNAME	Grahn					
DATE	7/15/08					

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APPLIED BIOCHEMISTS

W175 N11163 Stonewood Drive Suite 234
Regulatory Services
Germantown, WI 53022-4799
262 255-4619 Fax
262 255-4449 ext. 328
E-mail mradtke@advantistech.com

June 23, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

ATTN: Adam Heyward

Re: Notification of typo on approved label
EPA Reg. No. 8959-10
Cutrine Plus Algaecide/Herbicide

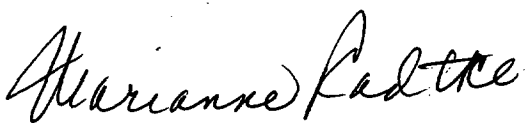
Attached is an application for notification of typo as highlighted on the attached label. Tank Mix should read 5 gallons per surface acre rather than the 5-1/2 gal. currently stated. No other changes have been made to any part of the product labeling.

Enclosed you will find

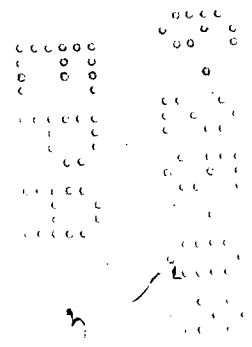
Form 8570-1 for Notification
1 label copy with changes highlighted

Sincerely,

APPLIED BIOCHEMISTS



Marianne Radtke
Regulatory Affairs Manager





United States
Environment Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

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Application for Pesticide - Section I

1. Company/Product Number 8959-10	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cutrine Plus Algaecide/Herbicide	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Applied Biochemists W175 N11163 Stonewood Dr. Ste 234 Germantown, WI 53022 <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. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

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

Attached is an application for notification of a typo in the Tank Mix Directions of our label. Typo should change 5 1/2 to 5 gallons per surface acre. 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:

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" 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	2. Type of Container <input type="checkbox"/> Metal <input checked="" 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: 1, 3, 2-1/2, 5, 30, 55, 275 gallons

5. Location of Label Directions: On container

6. Manner in Which Label is Affixed to Product: screenprint/sleeve/crack& peel 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 Marianne Radtke	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 262 2565449 ext 328
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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
Marianne Radtke

3. Title
Regulatory Affairs Manager

4. Typed Name
Marianne Radtke

5. Date
6/22/2008

6. Date Application Received
(Stamp)

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CUTRINE®- PLUS

ALGAEICIDE/HERBICIDE

Pat. No. 3,930,834

EPA Reg. No. 8959-10

EPA Est. No. 42291-GA-1

FOR USE IN LAKES – POTABLE WATER RESERVOIRS
FARMS, FISH AND INDUSTRIAL PONDS, FISH HATCHERIES AND
RACEWAYS, CROP AND NON-CROP IRRIGATION CONVEYANCE
SYSTEMS, DITCHES, CANALS AND LATERALS

ACTIVE INGREDIENTS:

COPPER AS ELEMENTAL.....*9.0%

INERT INGREDIENTS:

.....91.0%

TOTAL100.0%

CUTRINE-PLUS contains 0.909 lbs. of elemental copper per gallon.

*From mixed Copper-Ethanolamine complexes

**KEEP OUT OF REACH OF CHILDREN
DANGER**

FIRST AID	
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.
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 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 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 a poison control center or doctor. - Do not give anything by mouth to an unconscious person.
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.	

See Additional Precautions on Back Panel

_____ GALLONS

MANUFACTURED BY:



applied biochemists

GERMANTOWN, WISCONSIN 53022
1-800-558-5106

GENERAL INFORMATION

CUTRINE-PLUS, under field conditions, is effective in controlling a broad range of algae including: Chara, Spirogyra, Cladophora, Vaucheria, Ulothrix, Microcystis and Oscillatoria. **CUTRINE-PLUS** has also been proven effective in controlling the rooted aquatic plant, **Hydrilla verticillata**. The ethanolamines in **CUTRINE-PLUS** prevent the precipitation of copper with carbonates and bicarbonates in the water. Waters treated with **CUTRINE-PLUS** may be used for swimming, fishing, drinking, livestock watering or irrigating turf, ornamental plants or crops immediately after treatment.

DIRECTIONS FOR USE

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

SURFACE SPRAY/INJECTION

ALGAECIDE APPLICATION

For effective control, proper chemical concentration should be maintained for a minimum of three hours contact time. The application rates in the chart are based on static or minimal flow situations. Where significant dilution or loss of water from unregulated inflows or outflows occur (raceways) within a three hour period, chemical may have to be metered in.

- Identify the algae growth present as one of the following types: Planktonic (suspended), Filamentous (mat forming), or Chara/Nitella.
- Determine the surface acreage (1 acre=43,560 sq. ft.) and average depth of infested area.
- Refer to the chart below to determine gallons of **CUTRINE-PLUS** to apply per surface acre.

Application Rates
Gallons Per Surface Acre

ALGAE TYPE	PPM COPPER	DEPTH IN FEET			
		1	2	3	4
Planktonic	0.2 - 0.6	0.6 - 1.8	1.2 - 3.6	1.8 - 5.4	2.4 - 7.2
Filamentous	0.2 - 0.8	0.6 - 2.4	1.2 - 4.8	1.8 - 7.2	2.4 - 9.6
Chara/Nitella	0.4 - 1.0	1.2 - 3.0	2.4 - 6.0	3.6 - 9.0	4.8 - 12.0

- Under conditions of heavy infestation, treat only 1/3 to 1/2 of the water body at a time to avoid fish suffocation caused by oxygen depletion from decaying algae.
- Before applying, dilute the required amount of **CUTRINE-PLUS** with enough water to ensure even distribution with the type of equipment being used. **Faster results will be seen** when applied under calm and sunny conditions when water temperature is a least 60 F. Break up floating algae mats before spraying or while application is being made. Use hand or power sprayer adjusted to rain-sized droplets. Spray shoreline areas first to avoid trapping fish.

CUTRINE-PLUS Granular Algaecide may be used as an alternative in low volume flow situations, spot treatments or treatment of bottom-growing algae in deep water.

HERBICIDE APPLICATION (For Hydrilla Control)

CUTRINE-PLUS:

Control of Hydrilla verticillata can be obtained from copper concentrations of 0.4 to 1.0 ppm resulting from CUTRINE-PLUS treatment. Choose the application rate based upon stage and density of Hydrilla growth and respective water depth from the chart below.

Application Rates
Gallons/Surface Acre*

Growth/Stage Relative Density	PPM Copper	DEPTH IN FEET					
		1	2	3	4	5	6
Early Season Low Density	0.4	1.2	2.4	3.6	4.8	6.0	7.2
	0.5	1.5	3.0	4.5	6.0	7.5	9.0
Mid-Season Moderate Density	--0.6--	--1.8--	--3.6--	--5.4--	--7.2--	--9.0--	--10.8--
	0.7	2.1	4.2	6.3	8.4	10.5	12.6
	--0.8--	--2.4--	--4.8--	--7.3--	--9.6--	--12.0--	--14.4--
Late Season High Density	0.9	2.7	5.4	8.1	10.8	13.5	16.2
	1.0	3.0	6.0	9.0	12.0	15.0	18.0

* Application rates for depths greater than six feet may be obtained by adding the rates given for the appropriate combination of depths. Application rates should not result in excess of 1.0 ppm copper concentration within treated water.

CUTRINE® PLUS: REWARD® TANK MIX

On waters where enforcement of use restrictions for recreational, domestic and irrigation uses are acceptable, the following mixture can be used as an alternative Hydrilla control method.

Tank mix 3 gallons of CUTRINE-PLUS with 2 gallons of REWARD®. Apply mixture at the rate of 5 gallons per surface acre. Dilute with at least 9 parts water and apply as a surface spray or underwater injection. Observe all cautions and restrictions on the labels of both products used in this mixture.

*REWARD® is a trademark of Syngenta Crop Protection, Inc.

PERMITS:

Some states may require permits for the application of this product to public waters. Check with your local authorities.

DRIP SYSTEM APPLICATION

FOR USE IN POTABLE WATER AND IRRIGATION CONVEYANCE SYSTEMS

- CUTRINE-PLUS should be applied as soon as algae or Hydrilla begins to interfere noticeably with normal delivery of water (clogging of lateral headgates, suction screens, weed screens and siphon tubes). Delaying treatment could perpetuate the problem causing massing and compacting of plants. Heavy infestations and low flow conditions increasing water flow rate during application may be necessary.
- Prior to treatment it is important to accurately determine water flow rates. In the absence of weirs, orifices, or similar devices which give accurate water flow measurements, volume of flow may be estimated by the following formula:

$$\text{Average Width (feet) x Average Depth (feet) x Velocity* (feet/second) x 0.9 = \text{Cubic Feet per Second (C.F.S.)}$$

*Velocity is the time it takes a floating object to travel a given distance. Dividing the distance traveled (feet) by the time (seconds) will yield velocity (feet/second). This measurement should be repeated at least three times at the intended application site and then averaged.

- After accurately determining the water flow rate in C.F.S. or gallons/minute, find the corresponding CUTRINE-PLUS drip rate on the chart below.

WATER FLOW RATE		CUTRINE-PLUS DRIP RATE*		
C.F.S.	Gal/Min	Qts/Hr.	MI/Min.	FL.Oz./Min.
1	450	1	16	0.5
2	900	2	32	1.1
3	1350	3	47	1.6
4	1800	4	63	2.1
5	2250	5	79	2.7

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- Calculate the amount of **CUTRINE-PLUS** needed to maintain the drip rate for a period of 3 hours by multiplying Qts./Hr. x 3; ml/Min. x 180; or Fl. Oz./Min. x 180. Dosage will maintain 1.0 ppm Copper concentration in the treated water for the 3 hour period. Introduction of the chemical should be made in the channel at weirs or other turbulence-creating structures to promote the dispersion of chemical.
 - Pour the required amount of **CUTRINE-PLUS** into a drum or tank equipped with a brass needle valve and constructed to maintain a constant drip rate. Use a stop watch and appropriate measuring container to set the desired drip rate. Readjust accordingly if flow rate changes during the 3 hour treatment period.
 - Distance of control obtained down the waterway will vary depending upon density of vegetation growth. Periodic maintenance treatments may be required to maintain seasonal control.

GENERAL TREATMENT NOTES

The following suggestions apply to the use of **CUTRINE-PLUS** as an algacide or herbicide in all approved use sites: For optimum effectiveness...

- Apply early in the day under calm, sunny conditions when water temperatures are at least 60°F.
- Treat when growth first begins to appear or create a nuisance, if possible.
- Apply in a manner that will ensure even distribution of the chemical within the treatment area.
- Re-treat areas if regrowth begins to appear and seasonal control is desired. Allow one to two weeks between consecutive treatments.
- Allow seven to ten days to observe the effects of treatment (bleaching and breaking apart of plant material).

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

CORROSIVE. Causes irreversible eye damage and skin burns. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield and rubber gloves when handling this product. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

STORAGE & DISPOSAL:

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Keep container closed when not in use. Open dumping is prohibited.

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: Reseal container and offer for recondition or triple rinse (or equivalent) and offer for recycling, reconditioning or disposal in approved landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. Consult Federal, State or local authorities for approved alternative procedures.

ENVIRONMENTAL HAZARDS:

This product may be toxic to trout and other species of fish. Fish toxicity is dependent upon the hardness of water. **Do not use in water containing trout if the carbonate hardness of water does not exceed 50 ppm. Do not use in waters containing Koi and hybrid goldfish.** This product is not intended for use in small volume, garden pond systems.

NOTICE

Neither the manufacturer nor the seller makes any warranty, expressed or implied concerning the use of this product other than indicated on the label. Buyer assumes risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.