

8959-14

11/3/2010

117



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

Marianne Radtke
Regulatory Affairs Manager
Applied Biochemists
W175 N11163 Stonewood Drive Ste 234
Germantown, WI 53022

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOV - 3 2010

Subject: Black Algaetrine
EPA Reg. No. 8959-14
Application Dated: Oct 5, 2010
Receipt Date: Oct 7, 2010

Dear Marianne Radtke

The following notification submitted in connection with registration under the provisions of PR Notice 98-10, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)9. is acceptable.

Proposed Amendment

Adding Graphics

Comments

Based on a review of the material submitted, the following comments apply:
This application for notification to add non mixing graphic to the label is acceptable.
A copy has been placed in our records for future reference.

Should you have any questions or comments concerning this letter, please contact Velma Noble at (703) 308-6233.

Sincerely,

A handwritten signature in black ink, appearing to read "Velma Noble".

Velma Noble
Product Manager (31)
Regulatory Management Branch1
Antimicrobial Division (7510P)



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 8959-14	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BLACK ALGAETRINE	PM# 33	
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

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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.)

Notification to add optional marketing claim(s). 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 checked="" type="checkbox"/> Yes <input 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		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Quart, gallons, 2-1/2 gal, 5 gal		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product Screen printed		<input checked="" type="checkbox"/> Lithograph Paper glued 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 Marianne Radtke	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 262-509-5674
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 both under applicable law.		6. Date Application Received (Stamped) _____ _____ _____
2. Signature <i>Marianne Radtke</i>	3. Title Regulatory Affairs Manager	
4. Typed Name Regulatory Affairs Manager	5. Date 10-2 - 2010	

MASTER LABEL

Latest changes in red

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

BLACK ALGAETRINE®

ALGAECIDE For Swimming Pools

ACTIVE INGREDIENTS:

Copper as elemental* 3.07%
n-Alkyl (50% C₁₄, 40% C₁₂, 10% C₁₆) dimethyl benzyl ammonium chloride:26.34%

OTHER INGREDIENTS: 70.59%

TOTAL: 100.00%

This product contains 0.26 lbs. of elemental copper per gallon.

* From Mixed Copper Ethanolamine Complexes.

**KEEP OUT OF REACH OF CHILDREN
DANGER**

See precautionary statements [and first aid] on [back] [side] panel.

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 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.

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.

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.

IN CASE OF EMERGENCY CALL: 1-800-654-6911

{Side or Back Panel}

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed. May be fatal if absorbed through the skin. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield, rubber gloves and protective clothing when handling. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

MASTER LABEL

Latest changes in red

ENVIRONMENTAL HAZARDS {Environmental hazards statement for end-use products in containers \geq 5 gallons (50 lbs) use the full paragraph; all others use only the first sentence.} 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/CHEMICAL HAZARDS:

Avoid contact with strong acids and oxidizers. Do not store near heat or open flame.

IN CASE OF SPILL:

Contain and/or absorb spill with inert material (e.g. sand, vermiculite). Do not use clay to absorb spill. Avoid release into the environment.

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.]

{Only One of these statements A or B would be used}

{A} [This product controls the growth of algae in swimming pools. Brush algae spots prior to application. If necessary, brush once each day for two days following application. Before applying, adjust pool water pH to 7.2-7.8 as determined by a [brand/product name] [appropriate] suitable test kit. Apply this dosage into the water around the edge of the pool.] Do not concentrate the application in only one area.]

{B} [This product controls the growth of algae in swimming pools. Brush algae spots prior to application. If necessary, brush once each day for two days following application. Before applying, adjust pool water pH to 7.2-7.8 as determined by [product name] [appropriate] a suitable test kit. Apply this dosage into the water around the edge of the pool.] Do not concentrate the application in only one area.]

{Only One of these statements A or B would be used}

{A} [**VISIBLE ALGAE GROWTH:** Apply 12 ounces of this product per 10,000 gallons of pool water. Settled algae debris may be removed by vacuuming.]

{B} [**VISIBLE ALGAE GROWTH:** Brush sides and bottom of pool. Apply 12 ounces [of product name] per 10,000 gallons of pool water. After pool clears, settled debris may be removed by vacuuming.]

VERY DIRTY POOL WITH HEAVY ALGAE GROWTH: First vacuum, clean, and scrub walls. Apply 12 ounces of [product name] per 10,000 gallons of pool water. Vacuum to remove algae debris.

MAINTENANCE DOSE: (Free of visible algae) Apply 6 ounces of [product name] per 10,000 gallons of pool water every 5 to 7 days. NOTE: If high temperatures prevail or pool has unusually heavy use, add maintenance dose more frequently.

MASTER LABEL

Latest changes in red

TO ESTIMATE POOL CAPACITY
Square or Rectangular Pools - L x W x D x 7.5 = Gallons
Circular or Elliptical Pools - L x W x D x 5.9 = Gallons

STORAGE AND DISPOSAL

{Nonrefillable container - Household/Residential use
[Keep this product dry in tightly closed container away from persons and children unfamiliar with its use. Store in cool, dry, well-ventilated area. Keep away from heat or open flame.
Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If not, wrap and discard in trash.]

Nonrefillable container-Commercial Use}
Do not contaminate food or feed by storage or disposal.
Pesticide Storage: Keep this product dry in tightly closed container away from persons and children unfamiliar with its use. Store in cool, dry, well-ventilated area. Keep away from heat or open flame.

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 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. Triple rinse as follows: Fill container ¼ full with water and recap. Shake for 10 seconds. Empty the rinsate into the application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.

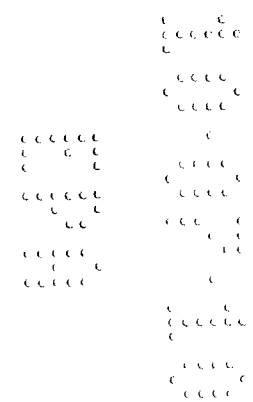
EPA REG. No. 8959-14
NET CONTENTS: ____ FL. OZ. (____ mL)

EPA Est. No. xxxx-yy-zz

APPLIED BIOCHEMISTS
1400 Bluegrass Lakes Parkway
Alpharetta, GA 30004
AppliedBio.net

{Also made for GLB (Algimycin 1000)}
GLBPoolSpa.com

{Also made for Robarb (Black Robacide)}
Robarb.com



MASTER LABEL

Latest changes in red



{optional} []

{Black Algaetrine® is a registered trademark of Arch Chemicals, Inc.}

{MARKETING CLAIMS}

[Controls black algae and other resistant forms]

[Kills and Prevents Black Algae]

[The brand the pros use]

[Controls the Growth of Problem Algae]

[Your black algae problem solver!]

[Formulated specifically for treating black algae]

[Eliminates and prevents black algae]

[Effective treatment against black algae]

[Works in 24 hours]

[Non-foaming formula]

[Prevents reoccurrence of black algae]

[Treatment Algaecide for Reoccurring Algae]

[Specialty Care]

[Kills and Prevents Algae]

[Controls the Growth of Problem Algae]

[Formulated specifically for treating Algae]

[Eliminates and prevents algae]

[Effective treatment against algae]

[Works in 24 hours]

[Compatible with all sanitizers including bromine, chlorine, salt water, ozone and minerals.]

[This product will kill and help prevent future growth of black algae.]

[This product is most effective when used in conjunction with other [company or brand name] pool care products]

[This product works best when added by itself directly to pool water; therefore, it should not be mixed with soap or other cleaners or pre-mixed with other water treating chemicals.]

[This product will kill and help prevent future growth of [reoccurring] [black] algae. It is most effective when used in conjunction with [product name] [pool care] products.

[It is easier to prevent algae growth than to destroy established algae. Start treatment with a clear pool if possible.]

[Algaecide]

[Step 4]

[Step 4 Algaecide]