

10088-40

05/07/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

MAY -7 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Adam Swader
ATHEA Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224

Subject: **Tower-Cide**
EPA Registration No.: 10088-40
Application Date: March 25, 2010
Receipt Date: April 7, 2010

Dear Mr. Swader:

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

Proposed Notification:

Updating Container Disposal Statements per PR Notice 2007-4

General Comment:

Based on a review of the material submitted, the following comment applies:

A copy of the accepted notification has been inserted in your file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at Campbell-mcfarlane.Jacqueline@epa.gov or Stacey Grigsby by telephone at (703) 305-6440 or by e-mail at grigsby.stacey@epa.gov during the hours of 8:00am to 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,

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

CONCURRENCES

SYMBOL	SURNAME	DATE					

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Print Form

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
		<input checked="" type="checkbox"/> Amendment	
		<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 10088-40	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tower-Cide	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224 <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 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 of minor label changes per PR Notice 2007-4. See attached cover letter

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	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<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 N/A		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled				<input checked="" type="checkbox"/> Other Silkscreened	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Adam Swader	Title Regulatory Comp Spec.	Telephone No. (Include Area Code) 414-354-6417
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 Regulatory Comp Spec.	
4. Typed Name Adam Swader	5. Date Mar 25, 2010	



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March 25, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

**Subject: Storage and Disposal Update
Tower-Cide
EPA Registration No. 10088-40**

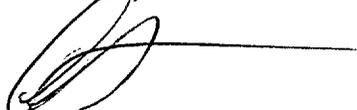
To Whom It May Concern:

Please find the enclosed one label marked with changes and Form 8570-1 stating the following:

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or Confidential Statement of Formula for 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 the amended label is not consistent with requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

If there are any questions in regards to this notification please contact me at 414-354-6417 ext. 215 or email me at aswader@athea.com.

Thank You,



Adam Swader
Regulatory Compliance Specialist
Enclosures

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Avoid breathing vapors. Do not get in eyes or on skin or clothing. Wash hands thoroughly with plenty of soap and water after use.

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 by 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. For information on this pesticide (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

For information on product, usage, etc.,
call 1-800-743-6417.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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.

NOTIFICATION
Date Reviewed: 4/12/12
Reviewed By: S. Kh. G. G. G.

TOWER- CIDE

ACTIVE INGREDIENTS

Poly[oxyethylene (dimethyliminio) ethylene
(dimethyliminio) ethylene dichloride]10.00%
INERT INGREDIENTS90.00%
TOTAL100.00%

This product contains 0.85 lbs. of active ingredient per gallon and weighs 8.49 lbs. per gallon.

KEEP OUT OF REACH OF CHILDREN
CAUTION

See side panel for additional precautionary statements.

EPA REG. NO. 10088-40
EPA EST. 10088-WI-1

NET CONTENTS:

(Insert container size here, expressed in gallons/ounces with the option to add the metric equivalent.)

Manufactured By:
Athea Laboratories Inc
PO Box 240014
Milwaukee, WI 53224

DIRECTIONS FOR USE
GENERAL CLASSIFICATION

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

This product is used to control algae, bacteria and fungi in recirculating commercial and industrial water cooling towers. Prior to its use, systems must be cleaned to remove algae growth, microbiological slime and other deposits.

An initial slug addition of 6.13 to 15.32 fluid ounces per 1000 gallons of water to provide a concentration of 48 to 120 parts per million based on the total weight of water in the system is recommended. Repeat initial dosage until control is evident.

Subsequent slug additions of 1.53 to 15.32 fluid ounces per 1000 gallons of water (12 to 120 parts per million) should be employed every 2 to 5 days or as needed. The frequency of addition depends upon the relative amount of bleedoff and the severity of the microbiological problem. Slug additions should be made in the sump of water cooling towers.

STORAGE AND DISPOSAL

Do Not Contaminate Water, Food, or Feed By Storage or Disposal.
Pesticide Storage: Store in a dry place no lower in temperature than 50°F or higher than 120°F.

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 Handling: Nonrefillable container. Do not reuse or refill container. Offer for recycling, if available. If not, puncture and dispose of in sanitary landfill or by incineration if allowed by state and local authorities. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a 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.

Container Handling For Greater than 5 gallons
Container Handling: Nonrefillable container. Do not reuse or refill container. Then offer for recycling if available. If not, puncture and dispose of in a sanitary landfill or by incineration if allowed by state and local authorities. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill container 1/4 full with water. Replace and tighten closures. 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 back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.