

10324 - 137

10/29/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

OCT 29 2009

Ms. Elizabeth Tannehill
Mason Chemical Company
721 W. Algonquin Road
Arlington Heights, IL 60005

Subject: Maquat FL-1
EPA Reg. No.: 10324-137
Notification Dated: September 15, 2009
EPA Receipt Date: October 1, 2009

Dear Ms. Tannehill,

This letter acknowledges receipt of your notification submitted in connection with registration under the provisions of PR Notice 98-10 and Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)9.

Proposed Notification

Revise Storage and Disposal Statements per 40 CFR 156.

General Comments

Based on a review of the material submitted, your notification to add to update the storage and disposal statements per 40 CFR 156 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 or Jacqueline McFarlane at (703) 308-6416.

Sincerely,

Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobial 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 10324-137	2. EPA Product Manager Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Maquat FL-1	PM# 31	
5. Name and Address of Applicant (Include ZIP Code) Mason Chemical Company 721 W. Algonquin Rd. Arlington Heights, IL 60005 <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. 5185-130 Product Name Bio Guard Master 10	

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.)

We are changing the storage and disposal statements on our label per 40CFR156.

This notification is consistent with the provisions of PR Notice 95-2 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 or to otherwise understand that if this notification is not consistent with the terms of PR Notice 95-2 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.

We feel this is a Notification and requires no fee payment. We understand the EPA will contact us with payment information, if needed, upon receipt of application.

Contact Information: Elizabeth (Liz) Tannehill, liz@maquat.com voice number 847-290-1621 fax number 847-290-1625

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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 qt., 1 gal., 5 gal., 55 gal.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> 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 Elizabeth Tannehill		Title Regulatory Manager		Telephone No. (Include Area Code) 847-290-1621	
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 Manager			
4. Typed Name Elizabeth Tannehill		5. Date 9/14/09			

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MASON CHEMICAL COMPANY

"The Quaternary Specialists"

September 15, 2009

Velma Noble
Document Processing Desk (AMEND)
Office of Pesticide Programs (7510P), PM31
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Dr.
Arlington, VA 22202

Subject: Maquat[®] FL-1 (10324-137)
Notification

Dear Velma,

This is a Notification for a label change per the Container Rule (40CFR 156) and does not require a fee.

Enclosed are the following items:

1. **Application/Notification form** – for Maquat[®] FL-1 (10324-137)
2. **One (1) copy of all labels** – for Maquat[®] FL-1 (10324-137)

We are **changing the storage and disposal statements on our label per 40CFR156**. Per a letter from Nancy Fitz to the Biocides Panel (of which we are a member), we understand that AD will now be accepting our statements but will be looking to change them in the future. We are directly copying the wording provided in the Container Rule as applicable and are asking that you accept it at this time in order to comply with the ruling's deadline. In addition, we have also added residue instructions per your letter dated 9/4/09.

This product are used with different kinds of containers. Therefore, we have included all applicable language on these labels in order to give our distributors/supplemental registrants a choice in the language they will need for their container. We are asking that you accept all of the container language we are proposing at this time.

These are the ONLY changes/additions being made at this time.

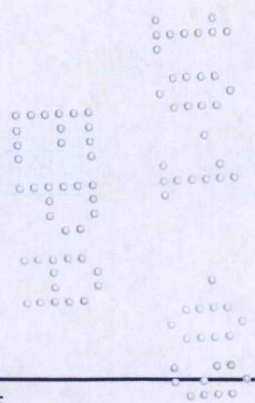
If you have any questions or need any further information, please do not hesitate to contact me at (800) 362-1855 or liz@maquat.com. Your prompt attention to this matter is most appreciated.

Very truly yours,

MASON CHEMICAL COMPANY


Elizabeth Tannehill

Enclosures





MASON CHEMICAL COMPANY
 "The Quaternary Specialists"

721 W. Algonquin Road | Arlington Heights, IL 60005 | 847-290-1621 or 800-362-1855

E.P.A. Reg. No. 10324-137
 E.P.A. Est. No. 10324-IL-1

MAQUAT® FL-1

Net Contents: Batch No:

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

DANGER. Keep Out of Reach of Children. Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed, absorbed through the skin or inhaled. Do not get into eyes, on skin or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses), rubber gloves and protective clothing when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

(If container is 5 gallons or larger the following statement must appear on the label.)

ENVIRONMENTAL HAZARD

This pesticide 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.

(If container is less than 5 gallons use the following environmental hazard statement.)

ENVIRONMENTAL HAZARD

This product is toxic to fish.

PHYSICAL OR CHEMICAL HAZARDS

Do not mix with oxidizers, soap or anionic detergents or other water treating chemicals.

For Control of Algae and Algae Slime Growth in Swimming Pool.

ACTIVE INGREDIENTS

Alkyl (58%C₁₄, 28%C₁₆, 14%C₁₂) dimethyl benzyl ammonium chloride 10.0%

INERT INGREDIENTS:

TOTAL: 100.0%

Product weighs 8 lbs./gallon.

KEEP OUT OF REACH OF CHILDREN

DANGER

See left panel for additional precautionary statements.

First Aid

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

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 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.

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.

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

NOTIFICATION

Date Reviewed: 10/29/07
 Reviewed By: J. Campbell

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DIRECTIONS FOR USE

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

APPLICATION FOR SWIMMING POOLS

Ensure all pool equipment is working properly. Backwash the filter system following manufacturer's directions. Adjust pH to between 7.2-7.6. In outdoor chlorine treated pools, add stabilizer to establish a minimum level of 40-50 ppm to reduce the degradative effects of sunlight upon the chlorine residual. Check for metals and if present add a stain and scale inhibitor to prevent staining of pool surface due to metal. Maintain sanitizer residual in accordance with label directions found on your sanitizer of choice. This product is effective in controlling the growth of the following types of algae: *Chlorella pyrenoidosa* (green algae), *Phormidium inundatum* (blue-green algae) and *Phormidium ritzii*. When using other products as outlined in directions for this product, always follow directions on those products.

- DOSAGES** – For pools that are free of algae or contain algae growth.
Initial Application: For an initial application, pour directly into pool at a rate of 32 ounces of this product per 12,250 gallons of water (2 ppm) or ratio thereof. More rapid distribution will be achieved by pouring a portion of the specified amount into several areas of the pool until all of the required quantity has been added. Recirculation accomplished by running the filter will assure rapid dispersion of product.
Maintenance: Pour directly into pool at a rate of 16 ounces per 25,000 gallons of water (0.5 ppm) or ratio thereof every 5-7 days depending on weather and use factors. After each rain of consequence, add 32 ounces per 50,000 gallons water. Even when the pool may not be in use for periods of time, algicide additions should be made since a heavy accumulation of algae growth is difficult to remove. The appropriate amount of this product should be added by pouring a portion of the specified amount into several areas of the pool until the required quantity has been added. Recirculation accomplished by running the filter will assure rapid dispersion of product.
- Reentry interval:** Swimmers are allowed to re-enter the pool 15 minutes after application of the product.
- Ensure that water quality conditions are maintained for the successful use of the product.

Gallons of Water	Initial Treatment	Maintenance Dose
20,000	51.2 ounces	12.8 ounces
25,000	64.0 ounces	16.0 ounces
30,000	76.8 ounces	19.2 ounces
40,000	102.4 ounces	25.6 ounces
50,000	128.0 ounces	32.0 ounces

OR

(Usage chart for one-quart containers)

Gallons of Water	Initial Treatment	Maintenance Dose
5,000	12.8 ounce	3.2 ounces
10,000	25.6 ounces	6.4 ounces
12,250	32.0 ounces	8.0 ounces

How to measure the gallon capacity of your pool:
Measure Length (L), Width (W) and average Depth (D) in feet.
For Square or Rectangular Pools: L x W x D x 7.5 = gallons
For Circular or Elliptical Pools: L x W x D x 5.9 = gallons

FOR WINTERIZING POOLS BEFORE FREEZING

This product aids in the prevention of algae in swimming pools during the winter months, when the pool is out of service. This product may be used in pools sanitized with chlorine or bromine. Test the water and adjust to the proper levels. After pool is no longer in use, super-chlorinate, using a recommended winter shock treatment, according to label directions. Allow pump to circulate for several hours or overnight. Add winterizing algicide directly to pool water, walking around the pool, so that it is evenly distributed. Use at the rate of 32 ounces (4 ppm) per 6,250 gallons or ratio thereof. Allow water to circulate for 2-4 few hours. Clean pool water line, shut down filter, drain pump, and winterize as per manufacturer's instructions. Cover with a solid cover if possible. Pools without a solid cover may need a second treatment later in the non-swimming season.

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(Note to reviewer: The title and first statement of this section must appear on every label, followed by the appropriate Storage and Disposal section.)

STORAGE AND DISPOSAL

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

(FOR USE ON NON-REFILLABLE CONTAINERS WITH WITH INSTITUTIONAL/COMMERCIAL/INDUSTRIAL NON-PUBLIC HEALTH USES ONLY)

PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. Do not reuse empty container. If a leaky container must be contained within another, mark the outer container to identify the contents. Store pesticides away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Keep this product under locked storage sufficient to make it inaccessible to children or persons unfamiliar with its proper use.

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 DISPOSAL: Non-refillable container. Do not reuse this container to hold materials other than pesticides or diluted pesticides (rinsate). Offer for recycling if available or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities. If rinsate cannot be used, follow pesticide disposal instructions. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state and federal regulations.

RESIDUE REMOVAL INSTRUCTIONS *(For containers less than 5 gallons):* Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain 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 this procedure two more times.

RESIDUE REMOVAL INSTRUCTIONS *(For containers greater than 5 gallons):* Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the 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 it 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 for later use or disposal. Repeat this procedure two more times.

BATCH CODE: *(Can be placed on container or label)*

(FOR USE ON REFILLABLE CONTAINERS - 5 gallon and 55 gallon containers)

PESTICIDE STORAGE: Open dumping is prohibited. Store only in original container. If a leaky container must be contained within another, mark the outer container to identify the contents. Store pesticides away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Keep this product under locked storage sufficient to make it inaccessible to children or persons unfamiliar with its proper use.

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 DISPOSAL: Triple rinse (or equivalent). Refill this container with this product only. Do not reuse this container for any other purpose.

RESIDUE REMOVAL INSTRUCTIONS *(For containers greater than 5 gallons with Industrial/Commercial Non-public Health Uses):* Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Empty remaining contents into application equipment or a mix tank. Fill the 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 it 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.