

45309-54

03/06/2008

1/12



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

MAR 6 2008

Mr. Mark Jerrigan
Federal Registration Manager
Aqua Clear industries, LLC
P.O. Box 2456
Suwanee, GA 30024

Subject: **Aqua Clear Winter Algaecide**
EPA Registration Number 45309-54
Letter Dated December 10, 2007
EPA received Date December 12, 2007

Dear Mr. Jerrigan:

The following label revisions submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable with the following comments.

Proposed Amendment:

- Add optional use claims
- Add optional simplified use direction
- Add language required by the Pesticide Container Rule under Storage and Disposal

Conditions

Revise the label as follows:

1. On pages 6 and 9, the use dilution rates, 3.3 oz per 2500 gallons of water and 5.2 per 4000 gallons of water, must be revised to state "2.2 oz/2500 gallons of water" and "5.2/4000 gallons water" so that the parts per million is equivalent to 2.
2. On page 7, revise the Winterization Use dilution rates to read as follows: "[64 oz per 25,000 gallons] {or} [32 oz per 12,500 gallons]. {or} [16 oz per 6,250 gallons]."
3. Even though page 8 is to be an all inclusive simplified use directions, the instructions must be consistent with the text on pages 3 and 5 for Initial Application by including the sections "Important Notes" and **Conclusions Begin.** In addition, you also need to

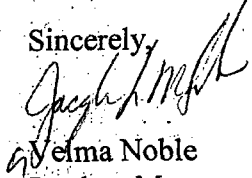
SYMBOL								
SURNAME								
DATE								

include language regarding the presence of algae as well as the parts per million activity in the water.

A stamped copy of the acceptable labeling is enclosed. Submit one (1) copy of your final printed labeling before distributing or selling the product bearing the revised labeling.

Should you have any questions or comments concerning this letter, please contact Drusilla Copeland at (703) 308-6224 or Velma Noble at (703) 308-6233.

Sincerely,



Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobials Division (7510P)

Enclosure: Stamped Label

CONCURRENCES

SYMBOL								
SURNAME								
DATE								

{All text in brackets [xxx] is optional and may or may not be included on a final label.}
{All text in braces {xxx} is administrative and will not appear on a final label.}

AQUA CLEAR WINTER ALGAECIDE

[What?] {For use on front panel of label as a header above/beside product name.}

[Why?] {For use on front panel of label as a header above/beside marketing statements chosen from accepted label text that relates to the consumer features and benefits of product.}

{Optional marketing statements that may be used with swimming pool algaecide}

[For all Gunitite and Vinyl Lined Pools]

[Prevents algae]

[[Prevents] [controls] green and blue-green colored algae]

[Prevents and controls algae]

[Suitable for all pool types]

[Weekly use prevents algae growth]

[Concentrated formula compared to [standard] 10% [algaecide] {or} [algicide]]

[A swimming pool [algaecide] {or} [algicide]]

[Economical 20% algae preventative]

[[Green] [and] [blue-green] Algae control for above ground pools]

[[Green] [and] [blue-green] Algae control for in-ground pools]

[Keeps water clear and free of visible [green] [blue-green] algae]

[Use full strength]

[Twice as concentrated as [ordinary] 10% algaecide]

[1/2 gallon of 20% [algaecide] {or} [algicide] treats the same amount of pool water as 1 gallon of 10%]

[Concentrated Formula]

[algaecide] {or} [algicide]]

[Suitable for opening pools]

[Can be used in salt pools]

[Compatible with salt pools]

[When?] {For use on front panel of label as a header above/beside text chosen from accepted label text that relates to the consumer anticipated frequency of product use.}

[Use weekly]

[Weekly use]

[Use once a week]

[1X a week]

{The "Pool Essentials System" box below may be placed on the label to allow easy product category identification by consumers.}

Pool Essentials System	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
	balance	chlorinate	shock	algaecide

ACCEPTED
with COMMENTS
in EPA Letter Dated:

MAR 6 2008
Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.
45309-54

{The following must appear on front panel for swimming pool algaecide for small volume pools}
[Use only with pools that have a water re-circulating system (pump) and filter] *{Note: This statement will always appear on the front panel when directions for small volume pools is used on label.}*

[Suitable for pools under 5,000 gallons]

[For use in pools under 5,000 gallons]

[Prevents algae]

[[Prevents] [controls] green and blue-green colored algae]

[Prevents and controls algae]

[Suitable for all pool types]

[Weekly use prevents algae growth]

[Concentrated formula compared to [standard] 10% [algaecide] {or} [algicide]]

[A swimming pool [algaecide] {or} [algicide]]

[Economical 20% algae preventative]

[[Green] [and] [blue-green] Algae control for above ground pools]

[Keeps water clear and free of visible [green] [blue-green] algae]

[Use full strength]

[Twice as concentrated as [ordinary] 10% algaecide]

[algaecide] {or} [algicide]]

[Use weekly]

[Weekly use]

{Optional marketing statements that may be used with winter algaecide}

[For Control of Algae in Swimming Pools]

[Winter Algae Preventative]

[Helps Control Green Water due to Algae]

[Reduces growth of green and blue-green algae in pools over the winter months]

[For all Gunitite and Vinyl Lined Pools]

[Reduces growth of green algae in pools during the winter]

[Suitable for closing pools]

ACTIVE INGREDIENT:

Alkyl (50% C₁₄, 40% C₁₂, 10% C₁₆)

Dimethyl Benzyl Ammonium Chloride

20.0%

OTHER INGREDIENT:

80.0%

TOTAL INGREDIENTS:

100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

See [back] [side] panel for First Aid and additional precautionary statements.

MANUFACTURED FOR:

AQUA CLEAR INDUSTRIES, LLC.

P.O. BOX 2456

SUWANEE, GEORGIA 30024

EPA REG. # 45309-54

EPA EST. # 5185-GA-1

NET CONTENTS: *{as indicated on container}*

{Directions to be used for swimming pool algaecide}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] {or} [This product] efficiently and economically reduces green and blue-green algae [growth] in pools. It will not harm pool surfaces or equipment.

IMPORTANT NOTES:

1. Always apply this and other pool treatment chemicals separately, never combine them.
2. When using other products as outlined in directions for this product, always follow directions on those products.
3. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate of chlorine loss. Always maintain residual chlorine level between 1-3 ppm.
4. This product may foam and therefore should not be used for spa treatment or in pools with attached spas or jetted returns.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

BEFORE YOU BEGIN:

1. Ensure all pool equipment is working properly. Clean or backwash the filter following manufacturer's directions.
2. Adjust stabilizer levels to 30-50 ppm by adding Stabilizer.
3. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Adjust alkalinity to 80-125 ppm for plaster pools, 125-150 ppm for vinyl or fiberglass pools by adding an alkalinity increaser. Adjust pH to 7.2 - 7.6 by adding a pH decreaser to lower pH, or by adding a pH increaser to raise pH. Adjust calcium hardness to 200-275 ppm for plaster pools, 175-225 ppm for vinyl or fiberglass pools by adding a calcium hardness increaser.
4. Check and adjust residual chlorine level to desirable range of 1-3 ppm.

NOW USE THIS PRODUCT:

Initial Application/Start Up Dose:

- [1.] For initial application, [or when visible algae is present,] add [13 fluid ounces per 10,000 gallons], {or} [6.5 fluid ounces per 5,000 gallons] of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 2 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.
- [2. If necessary, the next day, brush dead algae off pool surfaces so it can be filtered away. Repeat step 1 to remove additional algae.]

Maintenance Application:

To prevent algae growth add this product every 5-7 days or after heavy rain at a rate of [3 fluid ounces per 10,000 gallons], {or} [1.5 fluid ounces per 5,000 gallons], of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 0.5 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.

{Following chart is optional. All or some of the swimming pool capacities may be incorporated.}

Swimming Pool Capacity	Initial Treatment	Weekly Maintenance Dose
Gallons of Water		
5,000	6.5 fl. oz.	1.5 fl. oz.
10,000	13 fl. oz.	3 fl. oz.
20,000	26 fl. oz.	6 fl. oz.
25,000	32.5 fl. oz.	7.5 fl. oz.
30,000	39 fl. oz.	9 fl. oz.

{Directions to be used for swimming pool algaecide for small volume pools}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] {or} [This product] efficiently and economically reduces green and blue-green algae [growth] in smaller volume pools. It will not harm pool surfaces or equipment.

IMPORTANT NOTES:

1. Use only with pools that have a water re-circulating system (pump) and filter.
2. Always apply this and other pool treatment chemicals separately, never combine them.
3. When using other products as outlined in directions for this product, always follow directions on those products.
4. If you use a measuring spoon, use a clean, dedicated spoon to dose the appropriate amount of product into the pool. Keep the dosage spoon stored out of reach of children.
5. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate of chlorine loss. Always maintain residual chlorine level between 1-3 ppm.
6. This product may foam and therefore should not be used for spa treatment or in pools with jetted returns.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

BEFORE YOU BEGIN:

1. Ensure all pool equipment is working properly. Clean or backwash the filter following manufacturer's directions.
2. Adjust stabilizer levels to 30-50 ppm by adding Stabilizer.
3. Check water alkalinity, pH and calcium hardness with a test kit or test strip. Adjust alkalinity to 125-150 ppm by adding an alkalinity increaser. Adjust pH to 7.2 - 7.6 by adding a pH decreaser to lower pH, or by adding a pH increaser to raise pH. Adjust calcium hardness to 175-225 ppm by adding a calcium hardness increaser.
4. Check and adjust residual chlorine level to desirable range of 1-3 ppm.

NOW USE THIS PRODUCT:

Initial Application/Start Up Dose:

- [1.] For initial application, [or when visible algae is present,] add 1.3 fluid ounces (2½ tablespoons) per 1,000 gallons of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 2 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.
- [2.] If necessary, the next day, brush dead algae off pool surfaces so it can be filtered away. Repeat step 1 to remove additional algae.]

Maintenance Application:

To prevent algae growth add this product every 5-7 days or after heavy rain at a rate of 0.3 fluid ounces (2 teaspoons) per 1,000 gallons of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 0.5 ppm active ingredient in the water. With pump on, wait at least 15 minutes after application before entering pool.

{Following chart is optional. All or some of the swimming pool capacities may be incorporated.}

Swimming Pool Capacity	Initial Treatment	Weekly Maintenance Dose
Gallons of Water		
250	0.3 fl. oz. (2 teaspoons)	0.075 fl. oz. (½ teaspoon)
500	0.7 fl. oz. (4 teaspoons)	0.15 fl. oz. (1 teaspoon)
1,000	1.3 fl. oz. (2½ tablespoons)	0.3 fl. oz. (2 teaspoons)
1,500	2.0 fl. oz.	0.45 fl. oz. (1 tablespoon)
2,000	2.6 fl. oz.	0.6 fl. oz. (4 teaspoons)
2,500	3.3 fl. oz.	0.75 fl. oz. (5 teaspoons)
3,000	4.0 fl. oz.	0.9 fl. oz. (2 tablespoons)
4,000	5.0 fl. oz.	1.2 fl. oz. (2⅔ tablespoons)

{Directions to be used for swimming pool winter algaecide}

WHY TO USE THIS PRODUCT: [Aqua Clear Winter Algaecide] *{or}* [This product] is an efficient and economical way to prevent green and blue-green algae in swimming pools during the winter months, when the pool is not in use.

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.

For best results, the pool should be free of algae before adding [Aqua Clear Winter Algaecide] *{or}* [this product] and a solid or close mesh cover should be used to keep debris from accumulating in the pool.

Add [Aqua Clear Winter Algaecide] *{or}* [this product] at the rate of [(1) half (1/2) gallon per 25,000 gallons] *{or}* [(1) quart per 12,500 gallons] *{or}* [(1) pint per 6,250 gallons] of pool water by pouring this product directly into the water along the edge of the pool (in deep area if present). This will provide 4 ppm active ingredient in the water. This will help control algae growth over the winter months and make for easier clean-up in the spring.

Make sure the pump is on and circulating water at the time of algaecide addition. Allow pump to operate three (3) to six (6) hours after adding algaecide. Then cover the pool. For proper winterization of swimming pool equipment, refer to manufacturers instructions.

To reopen pool in the spring, follow start up procedures for your pool's equipment operations and chemical treatment program.

{Simplified use directions covering product use as a swimming pool algaecide (both regular and small volume pools) and for a swimming pool winter algaecide (to close pool).}

[How?]

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

- Test and balance water before using this product. Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool balancing instructions.

[Start-up] {or} [Start-up/Opening]:

- Add [13 fluid ounces per 10,000 gallons] {or} [6.5 fluid ounces per 5,000 gallons] {or} [add 1.3 fluid ounces (2½ tablespoons) per 1,000 gallons] along pool edges while filter and pump are operating for the first week's application, then follow Once a Week directions.

Once a Week:

- Add [3 fluid ounces per 10,000 gallons] {or} [1.5 fluid ounces per 5,000 gallons] {or} [0.3 fluid ounces (2 teaspoons) per 1,000 gallons] along pool edges while filter and pump are operating.
- Use only with pools that have a water re-circulating system (pump) and filter.
- Apply more often after heavy rain, frequent backwashing or partial drain/refill.
- Wait at least 15 minutes after adding product before entering the pool.
- This product may foam; do not use in spas, pools with attached spas, or water features.

{The following is optional text to be used at BioLab's discretion with closing swimming pool use directions.}

To Close Pools:

- Add 32 fluid ounces per 12,500 gallons {or} [16 fluid ounces per 6,250] along pool edges and allow filter and pump to operate for 2-4 hours.
- [Visit [the Aqua Chem Web Site] {or} [www.aquachem.com] {or} [the Pool Time website] {or} [www.pooltime.com] for complete pool closing instructions.]]

{Following chart is optional. All or some of the swimming pool capacities may be incorporated.}

Swimming Pool Capacity Gallons of Water	Initial Treatment	Weekly Maintenance Dose
250	0.3 fl. oz. (2 teaspoons)	0.075 fl. oz. (½ teaspoon)
500	0.7 fl. oz. (4 teaspoons)	0.15 fl. oz. (1 teaspoon)
1,000	1.3 fl. oz. (2½ tablespoons)	0.3 fl. oz. (2 teaspoons)
1,500	2.0 fl. oz.	0.45 fl. oz. (1 tablespoon)
2,000	2.6 fl. oz.	0.6 fl. oz. (4 teaspoons)
2,500	3.3 fl. oz.	0.75 fl. oz. (5 teaspoons)
3,000	4.0 fl. oz.	0.9 fl. oz. (2 tablespoons)
4,000	5.0 fl. oz.	1.2 fl. oz. (2⅔ tablespoons)

STORAGE AND DISPOSAL: Keep this product tightly closed in original container when not in use. Store in a cool, dry, well ventilated locked area away from heat or open flame. **CONTAINER DISPOSAL:** Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS KEEP OUT OF REACH OF CHILDREN. DANGER: Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Wear goggles or safety glasses and rubber gloves and protective clothing when handling this product. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 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 the 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. **[IN CASE OF MEDICAL EMERGENCY, CALL [1-303-623-5716] [1-877-800-5553] [telephone number supplied by supplemental registrant].]**

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

PHYSICAL OR CHEMICAL HAZARDS: Do not mix with other chemicals.

ENVIRONMENTAL HAZARDS This pesticide is toxic to fish and aquatic organisms.

NOTE: Buyer assumes all responsibility for safety and use not in accordance with directions.