

45309-55

2-21-2003

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

FEB 21 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mark Jernigan
Federal Registration Manager
Aqua-Clear Industries, Inc.
P.O. Box 1489
Decatur, GA 30031

Subject: Aqua-Clear Winter Algaecide 5
EPA Registration No. 45309-55
Application Date: November 18, 2002
EPA Received Date: November 25, 2002

Dear Mr. Jernigan:

The following amendment, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the conditions listed below.

Proposed Amendment

- Update First Aid Statements per PR Notice 2001-1
- Revise Storage and Disposal Statements
- Addition of optional marketing statements
- Addition of alternate dosage rates for gallon, quart, and pint sizes and directions based on fluid ounces that could be used with any size container
- Addition of Physical or Chemical Hazard Statement
- Revision of the Hazards to Humans and Domestic Animals (Precautionary)
- Minor label changes
- Addition of alternate active ingredient source and dye for Basic and Alternative Formulation

Conditions

Revise the label as follows:

1. On page three, revise the Precautionary Statements by changing the statement "Wear goggles or safety glasses and rubber gloves..." to read "Wear goggles or safety glasses. *protective clothing* and rubber gloves..."

2. Delete the "For any size" use solution directions. The Agency feels that this use dilution is impractical for consumers to calculate when most, if not all, swimming pools contain 2500 gallons or more of water. If you would like to maintain the above directions, you must submit a justification as to how/why these directions are practical for use in swimming pools.
3. Since this product is marketed in containers of one gallon or less, delete the Environmental Hazards statement for end-use products in containers equal to or greater than 5 gallons.

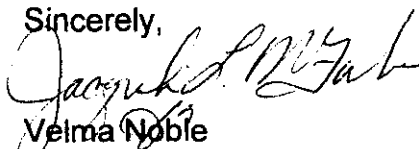
General Comments

The Confidential Statement of Formula dated November 18, 2002 is acceptable. It is in compliance with PR Notice 91-2 and in agreement with the label.

A stamped copy of the labeling accepted with conditions 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 me at 703-308-6233.

Sincerely,



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

{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 5

[CONTROLS GROWTH OF ALGAE IN SWIMMING POOLS]
[SWIMMING POOL ALGAECIDE]
[FOR CONTROL OF ALGAE IN SWIMMING POOLS]

ACTIVE INGREDIENT:

Alkyl (50% C₁₄, 40% C₁₂, 10% C₁₆)

Dimethyl Benzyl Ammonium Chloride

5.0%

OTHER INGREDIENT:

95.0%

TOTAL INGREDIENTS:

100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER

See [back] [side] panel for additional precautionary statements.

MANUFACTURED FOR:
AQUA CLEAR INDUSTRIES, INC.
P.O. BOX 1489
DECATUR, GEORGIA

EPA REG. # 45309-55
EPA EST. #5185-CAN-1

NET CONTENTS:

ACCEPTED
with COMMENTS
in EPA Letter Dated:
FEB 21 2003

Under the Federal Insecticide
Fungicide, and Rodenticide Act as
amended and as authorized,
registered under EPA Reg. No.

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WINTER ALGAECIDE 5

- Is the efficient and economical way to improve the appearance and cleanliness of your pool.
- Requires no special equipment for treating water.
- May be added directly to the pool or to the water circulating equipment.

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.

[Aqua Clear Winter Algaecide 5] *{or}* [This product] is effective in controlling the growth of the following types of algae: *Chlorella pyreoidosa* (green algae), *Phormidium inundatum* (blue-green algae), and *Phormidium ritzii*.

For best results, pool water should be free of algae before adding this product. The filter should be circulating the pool water when adding this product. Allow the filter to run for at least six (6) hours after adding this product. Wait at least 15 minutes after application before entering pool. Add this product directly to the pool by pouring around entire inside perimeter of pool.

{For gallon bottles}

[Initial Application: (Original filling or when algae are not visible): Add one (1) gallon of this product per 25,000 gallons pool water (2 ppm active ingredient). If algae are visible, use one (1) gallon of this product per 6,250 gallons of pool water (8 ppm active ingredient), followed by cleaning out of dead, settled algae. Then add one (1) gallon of this product per 25,000 gallons of pool water immediately (2 ppm active ingredient) to prevent further algae growth.

Continuing Application: Add one (1) quart of this product per 25,000 gallons of pool water every three to five days.

Booster Applications: Add one (1) gallon of this product per 25,000 gallons of pool water when bather load is heavy or after prolonged rainfall.]

{For quart bottles}

[Initial Application: (Original filling or when algae are not visible): Add one (1) quart of this product per 6,250 gallons pool water (2 ppm active ingredient). If algae are visible, use one (1) quart of this product per 1,560 gallons of pool water (8 ppm active ingredient), followed by cleaning out of dead, settled algae. Then add one (1) quart of this product per 6,250 gallons of pool water immediately (2 ppm active ingredient) to prevent further algae growth.

Continuing Application: Add one (1) quart of this product per 25,000 gallons of pool water every three to five days.

Booster Applications: Add one (1) quart of this product per 6,250 gallons of pool water when bather load is heavy or after prolonged rainfall.]

ACCEPTED
with COMMENTS
in EPA Letter Dated:
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Under the Federal Insecticide,
Fungicide and Rodenticide Act as
amended for Fungicide,
registered under EPA Reg. No. 45309-55

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{For pint bottles}

[Initial Application: (Original filling or when algae are not visible): Add one (1) pint of this product per 3,125 gallons pool water (2 ppm active ingredient). If algae are visible, use one (1) pint of this product per 780 gallons of pool water (8 ppm active ingredient), followed by cleaning out of dead, settled algae. Then add one (1) pint of this product per 3,125 gallons pool water immediately (2 ppm active ingredient) to prevent further algae growth.

Continuing Application: Add one (1) pint of this product per 12,500 gallons of pool water every three to five days.

Booster Applications: Add one (1) pint of this product per 3,125 gallons of pool water when bather load is heavy or after prolonged rainfall.]

{For any size}

[Initial Application: (Original filling or when algae are not visible): Add two (2) fluid ounces of this product per 400 gallons pool water (2 ppm active ingredient). If algae are visible, use eight (8) fluid ounces of this product per 400 gallons of pool water (8 ppm active ingredient), followed by cleaning out of dead, settled algae. Then add two (2) fluid ounces of this product per 400 gallons pool water immediately (2 ppm active ingredient) to prevent further algae growth.

Continuing Application: Add one (1) fluid ounce of this product per 800 gallons of pool water every three to five days.

Booster Applications: Add two (2) fluid ounces of this product per 400 gallons of pool water when bather load is heavy or after prolonged rainfall.]

STORAGE AND DISPOSAL Keep this product in original tightly closed container when not in use. Store in a cool, dry, well ventilated area away from heat or open flame. **CONTAINER DISPOSAL:** Do not reuse container, but place in trash collection. Rinse thoroughly before discarding in trash.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: 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 when handling this product. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

FIRST AID: 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 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.

ACCEPTED
with COMMENTS
in EPA Letter Dated:

FEB 21 2003

Under the authority of the Administrator
For the Regional Administrator
EPA Region 5
Chicago, Illinois

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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 statement for end-use products in containers of less than 5 gallons (liquid)}

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

{Environmental hazards statement for end-use products in containers of equal to or greater than 5 gallons (liquid).}

[ENVIRONMENTAL HAZARDS: This pesticide 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.]

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