

48520-16

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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WASHINGTON, D.C. 20460

AUG 3 1 2010

Jennifer Hatler
Phoenix Product Company
55 Container Drive
Terryville, CT 06786

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Subject: Poly 50
EPA Registration Number: 48520-16
Application Date: May 26, 2010
Receipt Date: June 3, 2010

Dear Ms. Hatler:

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

Proposed Amendment:

- Label Amendment: Update First Aid, Directions for Use, and Container Disposal Statements per PR Notice 2007-4

Conditions

Revise your label as follows:

- 1.) Move Ingredients Statement to appear immediately after the product name.
- 2.) PR Notice 2005-1, Guidance for Mandatory and Advisory Labeling Statements, states that: "**Mandatory statements**, which commonly use imperative verbs such as "must" or shall," either require action or prohibit the user from taking certain action. **Advisory statements** generally provide information, either in support of mandatory statements or about the product in general. **To ensure that the intent of each labeling statement is clear, mandatory statements need to be clearly distinguishable from advisory statements.**" Therefore, you must revise the "Directions for Use" by deleting the terms, "should" and replace with "must."
- 3.) Revise the "Directions for Use" by adding the subheading "Maintenance Dose" where the sentence begins with "Subsequent additions..." on page 2.
- 4.) Add the heading, "Winterizing Directions," to precede the winter/off-season directions on page 3.

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

4) Revise the "Storage and Disposal" statements on page 3 to read as follows:

(Residential)

Storage and Disposal

Keep container in closed when not in use. Store in an area inaccessible to children and persons unfamiliar with its use. Leaking or damaged containers must be placed in a plastic bag and discarded in the trash. Mop up spills with clear water. Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If not, discard in trash.

(Nonresidential)

Storage and Disposal

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

Pesticide Storage: Keep container in closed when not in use. Store in an area inaccessible to children and persons unfamiliar with its use. Leaking or damaged containers must be placed in a plastic bag and discarded in the trash. Mop up spills with clear water.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

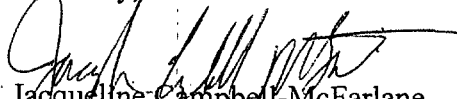
Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Offer for recycling or reconditioning if available. If not puncture and dispose of container in a sanitary landfill or by procedures approved by state and local authorities.

General Comments:

A stamped label with conditions is enclosed for your records. Submit a copy of your final printed label before distributing or selling the product bearing the revised labeling.

If you have questions concerning this letter, then please contact me by telephone at (703) 308-6416 or by e-mail at campbell-mcfarlane.jacqueline@epa.gov or Killian Swift by telephone at (703) 308-6346 or by email at swift.killian@epa.gov. When you are submitting information or data in response to this letter, send copy of this letter to accompany the submission to facilitate processing.

Sincerely,



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

Enclosure: EPA stamped label

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



(Comments in { } are for labeling and review purposes. [] statements are optional)

POLY-50

[ALGAECIDE]
[(Wide Spectrum)]

KEEP OUT OF REACH OF CHILDREN CAUTION

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

FIRST AID

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

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 further 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.

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 further treatment advice.

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

[24-hour Emergency Hotline for Technical Assistance and MSDS
1-800-633-8253]

ACCEPTED
with COMMENTS
in EPA Letter Dated:

AUG 31 2010

ACTIVE INGREDIENT:

Polyoxyethylene(dimethyliminio)ethylene (dimethyliminio)ethylene dichloride	50.0%
INERT INGREDIENTS	50.0%
TOTAL	100.0%

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No. 48520-16

This product contains 4.67 lb. of active ingredient per gallon and weighs 9.35 lb. per gallon.

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Under the Federal Insecticide,
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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Harmful if swallowed. Avoid breathing vapors. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS:

{If 50lbs or less, use the following statement}

This pesticide is toxic to fish and aquatic organisms.

{If over 50lbs, use the following statement}

This pesticide is toxic to fish and aquatic organisms. Do not contaminate water by cleaning of equipment or disposal of waste. 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 Systems (NPDES), permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority.

For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

POLY-50 is used to control the growth of algae in swimming pools, exterior spas, whirlpools, hot tubs, decorative fountains, and ponds that do not contain fish. For maximum effectiveness pools, spas, whirlpools, hot tubs, decorative fountains, and ponds containing heavy growth of algae should be shocked and cleaned prior to using **POLY-50**.

For pools having just visible algae growth add an initial dose of 13.5 to 21 fluid ounces of **POLY-50** per 10,000 gallons of water and remove settled algae. For treatment of freshly cleaned and filled pools add initially 7.4 to 13.5 fluid ounces of **POLY-50** per 10,000 gallons of water. Subsequent additions of 2.5 to 4.9 fluid ounces of **POLY-50** per 10,000 gallons of water should be made every 5 to 7 days after initial treatment for maintenance.

Spas, whirlpools, hot tubs, decorative fountains and ponds having just visible algae growth require an initial dose of 1 to 2 fluid ounces of **POLY-50** per 1,000 gallons of water. For treatment of a freshly cleaned and filled spa, whirlpool, hot tub, decorative fountain or pond, add initially 0.7 to 1.3 fluid ounces of **POLY-50**

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per 1,000 gallons of water. Subsequent additions of 0.3 to 0.5 fluid ounces of **POLY-50** per 1,000 gallons of water should be made every 5 to 7 days after initial treatment for maintenance.

{Optional winter and off-season Directions for Use}

[POLY-50 will prevent growth of most algae during the off-season winter months when pools are not in use. For pools which have been properly treated during the swimming season and are free of visible algae, add 6 to 10 fluid ounces of **POLY-50** per 10,000 gallons of water. If at the end of swimming season pools have some visible algae growth, add 12 to 17 fluid ounces per 10,000 gallons. It is necessary that a uniform distribution of algacide throughout the water and the pool be made for maximum effectiveness. If pool is not covered, it may be necessary to repeat the treatment one or more times during the season.]

POLY-50 is compatible with those chemicals normally used to treat pools and spas and is effective at both acid and alkaline pH. **POLY-50** can be used in pools and spas treated with chlorine chemicals and may reduce the amount of these chemicals normally required. However, do not mix **POLY-50** with concentrated dry or liquid chlorine products.

STORAGE AND DISPOSAL:

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

PESTICIDE STORAGE: Keep container closed when not in use. Leaking or damaged containers should be placed in a plastic bag and discarded in trash. Mop up spills with clear water. All pesticides should be kept out of reach of children and stored away from food.

{for non-residential and bulk shipments}

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 this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying.

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