

54998-4

05/27/2004

1/5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460



OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

May 27, 2004

Debi Evans  
Purchasing Agent  
**Capo Industries Ltd.**  
c/o A. Duie Pyle Warehouse  
4087 Lower Valley Road  
Parkesburg, PA 19365

Subject: **Formula 500**  
EPA Registration Number 54998-4  
Application dated April 20, 2004

Dear Ms. Evans:

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

**Proposed Notification:**

- Add optional marketing statements
  - Non Foaming
  - Aids Pool Clarity
  - May reduce chlorine demand

**General Comment:**

Based on a review of the material submitted, the following comment apply.

The Agency accepted the following optional marketing statement "Non Foaming and Aids pool clarity" on June 3, 2003. With respect to the statement "May Reduce Chlorine Demand" the Agency has reconsidered its previous conclusion. Since the statement has been accepted on other similar products, the Agency will accept the statement for the above subject product.

The notification is acceptable. A copy of the notification has been inserted in your file for future reference.

CONCURRENCES

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

Should you have any questions concerning this letter, please contact me at (703) 308-6422 or Renae Whitaker at (703) 308-7003.

Sincerely,

*Renae Whitaker*

Adam Heyward  
Product Manager 34  
Regulatory Management Branch II  
Antimicrobials Division (7510C)

CONCURRENCES

SYMBOL								
SURNAME								
DATE								



CAPO INDUSTRIES LTD.

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April 29, 2004

U.S. Environmental Protection Agency  
Regulatory Management Branch 2  
Antimicrobials Division (7510C)  
1921 Jefferson Davis Highway  
Crystal Mall 2  
Arlington, VA  
22202

Attention: Adam Heyward (PM-34)

Please find attached a Notification of Optional Marketing Statements for our currently-registered Product "Formula 500" (Reg. No. 54998-4).

The statements we wish to add are:

- Non Foaming
- Aids Pool Clarity
- May reduce chlorine demand

Yours truly,

A handwritten signature in black ink, appearing to read "Debi Evans".

Debi Evans

Encl.  
DE/ms



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 54998-4	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
Company/Product (Name) Formula 500	PMS 34	
Name and Address of Applicant (Include ZIP Code) Capo Industries Ltd. 1200 Corporate Drive Burlington, Ontario Canada L7L 5R6 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), 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.

Exemption: Use additional page(s) if necessary. (For section I and Section II.)  
**NOTIFICATION OF OPTIONAL MARKETING STATEMENTS PER PR NOTICE 98-10**

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labelling 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. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 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.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

1. Location of Net Contents Information  
 Label  Container

4. Size(s) Retail Container

5. Location of Label Directions

3. Manner in Which Label is Affixed to Product  
 Lithograph  
 Paper glued  
 Stenciled  Other \_\_\_\_\_

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Debi Evans	Title Purchasing Agent	Telephone No. (Include Area Code) 905-332-6626
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**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.

2. Signature 	3. Title Purchasing Agent	6. Date Application Received (Stamped)
4. Typed Name Debi Evans	5. Date April 29, 2004	

5 oz.

# Formula 500

## NON-METALLIC ALGAEICIDE

10 oz.

15 oz.

20 oz.

25 oz.

30 oz.

- Non Foaming
- Aids Pool Clarity
- May Reduce chlorine demand

**ACTIVE INGREDIENTS:**  
 Poly (Oxyethylene Dimethylamine) ..... 49%  
 Ethylene Dimethylamine Ethylene Dichloride ..... 50%  
**INERT INGREDIENTS** ..... 1%

This product contains 3.05 lb. of active ingredient per gallon and weighs 9.12 lb. per gallon.

KEEP OUT OF REACH OF CHILDREN  
**CAUTION**  
 SEE BACK PANEL FOR PRECAUTIONARY STATEMENTS

EPA REG. NO. 5499R-4

EPA EST. NO. 50837-CN-001

**NET CONTENTS**  
**32 fl. oz.**

SHAKE WELL BEFORE USING

READ LABEL BEFORE USING

**CAPO** CAPO INDUSTRIES LTD.  
 1200 Corporate Drive, Richardson, Texas 75081 MADE IN CANADA

### FORMULA 500

PRECAUTIONARY STATEMENTS  
 HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Harmful if swallowed. Avoid breathing vapors. Avoid contact with skin. Wash thoroughly with soap and water after handling.

FIRST AID	
<b>If in Eyes:</b>	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 poison control center or doctor for further treatment advice.
<b>If on Skin, Clothes:</b>	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.
<b>If Ingested:</b>	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.
<b>If Inhaled:</b>	Move person to fresh air. If person is not breathing, call 911 or the nearest poison control center for respiration, preferably by mouth-to-mouth, if possible. Call a poison control center for further treatment advice.

**ENVIRONMENTAL HAZARDS:** This pesticide is toxic to fish and aquatic organisms. Do not discharge into streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the receiving water body has been determined to be receiving the discharge. Do not discharge effluent containing this pesticide into navigable waters without previously notifying the sewage treatment plant authority. For guidance contact your state Water Pollution Regional Office of the EPA.

**STORAGE AND DISPOSAL:** Do not contaminate water, food, or feed by storage or disposal. Pesticide containers should not be reused. Leaking or damaged containers should be placed in a plastic bag and disposed of in a sanitary manner with other waste. All pesticides should be kept out of reach of children and away from food.

**DIRECTIONS FOR USE:** It is a violation of Federal law to use this product in a manner inconsistent with its labeling. FORMULA 500 is used to control the growth of algae in swimming pools, exterior fountains, hot tubs, and decorative fountains that do not contain fish. For maximum effectiveness, apply this product to clean, clear water. In decorative fountains containing heavy growth of algae should be cleared first by hand.

For pools having just visible algae growth add an initial dose of 16 to 27 fluid ounces of FORMULA 500 per 10,000 gallons of water and remove settled algae debris by cleaning. For hot tubs, whirlpools, and spas, add 10 to 16 fluid ounces of FORMULA 500 per 10,000 gallons of water. For decorative fountains, add 2 to 3 fluid ounces of FORMULA 500 per 1,000 gallons of water. Subsequent additions of 3.5 to 7 fluid ounces of FORMULA 500 per 10,000 gallons of water should be made every 7 days after initial treatment for maintenance. Spas, whirlpools, hot tubs and decorative fountains with visible algae growth require an initial dose of 2 to 3 fluid ounces of FORMULA 500 per 1,000 gallons of water. For treatment of a freshly cleaned and filled spa, whirlpool, hot tub, or decorative fountain, add 2 to 3 fluid ounces of FORMULA 500 per 1,000 gallons of water. Subsequent additions of 3.5 to 7 fluid ounces of FORMULA 500 should be made every 7 days after initial treatment for maintenance. FORMULA 500 will prevent growth of most algae during the off-season winter months when pools, hot tubs, whirlpools, spas, and decorative fountains which have been properly treated during the swimming season and are not covered. However, if the pool is not covered, it may be necessary to repeat the treatment one or more times during the season.

FORMULA 500 is compatible with these chemicals normally used to treat swimming pools and decorative fountains and is effective at both acid and alkaline pH. FORMULA 500 can be used in pools, spas, and decorative fountains treated with chlorine, bromine, and may reduce the amount of these chemicals normally required. However, do not mix FORMULA 500 with concentrated dry or liquid chlorine products.

NFPA/MPCA RATING		Product Weight: 9.12 lb. (4.14 kg)
Health 1	Flammability 1	Reactivity 1
NET CONTENTS: 32 FL. OZ. (946 ml)		