

64962-1

10/30/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms Renee Dodge
Earth Science Laboratories, Inc
113 SE 22nd Street, Suite 1
Bentonville, AR 72712

OCT 30 2013

Subject: Notification for Alternate Brand Name per PRN 98-10
Submission date: 9/16/13
Product Name: Earthtec
EPA Reg. No. 64962-1
Decision Number 483913

Dear Ms Dodge:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the action(s) requested falls within the scope of PRN-98-10.

The Alternate Brand Name **EarthTec QZ** dated 9/16/13 is "acceptable" and will be placed in the regulatory file.

Note that we don't stamp sub-label with alternate brand name.

If you have questions concerning this letter, please call Banza Djapao at 703-305-7269, or via e-mail at djapao.banza@epa.gov or myself at 703-308-9443.

Sincerely,

A handwritten signature in black ink that reads "Tony Kish".

Tony Kish
Product Manager 22
Fungicide Branch
Registration Division (7504P)

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



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 64962-1	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EarthTec QZ	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Earth Science Laboratories, Inc. 113 SE 22nd Street, Suite 1, Bentonville, AR 72712 <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. 64962-1 Product Name EarthTec	

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.)

Notification of Alternate Brand Name per PR 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 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 (see attached page)

Section - III

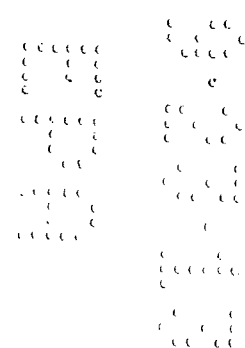
1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 30, 55, 275 gal		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input 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 Renee Dodge	Title Compliance Administrator	Telephone No. (Include Area Code) (479-271-738)
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 Compliance Administrator	
4. Typed Name Renee Dodge	5. Date September 16, 2013	

Explanation Section II Continued:

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.





clean water for the planet

4/11
9/23

Earth Science Laboratories, Inc.
113 S.E. 22nd St., Suite 1
Bentonville, Arkansas 72712

Phone 800.257.9283
Fax 479.271.7693
www.earthsciencelabs.com

September 16, 2013

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7505P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

RE: Application for Pesticide Notification (PRN 98-10)
Request for Alternate Brand Name: EarthTec QZ
EPA Reg. No. 64962-1

Dear Sir or Madam:

Earth Science Laboratories, Inc. is requesting an alternate brand label. The alternate brand name is EarthTec QZ. Information for the label will comply with Master Label EPA Reg. No. 64962-1, EarthTec, dated August 5, 2013.

Please find enclosed EPA Form 8570-1, the proposed sub-label for EarthTec QZ and a copy of the Master Label for EarthTec, EPA Reg. No. 64962-1 dated August 5, 2013.

Respectfully submitted,

Renee Dodge
Compliance Administrator

Enc.

cc: [illegible]

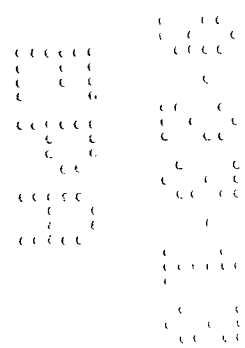
EARTHTEC QZ®
EPA REG. NO. 64962-1

Molluscicide
For Control of Quagga and Zebra Mussels

ACTIVE INGREDIENT	
Copper Sulfate Pentahydrate* (CAS No. 7758-99-8).....	19.8%
OTHER INGREDIENTS	80.2%
Total	100.0%
*Metallic Copper	5%

THIS PRODUCT WEIGHS 9.9 LB. PER GALLON - 1.188 kg/L.

NET CONTENTS: THIRTY (30) U.S. GALLONS
 FIFTY-FIVE (55) U.S. GALLONS
 TWO HUNDRED SEVENTY-FIVE (275) U.S. GALLONS



KEEP OUT OF REACH OF CHILDREN

**WARNING
AVISO**

If you do not understand this label, find someone to explain it to you in detail.
(Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.)

FIRST AID

IF IN EYES: Hold eye open and rinse slowly and gently with water for 20 minutes. Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for 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 to an unconscious person.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of soap and water for 15 to 20 minutes. Call a poison control center or doctor for treatment.

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

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact INFOTRAC 1-800-535-5053 for emergency medical treatment.

SEE ADDITIONAL PRECAUTIONARY STATEMENTS

MFG. BY:

Earth Science Laboratories, Inc.
113 SE 22nd Street, Suite 1
Bentonville, AR 72712
Phone: 800-257-9283

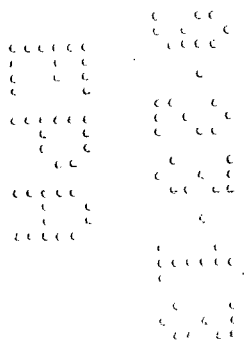
EPA REGISTRATION NO.:

64962-1

EPA ESTABLISHMENT NO.:

64962-NE-001

BATCH NO.:



PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

WARNING

Causes substantial but temporary eye injury. Harmful if swallowed. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Wear protective eyewear (goggles, face shield or safety glasses), long sleeved shirt, long pants, shoes, socks and chemical-resistant gloves made of any waterproof material. Some materials that are chemical-resistant to this product are polyvinyl chloride, polyethylene and viton. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

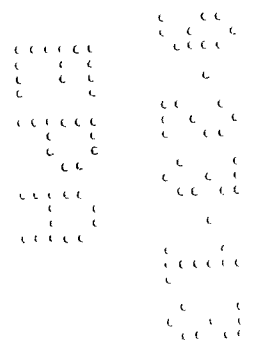
ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Waters treated with this product may be hazardous to aquatic organisms. Treatment of aquatic weeds and algae can result in oxygen loss from decomposition of dead algae and weeds. This oxygen loss can cause fish and invertebrate suffocation. To minimize this hazard, do not treat more than 1/2 of the water body to avoid depletion of oxygen due to decaying vegetation. Wait at least 14 days between treatments. Begin treatment along the shore and proceed outward in bands to allow fish to move into untreated areas. Consult with the state or local agency with primary responsibility for regulating pesticides before applying to public waters to determine if a permit is required.

Certain water conditions including low pH (≤ 6.5), low dissolved organic carbon (DOC) levels (3.0 mg/L or lower) and "soft" waters (i.e. alkalinity less than 50 mg/L) increases the potential acute toxicity to non-target aquatic organisms. The application rates on this label are appropriate for water with alkalinity greater than 50 mg/L. Do not use these application rates for water with less than 50 ppm alkalinity (e.g., soft or acid waters) because trout and other species of fish may be killed under such conditions.

Consult your local state fish and game agency before applying this product to public waters. Permits may be required before treating such waters.

For applications in waters destined for use as drinking water, those waters must receive additional and separate potable water treatment. Do not apply more than 1.0 ppm as metallic copper in these waters.



PERSONAL PROTECTIVE EQUIPMENT

USER SAFETY REQUIREMENTS

Mixers, loaders, applicators and other handlers must wear the following:

- Long-sleeved shirt
- Long pants
- Shoes plus socks
- Chemical-resistant gloves made of any waterproof material (Chemical Resistance Category A)
- Protective eyewear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

- Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.
- Wash the outside of gloves before removing.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirement specific to your state and tribe, consult the agency responsible for pesticide regulation. For use in residential pools, spas and hot tubs, do not apply this product in a way that will contact adults, children or pets.

USE INFORMATION

EarthTec QZ® is used to control quagga and zebra mussels in lakes, ponds, lagoons, reservoirs, sedimentation basins, canals and ditches.

SPECIFIC DIRECTIONS FOR USE MOLLUSCICIDE

To Control Quagga and Zebra Mussels in Lakes, Ponds, Lagoons, Reservoirs, Sedimentation Basins, Canals and Ditches: Treat mussels only as a curative measure. Treat one-half of the surface of the body of water at a time. For control of adult and juvenile mussels, apply at the rate of 1 gallon of EarthTec QZ® per 60,000 gallons of water to yield a rate of 1.0 ppm metallic copper. For the control of veligers in the larval mollusk stage, treat at the rate of 3 gallons of EarthTec QZ® per 1,000,000 gallons of water to yield a concentration of 0.18 ppm metallic copper.

APPLICATION AND HANDLING EQUIPMENT

Application, handling or storage equipment **MUST** consist of fiberglass, PVC, polypropylene, viton, corrosion resistant plastics or stainless steel. Never use mild steel, nylon, brass or copper around EarthTec QZ®. Always rinse and clean equipment thoroughly each night with plenty of fresh, clean water.

PESTICIDE STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a safe place away from pets and keep out of the reach of children. Store away from excessive heat. EarthTec QZ® will freeze. Always store EarthTec QZ® above 32 degrees F (Do Not Freeze). Freezing may cause product separation.



DO NOT FREEZE

Always keep container closed. Store EarthTec QZ® in its original container only. Keep away from galvanized pipe, and any nylon storage or handling equipment.

DISPOSAL

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess EarthTec QZ® 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. In the event of spill, neutralize with limestone or baking soda before disposal. May deteriorate concrete.

CONTAINER HANDLING:

Containers with capacities greater than 5 gallons:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the 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 1 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 2 more times. Offer for recycling if available. If recycling is not available, puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Containers too large to shake:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. 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 mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure 2 more times. Offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**IMPORTANT
READ BEFORE USING
LIMITED WARRANTY AND LIMITATION OF REMEDIES**

Read the entire Directions for Use, Limited Warranty and Limitation of Remedies (including limitations on liability) before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

The Directions for Use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Earth Science Laboratories, Inc. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

To the extent consistent with applicable law, seller warrants that the product conforms to the chemical description and is reasonably fit for the purpose stated on the label for use under normal conditions, but makes no other warranties of FITNESS OR MERCHANTABILITY expressed or implied, or any other warranty if the product is used contrary to the label

instructions, or under conditions not foreseeable to the seller. To the extent consistent with applicable law, the seller shall not be liable for more than the cost of this product to the buyer and will in no event be liable for any consequential, special or indirect damages connected with the use or handling of this product. This product is offered and the buyer or user accepts it subject to the foregoing terms which may not be varied. Seller makes no warranty for product which has been frozen.

Manufactured by:

Earth Science Laboratories, Inc.
113 SE 22nd Street, Suite 1
Bentonville, AR 72712
Phone: 800-257-9283

