

67690-43

9/29/2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number: 67690-43
Date of Issuance: SEP 29 2010

Term of Issuance: Conditional

Name of Pesticide Product: K-Pool 7 Algacide

NOTICE OF PESTICIDE:

- Registration
[X] Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

SePro Corporation
11550 North Meridian Street/ Ste. 600
Carmel, Indiana 46032-4565

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Copper RED, the EPA has reregistered this product subject to the comments recorded in the succeeding paragraph. This action is taken under the authority of section 4(g)(2) of the Federal Insecticide, Fungicide and Rodenticide Acts, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. The EPA may require submission of data at any time to maintain the registration of the subject product.

- 1. Make the following label changes:
a. The "Pesticide Disposal" statement for the professional line on page 6 must be revised to state "Waste resulting from the use of this product must be disposed of on site or at an approved waste disposal facility."

Signature of Approving Official:

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

Date:

SEP 29 2010

b. The professional line of this product does not need to support container disposal statement in accordance with the Container Rule, PR Notice 2007-4 since it is sold in bulk tanker trucks. Therefore, delete the "Container Disposal" statements.

2. A stamped copy of the label is enclosed for your records. Submit two (2) copies of the revised labeling bearing the labeling revisions listed above.

If these conditions are not complied with, this registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have questions concerning this matter, please contact me at (703) 308-6416 or by email at Campbell-McFarlane.Jacqueline@epa.gov.

Sincerely,

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

Enclosure: Stamped Label
Chemistry/Acute Toxicology Data Evaluation

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

K-Pool* 7

ALGAECIDE

EPA Reg. No. 67690-43

Master Label (main brand name) – split label containing professional and consumer uses.

Registration Notes: Amendment to USEPA to comply with Copper RED. Other changes as described below.

Table of Contents for Master Label

I. Main Label – Professional Uses – Sold Bulk/Tanker Truck ONLY	Pages 3 - 7
II. Main Label – Consumer Landscape Uses	Pages 8 - 11

General Label changes:

1. Revised the following label elements as required by the Copper RED.
 - a. Professional label:
 - i. Ingredients Statement.
 - ii. *Environmental Hazards* statements.
 - iii. Added *Personal Protective Equipment (PPE), User Safety Requirements, and User Safety Recommendations.*
 - iv. Added “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 requirements specific to your State or Tribe, consult the State or Tribal agency responsible for pesticide regulation.” at the beginning of the *Directions for Use.*
 - v. Added *Entry Restrictions* for non-WPS uses.
 - vi. Corrected allowable label rates for copper on this label:
 - b. Consumer/Homeowner label:
 - i. Ingredients Statement.
 - ii. *Environmental Hazards* statements.
 - iii. Added “Do not apply K-Pool 7 in a way that will contact adults, children, or pests, either directly or through drift.” at the beginning of the *Directions for Use.*
 - iv. Added *Entry Restrictions* for non-WPS uses.
 - v. Corrected allowable label rates for copper on this label:
2. Due to an update in data citation (changes are in yellow):
 - a. Changed the signal word to Caution/Precaution
 - b. Updated the last bullet of the “If Inhaled” section of the First Aid table to read “Call a poison control center or doctor for further treatment advice.
 - c. Moved the “If Swallowed” section of the First Aid table to the last section.
 - d. Updated Hazard to Humans and Domestic Animals statement to read, “Harmful if inhaled. Causes eye irritation. Harmful if swallowed or absorbed through the skin. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.
3. Compliance with PR Notice 2007-4 by adding storage and disposal language for:
 - a. Bulk – tanker truck.

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b. Consumer/Homeowner.

4. Added SePRO's full physical address.
5. Reworded various portions of the Directions for Use section to create better flow and understanding of use.
6. Updated the *Inherent Risks of Use* and *Limitation of Remedies* sections of the warranty statement.
7. Corrected minor typographical errors and formatting, throughout label as permitted by PRN 98-10.
8. Updated ingredient's statement and made revisions per EPA request on September 27th, 2010.

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K-Pool* 7, 67690-43

[Editor's note: This portion of the master label contains Professional Uses.]

[Bulk Container/Tanker Truck Label]



K-Pool* 7

ALGAECIDE

FOR USE IN SWIMMING POOLS

Water treated with K-Pool 7 may be used for swimming immediately after treatment.

ACCEPTED
with COMMENTS
EPA Letter Dated:
SEP 29 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.
67690-43

Active Ingredient

Copper triethanolamine[†] (CAS# 31089-39-1)23.4%

Inert Ingredients76.6%

TOTAL100.00%

[†]Metallic Copper equivalent of 7%

EPA REG. NO. 67690-43
FPL092710

EPA EST. NO. _____
SPC - _____

SePRO Corporation 11550 N. Meridian St., Ste. 600, Carmel, IN 46032 U.S.A.

Net contents _____

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

CAUTION / PRECAUCIÓN

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

CONCENTRATED FORMULATION

Harmful if inhaled. Causes moderate eye irritation. Harmful if swallowed or absorbed through the skin. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

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PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to K-Pool 7 are barrier laminate, butyl rubber ≥ 14 mils, or nitrile rubber ≥ 14 mils. If you want more options, follow the instructions for categories A on an EPA chemical-resistant category selection chart.

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

- Long-sleeve shirt and long pants;
- Shoes plus socks;
- Chemical-resistant gloves (such as nitrile or butyl rubber); and
- Respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE prefilter.

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 K-Pool 7's concentrate. Do not reuse them.

USER SAFETY REQUIREMENTS

Users must:

- Wash the outside of gloves before removing.
- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling K-Pool 7. As soon as possible, wash thoroughly and change into clean clothing.

FIRST AID	
If inhaled	<ul style="list-style-type: none"> • 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 in eyes	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency endangering health or the environment involving K-Pool 7, call **INFOTRAC at 1-800-535-5053**.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates and may contaminate water through runoff. K-Pool 7 is for use in swimming pools only. Equipment washwater/rinsate and/or treated effluent must not be discharged where it will drain into lakes, streams, ponds or other public water bodies as injury to non-target plants and animals may occur.

Do not discharge effluent containing this product into lakes, ponds, streams, 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 into sewer systems without previously notifying the local sewage treatment plant authorities. 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 K-Pool 7 in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Do not apply K-Pool 7 in a way that will contact adults, children, or pets, either directly or through drift.

General Precautions and Restriction

- Do not enter or allow others to enter until application is complete.
- Undiluted K-Pool 7 or concentrations above 1.0 ppm Cu⁺⁺ may be injurious to crops, grass, ornamentals and other foliage. Do not apply in such a way that the concentrated product comes in contact with crops, ornamentals, grass or desirable plants.
- Do not allow back-flush filter water to come in contact with desirable plant species.

General Information and Application Directions

K-Pool 7 algaecide provides effective prevention/control of algae growth in all types of swimming pools. Even though it affords long-term algae control, periodic additions on a scheduled basis will assure lasting algae control. For heavy algal infestations, more drastic treatment such as super-chlorination may be required to eradicate the algae.

Dilute K-Pool 7 with at least nine (9) parts of water and sprinkle around edge of pool. Add additional amounts K-Pool 7 every two weeks according to directions in the below chart. To estimate the gallon capacity of your pool: Measure length (L), Width (W) and average Depth (D) in feet.

- For square or rectangular pools: $L \times W \times D \times 7.5 = \text{Gallons}$.
- For Circular or elliptical pools: $L \times W \times D \times 5.9 = \text{Gallons}$.

For newly filled pools, begin pool maintenance with K-Pool 7 Algaecide when the pool is first filled with water. Add K-Pool 7 Algaecide according to the size of pool as given in the chart.

DILUTION CHART FOR K-POOL 7 IN SWIMMING POOLS				
Swimming Pool Capacity in Gallons of Water	Initial Treatment (fl. oz.)		Treatment Once Every Two Weeks (fl. oz.)	
	All States Except California	California	All States Except California	California
5,000	2 - 5	5	1 - 2.5	2.5
10,000	3.5 - 10	10	2 - 5	5
20,000	7 - 20	20	3.5 - 10	10
30,000	10.5 - 30	30	5.5 - 15	15
40,000	14 - 40	40	7 - 20	20
50,000	17.5 - 50	50	9 - 25	25

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in cool dry place.

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 DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.

WARRANTY DISCLAIMER

SePRO Corporation warrants that K-Pool 7 conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SEPRO CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of K-Pool 7. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of K-Pool 7 contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of SePRO Corporation as the seller. To the extent consistent with applicable law, all such risks shall be assumed by the buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from K-Pool 7 (including claims based on contract, negligence, strict liability, or other legal

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theories) shall be limited to, at SePRO Corporation's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for K-Pool 7 bought, or
- (2) Replacement of amount of K-Pool 7 used.

To the extent consistent with applicable law, SePRO Corporation shall not be liable for losses or damages resulting from handling or use of K-Pool 7 unless SePRO Corporation is promptly notified of such losses or damages in writing. To the extent consistent with applicable law, in no case shall SePRO Corporation be liable for consequential or incidental damages or losses.

The terms of the *Warranty Disclaimer* above and this *Limitation of Remedies* cannot be varied by any written or verbal statements or agreements. No employee or sales agent of SePRO Corporation or the seller is authorized to vary or exceed the terms of the *Warranty Disclaimer* or *Limitations of Remedies* in any manner.

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[Editor's note: This portion of the master label contains Consumer/Homeowner Uses.]

[Consumer/Homeowner Label]



K-Pool* 7

ALGAECIDE

FOR USE IN SWIMMING POOLS

Water treated with K-Pool 7 may be used for swimming immediately after treatment.

Active Ingredient

Copper triethanolamine[†] (CAS# 31089-39-1)23.4%

Inert Ingredients76.6%

TOTAL 100.00%

[†]Metallic Copper equivalent of 7%

For additional information on our products, please visit www.sepro.com.

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If swallowed	<ul style="list-style-type: none"> • 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.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency endangering health or the environment involving K-Pool 7, call INFOTRAC at 1-800-535-5053.</p>	

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DIRECTIONS FOR USE

It is a violation of Federal Law to use K-Pool 7 in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Do not apply K-Pool 7 in a way that will contact adults, children, or pets, either directly or through drift.

General Precautions and Restriction

- Do not allow adults, children, or pets to enter the treated area until application is complete.
- Undiluted K-Pool 7 or concentrations above 1.0 ppm Cu⁺⁺ may be injurious to crops, grass, ornamentals and other foliage. Do not apply in such a way that the concentrated product comes in contact with crops, ornamentals, grass or desirable plants.
- Do not allow back-flush filter water to come in contact with desirable plant species.

General Information and Application Directions

K-Pool 7 algaecide provides effective prevention/control of algae growth in all types of swimming pools. Even though it affords long-term algae control, periodic additions on a scheduled basis will assure lasting algae control. For heavy algal infestations, more drastic

treatment such as super-chlorination may be required to eradicate the algae.

Dilute K-Pool 7 with at least nine (9) parts of water and sprinkle around edge of pool. Add additional amounts of K-Pool 7 every two weeks according to directions in the below chart. To estimate the gallon capacity of your pool: Measure length (L), Width (W) and average Depth (D) in feet.

- For square or rectangular pools: $L \times W \times D \times 7.5 = \text{Gallons.}$
- For Circular or elliptical pools: $L \times W \times D \times 5.9 = \text{Gallons.}$

For best results, begin pool maintenance with K-Pool 7 when the pool is first filled with water. Add K-Pool 7 according to the size of pool as given in the chart.

DILUTION CHART FOR K-POOL 7 IN SWIMMING POOLS				
Swimming Pool Capacity in Gallons of Water	Initial Treatment (fl. oz.)		Treatment Once Every Two Weeks (fl. oz.)	
	All States Except California	California	All States Except California	California
5,000	2 - 5	5	1 - 2.5	2.5
10,000	3.5 - 10	10	2 - 5	5
20,000	7 - 20	20	3.5 - 10	10
30,000	10.5 - 30	30	5.5 - 15	15
40,000	14 - 40	40	7 - 20	20
50,000	17.5 - 50	50	9 - 25	25

STORAGE AND DISPOSAL

Pesticide Storage: Store in original container in a cool, dry place inaccessible to children or persons unfamiliar with its use.

Nonrefillable container: Do not reuse or refill this container. Offer for recycling if available. If not, discard in trash.

WARRANTY DISCLAIMER

SePRO Corporation warrants that K-Pool 7 conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SEPRO CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of K-Pool 7. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of K-Pool 7 contrary to label instructions (including conditions noted on the label such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of SePRO Corporation as the seller. To the extent consistent with applicable law, all such risks shall be assumed by the

* Trademark of SePRO Corporation

buyer.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from K-Pool 7 (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at SePRO Corporation's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for K-Pool 7 bought, or
- (2) Replacement of amount of K-Pool 7 used.

To the extent consistent with applicable law, SePRO Corporation shall not be liable for losses or damages resulting from handling or use of K-Pool 7 unless SePRO Corporation is promptly notified of such losses or damages in writing. To the extent consistent with applicable law, in no case shall SePRO Corporation be liable for consequential or incidental damages or losses.

The terms of the *Warranty Disclaimer* above and this *Limitation of Remedies* cannot be varied by any written or verbal statements or agreements. No employee or sales agent of SePRO Corporation or the seller is authorized to vary or exceed the terms of the *Warranty Disclaimer* or *Limitations of Remedies* in any manner.

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