

72674-22

04/23/2004



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 23, 2004

Mark E. Burt
Regulatory Manager
Avecia, Inc.
1405 Foulk Road
Wilmington, DE 19803

Subject: Baquacil Ultra Swimming Pool Sanitizer & Fungicide
EPA Registration No. 72674-22
Application Date: March 30, 2004
EPA Received Date: April 1, 2004

Dear Mr. Burt:

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

Proposed Notification

- Correct typographical error

General Comments

Based on a review of the material submitted, the following comments apply:

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

Should you have any questions or comments concerning this letter, please contact me at 703-308-6442.

Sincerely,

Adam Heyward
Product Manager 34

CONCURRENCES							
SYMBOL	7510C						
SURNAME	A. Heyward						
DATE	4-23-04						

Avecia

2/1

Avecia Biocides

1405 Foulk Road, P.O. Box 15457
Wilmington, Delaware 19850-5457

Telephone: (302) 477-8000
Fax: (302) 477-8120

Airborne Express

March 30, 2004

Mr. Adam Heyward
Product Manager 34
Antimicrobial Division
C/O Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

NOTIFICATION
Date Reviewed: 4-14-04
Reviewed By: SGM


Subject: Baquacil Ultra Swimming Pool Sanitizer and Fungicide
EPA Registration Number 72674-22
- Notification: Correction of a Typographical Error

Dear Mr. Heyward:

This notification is to correct a typographical error in the directions for use on the Baquacil Ultra label. The rate in the center part of the directions for use (right panel) should read 58 oz. per 10,000 gallons of pool water and not 56 oz. Two copies of the label are enclosed with the changed highlighted with a black arrow and in yellow. Enclosed also is an enclosed notification form (EPA Form 8570-1) and a PR Notice 98-10 Certification Statement.

Thank you for your cooperation. Please contact me at the above address or by phone at (302) 477-8129, or by e-mail at mark.burt@avecia.com if there are any questions.

Sincerely,


Mark E. Burt, Ph.D.
Regulatory Manager



1. Company/Product Number 72674-22	2. EPA Product Manager Adam Heyward	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Baquacil Ultra Swimming Pool Sanitizer & Fungicide	PM# 34	
5. Name and Address of Applicant (Include ZIP Code) AVECIA INC. 1405 FOULK ROAD WILMINGTON, DE 19803 <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. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
 Date Reviewed: 4-14-04
 Reviewed By: [Signature]

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 NOTIFICATION TO CORRECT TYPOGRAPHICAL ERROR IN DIRECTIONS FOR USE - 56 OZ PER 10,000 GALLONS OF POOL WATER SHOULD READ 58 OZ.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<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		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name MARK E. BURT	Title REGULATORY MANAGER	Telephone No. (Include Area Code) (302) 477-8129
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 REGULATORY MANAGER	
4. Typed Name MARK E. BURT	5. Date MARCH 30, 2004	

4/7

PR Notice 98-10 Certification Statement

Product: Baquacil Ultra Swimming Pool Sanitizer & Fungicide


EPA Reg. No.: 72674-22

Registrant: Avecia Inc.

Notification to: Correct a typographical error in directions for use – 56 oz. Per 10,000 gallons of pool water should read 58 oz.

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 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.

Company Agent: M.E. Burt
Title: Regulatory Manager
Date: March 30, 2004

Signature:  _____

5/1

(Center Panel)

NOTIFICATION
Date Reviewed: 7-14-04
Reviewed By: S. Green



Active Ingredient: Poly(iminoimidocarbony -
liminoimidocarbonylimino hexamethylene
hydrochloride) 20%
Inert Ingredients 80 %
TOTAL.....100%

**WARNING: KEEP OUT
OF REACH OF CHILDREN.**
See side panel for additional
precautionary statements.

EPA Reg. No. 72674-22
EPA Est. No. 4091-TN-3

Net Contents: 58 oz. (1.72 Liters)

6/7

(Left Panel)

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

WARNING

HARMFUL IF SWALLOWED, INHALED OR ABSORBED THROUGH THE SKIN. AVOID CONTACT WITH SKIN OR CLOTHING. AVOID BREATHING VAPOR OR MIST. CAUSES SUBSTANTIAL BUT TEMPORARY EYE INJURY. DO NOT GET IN EYES. WASH THOROUGHLY WITH SOAP AND WATER AFTER HANDLING. DO NOT GET ON CLOTHING AND WASH CLOTHING BEFORE REUSE. WEAR GOGGLES OR FACE SHIELD WHEN HANDLING CONCENTRATE. MAY CAUSE ALLERGIC SKIN REACTION.

Some states do not allow limitations on how long an implied warranty lasts, so the above limitations may not apply to you. IN NO EVENT SHALL AVECIA BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, and no person is authorized to alter the terms of Avecia's warranty. Some states do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you. For warranty assistance, write Business Manager, BAQUACIL, Wilmington, DE 19850. This warranty gives you specific legal rights and you may have other rights which vary from state to state.

FIRST AID

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 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 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.

IF INHALED

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
- Call a poison control center or doctor for further treatment advice.

MEDICAL EMERGENCY INFORMATION CENTER
1-800-285-7850. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not contaminate water by cleaning of equipment or disposal of wastes.

NOTICE TO BUYER AND USER LIMITED WARRANTY FROM AVECIA INC. Avecia Inc. (Avecia) warrants that this product conforms to the chemical description on the label, and that it is reasonably fit for the purposes stated on the label when used in accordance with Avecia's instructions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions. Avecia will replace the product or refund the purchase price at your option should this warranty be breached within one year of sale. THE DURATION OF ANY IMPLIED

BAQUACIL is a registered trademark of Avecia Limited. 85000L4C

Made in U.S.A.

Manufactured by Avecia Inc., Wilmington, Delaware 19850

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For more information, visit our website at www.baquacilultra.com



DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner other than for which it was intended. BAQUACIL ULTRA is effective for residential and public swimming pools and spas.

Converting From Chlorine

If you are using chlorine in your pool, it is important to eliminate the chlorine from the pool since BAQUACIL ULTRA Swimming Pool Sanitizer and Fungicide ("BAQUACIL ULTRA Sanitizer") is incompatible with chlorinating chemicals. Follow these simple steps:

1. Make sure your water is properly balanced. Take a sample of your pool water to your Authorized BAQUACIL Dealer for a complete water analysis. Adjust as necessary following your dealer's recommendations.
2. Use a chlorine test kit to check for the level of free and combined chlorine in your pool.
3. A. If your pool water is clear, add BAQUACIL Chlorine Neutralizer per label directions. Filter overnight.
B. If your pool water is cloudy or algae is present, add one gallon of BAQUACIL Shock and Oxidizer per 10,000 gallons of pool water. Filter overnight.
4. The next morning, check with your chlorine test kit for free and combined chlorine. If free chlorine is detected, repeat steps indicated above.

Freshly Filled, Dechlorinated or BAQUACIL Pools
To get started properly with BAQUACIL ULTRA Sanitizer, follow these steps:

1. Backwash or chemically clean your pool's filter with BAQUACIL Filter Cleaner. Check the pool's pH adjusting to a range between 7.2 - 7.6 if necessary.
2. Add BAQUACIL ULTRA System Start-Up following label directions.
3. Add BAQUACIL ULTRA Sanitizer at a rate of 58 oz. per 10,000 gallons of pool water to obtain an initial reading of 50 ppm. Filter overnight.
4. After 24 hours, use BAQUACIL ULTRA Test Strips to check the pool's pH and BAQUACIL ULTRA Sanitizer reading and adjust if necessary.

Normal Pool Maintenance

To properly maintain your pool with BAQUACIL ULTRA Sanitizer during the swimming season, follow these steps on a weekly basis:

1. Once a week, check the BAQUACIL ULTRA Sanitizer concentration, pH and total alkalinity in your pool.
2. Maintain your BAQUACIL ULTRA Sanitizer concentration between 30 and 50 ppm. To insure proper sanitization and protection, the level should never be allowed to drop below 30 ppm. To raise the BAQUACIL ULTRA Sanitizer concentration 10 ppm, add 14 oz. per 10,000 gallons of pool water. Review the weekly maintenance dosage chart found in your BAQUACIL ULTRA Pool Care Guide.
3. Every week, add one pouch of BAQUACIL ULTRA Oxidizer Increaser Tablets per 10,000 gallons of pool water.

Treating Spas on the BAQUACIL Ultra Sanitizer and Fungicide Automated Dosing System

Start-up

1. Connect container to appropriate feed line for the BAQUACIL Ultra Sanitizer and Fungicide Automated Dosing System.
2. The BAQUACIL Ultra Sanitizer and Fungicide Automated Dosing System will deliver an initial dose of BAQUACIL Ultra Sanitizer and Fungicide to the spa water to obtain an initial reading of 50 ppm.
3. After approximately 24 hours, take a water sample to your Authorized BAQUACIL Ultra Dealer for complete water analysis.

Normal Spa Maintenance

1. Once a week, check the BAQUACIL Ultra Sanitizer and Fungicide concentration, using BaysSpa Test Strips.
2. To insure proper sanitization and protection, maintain your BAQUACIL Ultra Sanitizer and Fungicide concentration level between 30 and 50 ppm.
3. Once a month, take a water sample to your Authorized BAQUACIL Ultra Dealer for complete water analysis.

OR

Treating Spas on the AutoFresh water care system

Start-up

1. Connect the chemical carrier to the appropriate AutoFresh water care system lead lines.
2. The AutoFresh water care system will deliver an initial dose of BAQUACIL Ultra Sanitizer and Fungicide to the spa water to obtain an initial reading of 50 ppm.

Normal Spa Maintenance

1. Check the BAQUACIL Ultra Sanitizer and Fungicide concentration using the AutoFresh water care system test strips anytime before the system defaults to "Use Parameter 2" which is every 14 days.
2. To insure proper sanitization and protection, the BAQUACIL Ultra Sanitizer and Fungicide control concentration should be maintained between 30 and 50 ppm.
3. Consult the AutoFresh water care system Owner's Manual for proper maintenance instructions.

PROBLEM SOLVING AND SUPPLEMENTAL POOL INFORMATION

Please remember that BAQUACIL ULTRA Sanitizer and chlorine-based chemicals are not compatible. If you accidentally add chlorine to your swimming pool, refer to the BAQUACIL ULTRA Pool Care Guide for troubleshooting techniques.

Do not use BAQUACIL ULTRA Sanitizer in unpainted plaster pools previously exposed to metals that may cause staining (see BAQUACIL ULTRA Pool Care Guide for specific information). Do not use in free standing spas or hot tubs. BAQUACIL ULTRA Sanitizer is not compatible with many detergents and some algicides (such as those based on copper). Always check with your Authorized Dealer for compatibility before adding a product that isn't labeled BAQUACIL or BAQUACIL ULTRA. If algae, cloudiness or pool problems develop consult your Authorized BAQUACIL Dealer.

STORAGE AND DISPOSAL

Pesticide Disposal

Keep container closed when not in use. Store in original container in an area inaccessible to children.

Protect From Freezing

In case of a leak or spill, soak up with absorbent, such as sand, earth, or sawdust, and shovel into waste container. Remove waste to chemical waste area, and dispose of in accordance with local pollution regulations.

To dispose of excess product, securely wrap original container in several layers of newspaper and discard in trash.

CONTAINER DISPOSAL

Do not reuse container. To dispose of empty container, rinse thoroughly before discarding in trash.

For information on spills, call 1-800-424-2466.