

74849-2

1/9

JUN 5 2013

Leigh Ann Richardson
Sr. Regulatory Associate
Advantis Technologies
5660 New Northside Dr, NW, Suite 1100
Atlanta, GA 30328

Subject: **Ultima Nix Total Control Algaecide**
EPA Registration Number 74849-2
Notification Application Dated May 14 2013
EPA Received Date May 15, 2013

Dear Ms. Richardson:

This will knowledge receipt of your notification, submitted under the provisions of FIFRA section 3c 9. Based on a review of the submitted material the following comment apply.

Proposed Amendment:

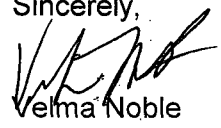
- Addition of marketing claims and other minor label changes

General Comments:

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

The notification 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 Drusilla Copeland at (703) 308-6224.

Sincerely,

Velma Noble
Product Manager (31)
Regulatory Management Branch I
Antimicrobials Division (7510P)

CONCURRENCES

SYMBOL							
SURNAME							
DATE							



Via Fed Ex

Ms. Velma Noble, PM -34
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Advantis Technologies
5660 New Northside Drive
Suite 1100
Atlanta, GA 30328
USA

Leigh Ann Richardson
Lonza Regulatory Assurance

Tel: 678-627-2126
Fax: 678-627-2081
LeighAnn.Richardson@Lonza.com

May 14, 2013

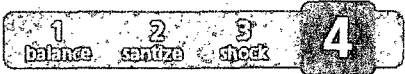
**SUBJECT: Ultima Nix Total Control Algaecide, EPA Reg. No. 74849-2
Application for Label Notification**

Dear Ms. Noble:

I am submitting an application to make the following changes to the above named product label:

1. On page 1, revised the reference statement to add brackets around "first aid and" for instances when the First Aid is located on the front panel. The proposed statement is "See [side] [back] [right] [left] panel for [first aid and] precautionary statements." So when the First Aid is located on the front, the statement will read "See [side] [back] [right] [left] panel for precautionary statements."
2. On page 3, add the following optional language: For crystal clear pool water, follow our 4 step pool care program: Step 1: Test and balance pool water, Step 2: Sanitize, Step 3: Shock at least once a week, and Step 4: Add algaecide as directed.
 - a. This language provides the basic steps for overall pool care. It is accepted on several of our registrations including 1258-1077 and 1258-1288.
3. On pages 3 and 4, provide optional dosages based on 10,000 gallons of water at the same ratio as the 25,000 gallons of water already listed on the label. This should be accepted per PR Notice 98-10 section M.1 (Changes in mixing directions which do not affect the dilution ratio or the minimum or maximum use dilutions).
4. On page 5, added the optional marketing claims:
 - [[Step] 1 balance]
 - [[Step] 2 sanitize]
 - [[Step] 3 shock]
 - [[Step] 4 prevent algae]

{Graphic version of the above}



prevent algae

[]

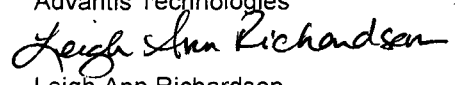
2/2, May 14, 2013, Ultima Nix Total Control Algaecide, EPA Reg. No. 74849-2, Label Notification

Please find enclosed the following documents in support of this notification:

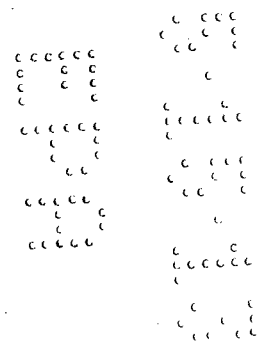
- Application for Pesticide (8570-1)
- Certification with Respect to Label Integrity
- 1 copy of the proposed label with changes highlighted
- 1 CD with proposed label

If you have any questions or need any additional information, please feel free to contact me at 678-627-2126 or leighann.richardson@lonza.com.

Sincerely,
Advantis Technologies



Leigh Ann Richardson
Sr. Regulatory Associate



Note to reviewer:
{Items in braces {AAA} are for information purposes and will not appear on final label}
[Items in brackets [AAA] are optional and may/may not be included on final label]

ULTIMA NIX[®] TOTAL CONTROL ALGAECIDE

Active Ingredient:
Alkyl (50%C₁₄, 40%C₁₂, 10%C₁₆) dimethyl benzyl ammonium chloride 40.0%
Other Ingredients: 60.0%
Total: 100.0%

KEEP OUT OF REACH OF CHILDREN

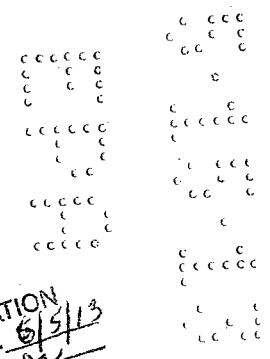
DANGER [PELIGRO]

{Note to reviewer: Although this product has a "Danger" signal word, as per the EPA label review manual "The Agency may permit reasonable variations in the placement of the First Aid statement as long as the reference statement, "See First Aid (or Statement of Practical Treatment) on (identify appropriate panel)" appears on the front panel." If the First Aid Statements are placed on the front panel of the final graphic label, the statement below will only refer to the Precautionary Statements:}

See [side] [back] [right] [left] panel for [first aid and] precautionary statements.

Sold by:
Advantis Technologies, Inc.
1400 Bluegrass Lakes Parkway
Alpharetta, GA 30004

E.P.A. Reg. No. 74849-2
E.P.A. Est. No. XXXX-YY-ZZ
Net Contents: _____



NOTIFICATION
Date Reviewed: 6/5/13
Reviewed By: [Signature]

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER, Keep Out of Reach of Children. Corrosive. Causes irreversible eye damage and skin burns. May be fatal if ingested. Avoid breathing vapor or spray mist. Inhalation of mist or vapors may irritate respiratory tract. High vapor concentrations may cause central nervous system effects. Harmful if swallowed and absorbed through the skin. Do not get into eyes, on skin or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses), rubber gloves and protective clothing when handling. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

FIRST AID

If in Eyes: Hold eyelids open and rinse slowly with water for 15-20 minutes. Remove contact lenses if present after 5 minutes then continue rinsing eye. Call 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 Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable mouth-to-mouth if possible. 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 a 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 CALL: 1-800-654-6911

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not mix with oxidizers, soap or anionic detergents or other water treating chemicals.

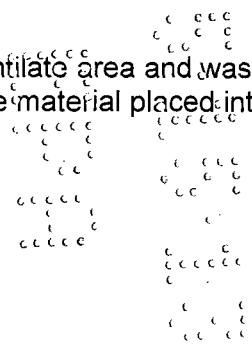
{Sentence below for 50 lb. containers or less.}

ENVIRONMENTAL HAZARDS:

This product is toxic to fish, aquatic invertebrates, oysters and shrimp.

In Case of Spill:

Absorb with sand or vermiculite and place in closed containers for disposal. Ventilate area and wash spill site after material has been picked up. Large spills should be contained; the material placed into containers and disposed of by approved methods for hazardous waste.



{If the following Spanish statement is used, it must appear directly above DIRECTIONS FOR USE.}

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

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USING.

[For crystal clear pool water, follow our 4 step pool care program: Step 1: Test and balance pool water, Step 2: Sanitize, Step 3: Shock at least once a week, and Step 4: Add algaecide as directed.]

APPLICATION FOR SWIMMING POOLS

This product is compatible with all EPA registered sanitizers including chlorine, bromine, biguanide, salt water, ozone, and mineral sanitized pools. When using other EPA registered products, always follow the directions for use. Sunlight, rainfall, temperature, number of swimmers and frequency of pool use, all affect the rate of chlorine loss. Always maintain chlorine levels between 1-3 parts per million (ppm). Ensure all pool equipment is working properly. Clean or backwash the filter following the manufacturer's direction.

INITIAL APPLICATION:

- 1) If visible algae is present, add 25 ounces per 25,000 gallons [10 fl. oz. per 10,000 gallons] of water (2 ppm).
- 2) For clean pools, add 16 ounces per 25,000 gallons [6.4 fl. oz. per 10,000 gallons] of water (2 ppm).
- 3) Pour directly into the water by distributing product along the edge of the pool.
- 4) Operate the pump continuously for 24 hours to allow product to distribute evenly throughout the pool and to allow the filter to recover any phosphate removed from the water.
- 5) After 24 hours, if necessary, brush dead algae off pool surfaces. If algae is still present, repeat step 1.

MAINTENANCE:

To prevent algae growth, add this product weekly or after heavy rain at the rate of 4 ounces per 25,000 gallons [1.6 fl. oz. per 10,000 gallons] of water (0.5 ppm) by pouring directly into the water along the edge of the pool. Maintain the circulation by running the pump for at least 4 hours after application.

NOTE: Swimmers can re-enter the pool 15 minutes after application.

{Optional:}

How to measure 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: $L \times W \times D \times 5.9 = \text{gallons}$

WINTERIZING

Use of this product for winterizing will make opening in the spring easier by both eliminating any algae present at time of closing and by removing the nutrient phosphate that may be present.

Test the water and adjust to the proper levels. After pool is no longer in use, shock treat with a recommended shock treatment product according to its label directions. Allow the pump to circulate for several hours or overnight. Add algaecide directly to pool water while walking around the pool so

that it is evenly distributed. Use at the rate of 32 ounces per 15,000 gallons [21.3 fl. oz. per 10,000 gallons]. Allow to circulate for a few hours. Clean pool waterline, shut down filter, drain pump and winterize as per the manufacturer's instructions. Cover with a solid cover if possible. Pools without a solid cover may need a second treatment later in the non-swimming season.

STORAGE AND DISPOSAL

{Nonrefillable container - Household/Residential use – 5 gallons or less}

[Keep this product dry in tightly closed container away from persons and children unfamiliar with its use. Store in cool, dry, well-ventilated area. Keep away from heat or open flame. Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If not, discard in trash.]

{Nonrefillable container-Commercial Use 5 gallons or more}

Do not contaminate food or feed by storage or disposal.

Pesticide Storage: Keep this product dry in tightly closed container away from persons and children unfamiliar with its use. Store in cool, dry, well-ventilated area. Keep away from heat or open flame.

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 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: Nonrefillable container. Do not reuse or refill this container. Triple rinse as follows: Fill container ¼ full with water and recap. Shake for 10 seconds. Empty the rinsate into the application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat procedure two more times. Then offer for recycling or reconditioning. If not available, puncture and dispose in a sanitary landfill.

{Optional – for use on residential use swimming pool and spa products.}



[Ultima Nix® is a registered trademark of Arch Chemicals, Inc.]

{OPTIONAL MARKETING CLAIMS}

[This dual action product reduces phosphates and treats algae in swimming pool water. Phosphates are food for algae and without them present in the water, algae cannot grow. By using ULTIMA NIX®, algae will be stopped in its tracks.]

[Your pool will be algae free all season long!]

[Controls Algae and Algae Slime Growth in Swimming Pool water while effectively reducing the amount of phosphate present.]

[Combination algaecide and phosphate remover]

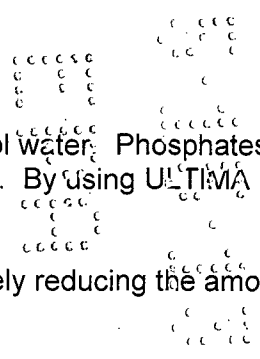
[Controls swimming pool algae]

[Reduces phosphates]

[Dual action formula]

[Controls Algae in Swimming Pools]

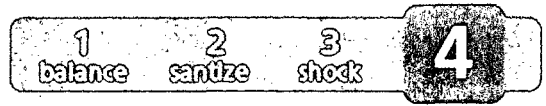
[Economical Algaecide]



- [Low Foaming Formula]
- [Phosphate reducer]
- [Stops algae before it starts]
- [No pre-mixing]
- [No pre-mixing required]
- [Non-metallic, non-staining formula]
- [Easy to use]
- [Concentrated formula]
- [Use weekly to prevent algae and reduce phosphates]
- [Use weekly to prevent algae]
- [Algae preventer and phosphate reducer in one!]
- [Keeps your pool algae free!]
- [No phosphate testing required]
- [Multi-action formula]
- [Eliminates and prevents algae while removing phosphates]
- [Reduces phosphate in water]
- [Eliminates and prevents algae]
- [Controls algae growth]
- [Controls algae and algal slime growth]
- [Economical]
- [Non-metallic formula]
- [Non-staining formula]
- [Multi-Action]
- [Visit UltimaPoolSpa.com]
- [Customer Care: 1-800-455-4311]

- [[Step] 1 balance]
- [[Step] 2 sanitize]
- [[Step] 3 shock]
- [[Step] 4 prevent algae]

{Graphic version of the above}



prevent
algae

