

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Steptoe & Johnson 13300 Connecticut Avenue, NW Washington, DC 20036-1795

SEP 0 3 2009

Attention: Elizabeth Brown Regulatory Manager

Subject:

Notification

AquaStat-XR

EPA Registration No. 79630-2

Amendment Letter dated August 4, 2009

This will acknowledge receipt of your notification for the aforementioned product label, submitted under the provisions of FIFRA Section 3(c) (9). Based on a review of the submitted material, the following apply:

• Update Storage and Disposal Language per PR Notice 2007-4

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been made a part of your file.

If you have any questions concerning this letter, please contact Demson Fuller at (703) 308-8062.

Sincerely,

Marshall Swindell

Product Manager (33)

Regulatory Management Branch 1 Antimicrobials Division (7510C)

Please read instructions on reverse before completing form Form Approved, OMB No. 2070-0060, Approval ex					0, Approval expires 5-31	-98	
U	nited States		Registration	on	OPP Identifier Num	ber	
	al Protection Ag	encv	Amendme	nt			
Washington, DC 20460			X Other				
Application for Pesticide – Section I							
Company/Product Number 79630-2		EPA Product Ma M. Swindell		3. Propos	sed Classification		
4. Company/Product (Name)		PM#		X Nor	ne Restricted	i	
AquaStat XR		33					
5. Name and Address of Applicant (Include ZIP Cod K2 Concepts, Inc.	e)	6. Expedited Revi	ew. In accordant	ce with FIF	RA Section 3(c)(3)		
805 Peachtree Street, Suite 614	(b)(i), my product is similar or identical in composition and labeling to:						
Atlanta, GA 30308		EPA Reg No.					
Check if this is a new address		Product Name				_	
	Secti	on - II					
Amendment – Explain below			l labels in respons	se to			
			•				
Resubmission in response to Agency letter dat	Agency letter dated "Me Too" Application						
			,				
X Notification – Explain below Other -			Explain below				
Explanation: Use additional page(s) if necessary. (Notification of label change per PR Notice 2007-4. The EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.140, 156.156, 156.156, 156.156, this product may be in violation of FIFRA at	his notification is cons 6.144, 156.146, and 1 understand that it is a s not consistent with tl	istent with the guidan 156.156. No other cha violation of 18 U.S.C ne requirements of 40	anges have been . Sec. 1001 to wil) CFR §§ 156.10,	made to th Ifully make 156.140,	e labeling or the any false statement t 156.144, 156.146, and	io i	
	Secti	on III					
Material This Product Will be Packaged in:	Occi	OII III					
Child-Resistant Packaging Unit Packaging	Wa	ter Soluble Packagin	g	2. Type	of Container		
Yes Yes		Yes		1	etal		
X No X No	l x	[⊢] No			astic		
*Certification must If "Yes"	No. per If "	 Yes"	No. per	- 	ass		
be submitted Unit Packaging wgt.		ckage wgt	container	x Ot	per her (Specify) <u>lined fibe</u>	<u>er</u>	
3. Location of Net Contents Information	4 Size(s) Retail	Container	15 100		ums hel directions		
3. Location of Net Contents Information 4. Size(s) Retail Container 5 gal or 55 gal		Container	5. Location of label directions X On Label				
				On Label a	ccompanying product		
Manner in Which Label is Affixed to Product	Lithograph		Other				
	X Paper glue Stenciled	d					
		on IV					
Contact Person (Complete items directly below for			if necessary to	process th	is application \		
Name Title			Telephone No. (Include Area Code)				
Elizabeth Anne Brown Steptoe & Johnson, L Authorized agent			202-41	19-5166	(((((((((((((((((((
	Certification	agent	<u> </u>	Té	Date Application		
I certify that the statements I have made on this form a I acknowledge that any knowingly false or misleading	and all attachments the			0.	Received'		
both under applicable law	statement may be pull	anabic by tine of mibi	isvinitali VI		((((((
2. Signature	3. Title				(Stamped) ໍ້	(((
Elizabet dane Brown	Steptoe & J Authorized	lohnson, LLP Agent			(((΄ (ί	
4. Typed Name	5. Date					(((((((((((((((((((

5. Date August 4, 2009

Elizabeth Anne Brown
EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

White - EPA File Copy (Original)

Yellow – Applicant Copy

WRITER'S DIRECT DIAL 202.419.5166

1330 Connecticut Avenue, NW Washington, DC 20036-1795 Tel 202.429.3000 Fax 202.429.3902 steptoe.com

August 4, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Attention:

Marshall Swindell (PM 33)

Subject:

AquaStat-XR, EPA Reg. No. 79630-2

Notification for Labeling for Container Regulations, PR 2007-4

Dear Marshall:

On behalf of K2 Concepts, Inc., enclosed please find a notification for labeling revisions consistent with PR 2007-4 for compliance with the container labeling language requirements of 40 CFR 156 Subpart H.

Enclosed with this application please find the following:

1. EPA Form 8570-1

2. One copy of the labeling with the revisions highlighted

Please let me know if there are any questions or if anything else is needed.

Regards,

Elizabeth Anne Brown, Ph.D.

eabrown@steptoe.com

cc: K2 Concepts, Inc.



K2 Concepts, Inc.

AQUASTAT®-XR

An antimicrobial agent for manufacturing or fabricating bacteriostatic water filters

 Active ingredient:
 1.4%

 Silver (as elemental)
 1.4%

 Other ingredients
 98.6%

 Total
 100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRST AID:		
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.			
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 INHALED	 Move person to fresh air If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth, if possible 		
	Call a poison control center or doctor for further treatment advice		
IF SWALLOWED	 Immediately call a poison control center or doctor Do not induct vomiting unless told to do so by a poison control center or doctor 		
	Do not give any liquid to the person.		
	Do not give anything by mouth to an unconscious person		
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 FOR MEDICAL ASSISTANCE, CALL 1-800-222-1222		

EPA Reg. No. 79630-2

EPA Establishment No. 79630-GA-001

Net Contents:

Batch (Lot) Number:

Manufactured for K2 Concepts, Inc. 805 Peachtree Street NE, Suite 614 Atlanta, GA 30308

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS

to .

CAUTION. Causes eye irritation. May be harmful if swallowed. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. 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 this product in a manner inconsistent with its labeling.

AQUASTAT-XR is to be used only for manufacturing or fabricating bacteriostatic water filters (for use with cold water only). Filter manufacturers or formulators who use this product are responsible for providing data to US EPA to support any necessary registrations. AQUASTAT-XR is to be used to protect the water filter itself against growth of bacteria and to prevent odors and unpleasant tastes or discoloration.

STORAGE AND DISPOSAL

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

Nonrefillable container. Do not reuse or refill this container.

Pesticide Storage: Do not store in areas accessible to children. Keep product dry and containers covered during storage.

Pesticide Disposal: Wastes from the use of this product may disposed of on site or at an approved waste disposal facility

Container Disposal: [only one will appear, based on the container type]

Plastic containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration.

Fiber drums with liners: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration if allowed by state authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.