

79630-3

3/2/2012

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



Office of Pesticide Programs

MAR - 2 2012

K-2 Concepts, Inc.
114 North Prince Street, 3rd Floor
Lancaster, PA 17603

AGENT: Lewis and Harrison
122 C Street, N.W., Suite 740
Washington, D. C. 20001

Attention: Karen E. Warkentien

Subject: Aquastat XRC
EPA Registration No. 79630-3
Notification Dated February 3, 2012

This will acknowledge receipt of your notification of a new inert ingredient supplier, submitted under the provisions of FIFRA Section 3(c)(9).

Proposed Noatification

- Adding an Indoor, Nonfood Site to the Label

General Comments

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

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely

Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobials Division (7510P)

2096

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 79630-3	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aquatat(R)-XRC	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) K2 Concepts Inc. 114 North Prince Street, 3rd Floor Lancaster PA 17603 <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"/> 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 Label Change per PR Notice 98-10: This notification is consistent with the guidance in PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR § 156.46, and no other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC § 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 § 156.46, 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.

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
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
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"/> 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 Karen E. Warkentien	Title Consultant to K2 Concepts Inc.	Telephone No. (Include Area Code) (202) 393-3903 x22
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 Consultant to K2 Concepts Inc.	
4. Typed Name Karen E. Warkentien	5. Date 3 February 2012	

Mr. Marshall Swindell, PM #33
Page 2 of 2

This submission is NOT subject to processing under the Pesticide Registration Improvement Act (PRIA) and should be categorized as a notification.

Should you have any questions concerning this submission, please contact me by phone at (202) 393-3903 x22 or via email at kwarkentien@lewisharrison.com.

Sincerely,

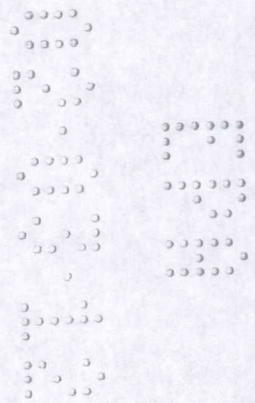
LEWIS & HARRISON, LLC
Consultant to K2 Concepts Inc.



Karen E. Warkentien

Enclosures

cc: Bryan Kepner, K2 Concepts Inc.



NOTIFICATION LABEL

[] denotes alternate and/or language
Proposed changes are underlined and **highlighted**

AQUASTAT[®]-XRC

An antimicrobial agent for manufacturing or fabricating [bacteriostatic] [and] [or] [fungistatic] [water] [and] [or] [air] filters

Active ingredient:	
Cupric oxide (CAS RN 1317-38-0)*	5.4%
Other ingredients	94.6%
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	<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 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 by mouth, if possible • Call a poison control center or doctor for further treatment advice
IF SWALLOWED	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor • Do not induce 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	<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
FOR MEDICAL ASSISTANCE, CALL 1-800-222-1222	

EPA Reg. No. 79630-3

EPA Establishment No. 79630-GA-001

Net Contents: _____

Lot No.: _____



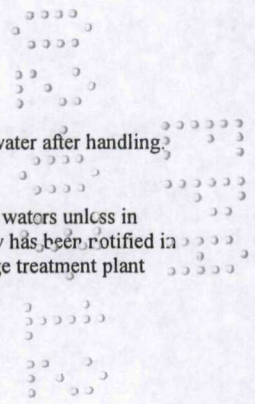
K2 CONCEPTS INC.
2625 Piedmont Rd. NE
Atlanta GA 30324
(404) 452-9010

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS

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 -XRC is to be used only for manufacturing or fabricating bacteriostatic [and] [or] fungistatic [water] [and] [or] [air] filters. Filter manufacturers or formulators who use this product are responsible for providing data to US EPA to support any necessary registrations.
- AQUASTAT-XRC is to be used to protect the [water] [and] [or] [air] filter itself against the growth of bacteria [mold] [and] [or] [mildew] and to prevent odors [and unpleasant tastes] or discoloration.
- Manufacturers of water filter units must test each type of unit to insure that the unit does not leach more than 1.3ppm of copper into the drinking water.
- Manufacturers of copper-based water-filter bacteriostatic and/or fungistatic media and components must indicate the following instructions on their product label:
 - o "Use only with cold water."
 - o "Flush treated water filter units with water for a minimum of # minutes to remove sediments and particulate matter. Do not use flushed water for any purpose."
 - o "This water filter unit has a maximum expected use life of # gallons, or # months of use based upon normal use being # gallons/day/# months."

STORAGE AND DISPOSAL

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

- 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 recondition, or puncture and dispose of in a sanitary landfill or incineration or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Fiber drums with liners: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residues into application equipment. Then 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 the liner.

Notification 2012-01-31

