

82523-3

11/23/2010

1096

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

David Swain
Agent for Aeris Environmental LTD
P/O Box 1014
Columbia City, IN 46725

NOV 23 2010

SUBJECT: AerisGuard™ Bioactive Surface Treatment
EPA Registration Number: 82523-3
Application Dated: October 25, 2010
Receipt Date: October 26, 2010

Dear Mr. Swain:

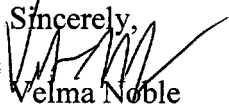
This letter acknowledges receipt of the notification identified above submitted under the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended and PR Notice 98-10 and 40 CFR 152.46.

- To add the NSF mark per the NSF logo letter guidance from EPA.
- To update Storage and Disposal per agency regulation.

Based on a review of the submitted information, this notification is acceptable. Your proposed changes will be made part of the record for this file.

General Comments

Should you have any questions concerning this letter, please contact Emilia Oiguenblik at (703) 347-0109 or Velma Noble at (703) 308-6233.

Sincerely,


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

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

2016



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 82523-3	2. EPA Product Manager Velma Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AerisGuard™ Bioactive Surface Treatment	PM# 31	
5. Name and Address of Applicant (Include ZIP Code) Aeris Environmental Ltd. 5/26-34 Dunning Avenue Rosebery, NSW 2018 Australia <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

Amendment - Explain below. Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ "Me Too" Application.
 Notification - Explain below. Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of addition of NSF logo and required storage and disposal through PR Notice 98-10. 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 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.
 Please contact David Swain at dswain@srccconsultants.com or at 260-244-6273 (fax) with any questions.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" 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
 Label Container

4. Size(s) Retail Container
Quart, 1.32 gallon

5. Location of Label Directions
 On label

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name David Swain	Title Agent for Aeris Environmental Ltd.	Telephone No. (Include Area Code) (260) 244-6270
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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 both under applicable law.

2. Signature 	3. Title Agent for Aeris Environmental Ltd.	6. Date: Application Received (Stamped)
4. Typed Name David Swain	5. Date October 25, 2010	

SRC

Scientific & Regulatory
Consultants, Inc.

October 25, 2010

Ms. Velma Noble, PM 31
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, 4th Floor
One Potomac Yard
2777 S Crystal Drive
Arlington, VA 22202

SUBJECT: AerisGuard™ Bioactive Surface Treatment
EPA Reg. No.: 82523-3

Dear Velma,

On behalf of our client Aeris Environmental LTD (Aeris), enclosed is a submission for AerisGuard™ Bioactive Surface Treatment (BAST, EPA Reg. No. 82523-3). **This is a notification per PR Notice 98-10. Therefore no PRIA fee is required.**

The purpose of this notification is to add the NSF mark per the NSF Logo Letter guidance from EPA (enclosed) and to update storage and disposal per Agency regulation. The new graphic follows the guidance by including the NSF mark with a check mark, NSF 6-digit listing number and use of the word "LISTED". All changes are marked by red text in the Master Label enclosed. This notification is consistent with PR Notice 98-10.

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 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.

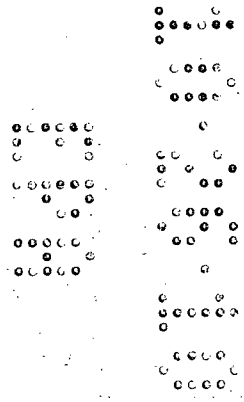
Please contact me at (260) 244-6270 or at dswain@srconsultants.com if you have any questions about this registration.

Sincerely,



David Swain
Agent for Aeris Environmental LTD

cc: S. Kritzler



AERISGUARD™ BIOACTIVE SURFACE TREATMENT

FOR TREATMENT OF BARE METAL, SEMI POROUS (CONCRETE OR PLASTER) INTERNAL HVAC SURFACES OF AIR HANDLING UNIT: AIR DISTRIBUTION COMPONENTS (air handlers, mixing boxes, transfer boxes, transitions, turning vanes, dampers, fans, and fan housings and associated components), UNLINED DUCTWORK, CONDENSATE DRAIN PANS and AIR HANDLING ROOM (FLOORS, WALLS AND CEILING). For use in HVAC systems located in Residential, Commercial, Institutional and Industrial Buildings including Homes, Apartment Buildings, Motel/Hotel, Restaurants/Bars, Supermarkets/Grocery Stores, Convenience Stores, Schools, Dormitories, Hospitals, Nursing Homes, Other Medical Facilities, Manufacturing Facilities, Post Offices, Office Buildings, Retail Buildings, Courthouses, Prisons, Banks, Government Buildings and Museums.

{These bullet points are required}

- **For application ONLY by professional applicators certified by the Aeris Accredited Applicator Training Program**

{These bullet points are optional and can appear on any panel}

- [Controls] [Inhibits] the growth of [fungi][mildew][mold][mold and mildew] [and][odor-causing bacteria] on HVAC systems described on this label
- [Fungistat] [mildewstat] [bacteriostat]
- Effective as a static agent against mold and mildew [and odor-causing bacteria]
- Effectively controls mold [and odor causing bacteria] on HVAC systems described on this label
- Non-corrosive coating
- Non-volatile residue

ACTIVE INGREDIENT:

n-alkyl (C₁₄ 50%, C₁₂ 40%, C₁₆ 10%) dimethyl benzyl ammonium chloride.....1.20%

INERT INGREDIENTS.....98.80%

TOTAL.....100.00%

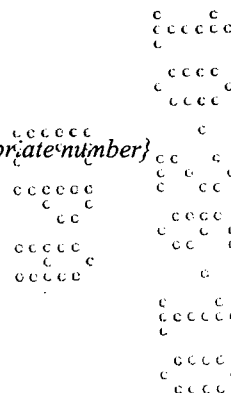
KEEP OUT OF THE REACH OF CHILDREN
DANGER

See [back, side, rear] panel for first aid and additional precautionary statements

NET CONTENT:

Aeris Environmental LTD
Unit 5/26 – 34
Dunning Ave.
Rosebery, NSW 2018 Australia

EPA Reg. No. 82523-3
EPA Est. No. *{insert appropriate number}*



Note: Bracketed [] information is optional text. Text separated by a comma (,) denotes-and/or-options. {Bracketed Text} is for administrative purposes only and will not appear on the printed label.

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Directions for Use

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

AerisGuard™ BAST is to be used only in systems where visible microbial growth has been detected and then only after removing the growth and identifying and correcting the conditions that led to that growth.

REFER TO AERIS ENVIRONMENTAL SOP 004 INCLUDED IN THIS LABELING FOR COMPLETE INSTRUCTIONS ON HOW TO APPLY THIS PRODUCT. If you need help in understanding any part of the instructions or have additional questions after reading these instructions, **DO NOT APPLY THIS PRODUCT.** Contact your Aeris Distributor for help and proceed only after all of your questions have been answered.

THE APPLICATOR IS RESPONSIBLE FOR FOLLOWING BOTH STATE AND FEDERAL LAWS WHEN APPLYING THIS PRODUCT

This product is ONLY for sale to authorized Aeris Distributors and for use only by applicators that have successfully completed the Aeris Accredited Applicator Training Program and are familiar with the directions for use in SOP 004 referenced above. Aeris Distributors must keep records of all shipments and of all Aeris Accredited Applicators in their region.

FIRST AID	
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 swallowed	<ul style="list-style-type: none"> • 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 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 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-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	

Note: Bracketed [] information is optional text. Text separated by a comma (,) denotes-and/or-options. {Bracketed Text} is for administrative purposes only and will not appear on the printed label.

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Precautionary Statements Hazards to Humans and Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear chemical resistant gloves, safety goggles or face shield and full-body overalls. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Avoid breathing spray mist. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, 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 authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container closed when not in use. Place in locked storage area inaccessible to children and others unfamiliar with its use.

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 the 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 empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.

{New NSF graphic}

