

84115-1

12/10/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Ana Rodriguez-Koster
Agent for Wet & Forget
Lewis & Harrison
122 C Street, NW Suite 740
Washington, DC 20001

DEC 10 2009

SUBJECT: Wet & Forget
EPA Reg. No.: 84115-1
Notification Date: November 10, 2009
EPA Receipt Date: November 12, 2009

Dear Ms. Koster,

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

- Add optional nonpesticidal marketing claims

General Comments

Based on a review of the submitted materials, your notification to add nonpesticidal marketing claims is acceptable and apart of the records on file.

Should you have any questions or comments concerning this letter, please contact Jacqueline McFarlane at (703) 308-6416 or Velma Noble at (703) 308-6233.

Sincerely,

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

CONCURRENCES

SYMBOL	SURNAME	DATE						

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: Notification	OPP Identifier Number <div style="text-align: center; font-size: 1.2em;">265394</div>
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Application for Pesticide - Section I

1. Company/Product Number 84115-1	2. EPA Product Manager Velma Noble	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) WET & FORGET	PM# Team 31	
5. Name and Address of Applicant (Include ZIP Code) Wet & Forget USA Ltd. P. O. Box 100-959 North Shore Mail Center New Zealand <u>PLEASE DIRECT ALL CORRESPONDENCE TO</u> <u>"CONTACT POINT" LISTED BELOW</u> <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 MINOR LABEL CHANGES PER PR-NOTICE 98-10

Notification of MINOR LABELCHANGES in Accordance 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 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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be the subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Signature: _____ Date: _____

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 If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container		<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					
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"/> On Label <input type="checkbox"/> On labeling accompanying product	
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: Ana Rodriguez-Koster, Lewis and Harrison, LLC 122 C St., NW Suite 740 Washington, DC 20001	Title: Agent for Wet & Forget USA Ltd.	Telephone No. (Include Area Code): (202) 393-3903 ext. 17
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 <div style="font-size: 1.5em; font-weight: bold;">(Stamped)</div>
2. Signature 	3. Title: Wet & Forget USA Ltd.	
4. Typed Name Ana Rodriguez-Koster, Lewis & Harrison LLC	5. Date <div style="text-align: center;">11/10/2009</div>	

LEWIS & HARRISON

122 C Street, N.W., Suite 740
Washington, D.C. 20001
telephone 202.393.3903
fax 202.393.3906

Consultants in Government Affairs

November 10, 2009

VIA FEDERAL EXPRESS

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

**ATTENTION: Velma Noble
Product Manager, Team 31**

**SUBJECT: Wet & Forget USA Ltd.
WET & FORGET (EPA Reg. No. 84115-1)
Notification of Minor Label Changes per PR Notice 98-10**

Dear Ms. Noble:

On behalf Wet & Forget USA Ltd., I am submitting a Notification of minor label changes for their end-use product, **WET & FORGET (EPA Reg. No. 84115-1)**. The purpose of this Notification is to add some optional non-pesticidal marketing language to the product's label.

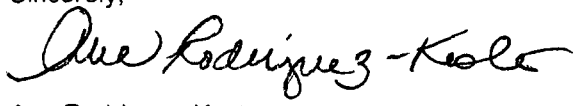
Please note that all additions / revisions involve no changes to the ingredients statement, signal word, use classification, precautionary statements, first aid, us directions, physical/chemical properties, or storage and disposal language. Furthermore, the additions / revisions do not substitute for or conflict with label text, and are not false or misleading.

Enclosed please find the following documents in support of this submission:

1. Application for Pesticide Notification (OPP ID No. 265394), which includes a signed statement certifying compliance with PR Notice 98-10;
2. One (1) copy of the proposed product labeling, with changes highlighted; and,
3. One (1) clean copy of the proposed product labeling.

Thank you for your assistance with this submission. If you have any questions, please call me at 202-393-3903 x.17 or e-mail me at alkoster@lewisharrison.com.

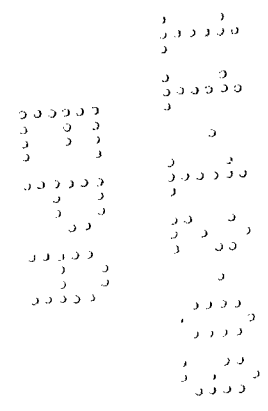
Sincerely,



Ana Rodriguez-Koster
Agent for Wet & Forget USA Ltd.

Enclosures

cc: Brett Perry, Wet & Forget Inc.



For use on [sealed] concrete, [non-porous] pool surroundings, patio furniture (except cushions and wood frames), [sealed] natural stone, [sealed] tombstones, roofs (asphalt and fiberglass shingles, color steel, [sealed] clay and concrete tiles), [sealed] [non-grass] tennis courts, astro turf (artificial turf), [glazed] ceramic pots, asphalt driveways, painted [non-porous] surfaces, siding (vinyl, aluminum), [non-porous] textured finishes, play equipment (slides, plastic gyms), wood decks, golf tees and greens, and as a spot treatment in residential lawns.

HOW IT WORKS: Once WET & FORGET has killed the moss, mold, algae and/or mildew growth, it relies on the elements to remove the stains. If the surface to be treated is not fully exposed to rainfall or is vertical, some assistance may be required to remove the stains.

DIRECTIONS FOR USE

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

TO [REMOVE] [KILL] MOSS, MOLD, ALGAE, AND MILDEW: Mix 13 oz. WET & FORGET per 5 gallons of water. Apply use solution to areas infested with moss, mold, algae, or mildew with a [garden] sprayer until surface is thoroughly saturated. Let stand 10 minutes and allow to air dry. Do not employ equipment until treatment has been absorbed, dried, or set. For heavy infestations, [wash off] [remove] dead moss, mold, mildew, algae 12 to 24 hours later with another application of WET & FORGET.

WET& FORGET is best applied in overcast dry conditions to avoid rapid evaporation. Do not apply if heavy rain is expected within 4 - 5 hours.

REACTION TIME: Once treated with WET & FORGET [growth] [stains] may take up to 6 -12 months to come clean in the [very] worst case scenario. It is very important that the mixing instructions are followed.

MAINTENANCE: Repeat application once a year or when new [growth] [stains] [appears] [returns]. Do not repeat treatment more than 6 times per year.

WOOD DECKS: Follow mixing directions. Stains in Cedar or Redwood may require brushing for full stain removal. Use water and hard broom 1 month after application. Once cleaned, it may be maintained with WET & FORGET to prevent [growth] [stains].

GOLF GREENS & TEES: Spray a solution of 1.3 oz. of WET & FORGET per 5 gallons of water until surface is thoroughly saturated. If necessary, repeat spray applications after 10 days. Treatment is not to exceed 10 acres (2,000 gallons). Do not repeat treatment more than 6 times per year.

RESIDENTIAL LAWNS/TURF: Use WET & FORGET as a spot treatment on areas affected by moss or algal growth/stains. Spray a solution of 5.1 oz. WET & FORGET per 5 gallons of water until surface is thoroughly saturated. If necessary, repeat spray applications after 10 days. Treatment is not to exceed 25 gallons per 1000 sq. feet. Do not repeat treatment more than 6 times per year.

TO REMOVE MOSS, MOLD, ALGAE, AND MILDEW STAINS: Mix 1 part WET & FORGET to 5 parts water. Apply use solution with a [garden] sprayer until [dry] surface is thoroughly saturated. [Let stand 10 minutes and] Allow to air dry. A second application 1-2 months after the first may also assist when treating persistent stains. Do not repeat treatment more than 6 times per year.

PLAY EQUIPMENT: Do not allow children on play equipment (i.e., slides, plastic gyms), if it has been treated with WET & FORGET, until the equipment has been washed down with fresh water, a day after application.

PETS: Keep animals off treated surfaces until product has dried. If contamination occurs, rinse animal's paws with fresh water to prevent animal licking WET & FORGET.

FOR ALL APPLICATIONS: Treatment must be performed at least 100 ft. from any pond, lake, stream, or river to prevent possible runoff into waterways.

(Note to reviewer: If container size is one gallon or less, the following Storage and Disposal directions will be used:)

STORAGE AND DISPOSAL

Store in original container in locked [storage] areas inaccessible to children and persons unfamiliar with its use. Do not reuse empty container. [Wrap and] Discard in trash or recycle.

(Note to reviewer: If container size is greater than one gallon, the following Storage and Disposal directions will be used:)

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in original container in locked storage areas inaccessible to children. Open dumping is prohibited. Do not reuse empty container.

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 label instruction, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL

[Plastic containers:] Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incinerate, or if allowed by state and local authorities, burn. If burned, stay out of smoke.

[Metal Container:] Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or dispose of by other procedures approved by state and local authorities.

NOTIFICATION DATED 12/22/08, NOTIFICATION DATED 3/13/09, AND NOTIFICATION DATED 11/10/09

WET & FORGET
EPA Reg. No. 84115-1
LABEL PER EPA STAMPED LABEL DATED 4/1/08, NOTIFICATION DATED 6/24/08, NOTIFICATION DATED 12/22/08, NOTIFICATION DATED 3/13/09, AND NOTIFICATION DATED 11/10/09
(Note to reviewer: Language in [] is optional or interchangeable)

