

84115-1

05/20/2010

116

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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



Office of Pesticide Programs

Christina M. Swick,
122 C St. N.W. Suite 740,
Washington, D.C. 3906

MAY 20 2010

Subject:	Product Name:	Wet and Forget
	EPA Reg. No.:	84115-1
	Notification Date:	April 26, 2010
	EPA Receipt Date:	April 27, 2010
	Submissions #:	874105

Dear Mrs. Swick,

This letter acknowledges receipt of your notification submitted under the provision of the Federal Insecticide, Fungicide and Rodenticide Act. (FIFRA) section 3(c)9 and PR Notice 98-10.

Proposed Label Change per PR Notice 2007-4:

- Label change per Storage and Disposal Container Rule (40CFR 156)

General Comments

Based on a review of the submitted materials, your application for pesticide notification of the product "Wet and Forget", EPA Reg. No. 84115-1 is acceptable. A copy of your notification has been placed in our records for future reference. Should you have any questions or comments concerning this letter, please contact Velma Noble PM team 31 at (703) 308-6233 or Jamil Mixon at (703) 308-8032.

Sincerely,

Velma Noble,
Product Manager, Team 31
Regulatory Management Branch
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>
---	---	--

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 LABEL CHANGE PER PR NOTICE 2007-4

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Signature: Christina M. Swick Date: 4/26/10
THIS SUBMISSION IS NOT SUBJECT TO PRIA FEES

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 <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 <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"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name: Christina M. Swick, 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. 16
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete, 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 <u>Christina M. Swick</u>		
3. Title: Agent for Wet & Forget USA Ltd.		
4. Typed Name Christina M. Swick, Lewis & Harrison LLC		
5. Date April 26, 2010		

LEWIS & HARRISON

Consultants in Government Affairs

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

April 26, 2010

HAND DELIVERED

Antimicrobials Division (Mail Code 7504P)
Office of Pesticide Programs
Document Processing Desk [NOTIFY]
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

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

**SUBJECT: Wet & Forget USA Ltd.
WET & FORGET (EPA Reg. No. 84115-1)
Notification of Label Changes per PR Notice 2007-4**

Dear Ms. Noble:

On behalf of Wet & Forget USA Ltd., we are notifying the Agency of changes to the *WET & FORGET* product label. The changes are in accordance with PR Notice 2007-4. All of the language has been added verbatim from the aforementioned PR Notice. No other changes have been made to the label.

Please find enclosed the following documents to support this notification:

- 1) Pesticide Application Form;
- 2) One (1) copy of the proposed product label with the changes marked; and,
- 3) Three (3) copies of the proposed product label.

If you have any questions or comments, please contact me at 202-393-3903 ext. 16 or cswick@lewisharrison.com.

Sincerely,

Christina M. Swick

Christina M. Swick
Agent for Wet & Forget USA Ltd.

c c c c
 c c c c
 o o o o
 o o o o
 o
 o o o o o
 o o o o
 c c c c c
 c c c c
 c c c c c
 c c c c
 o
 c c c c
 c c c c
 c c c c
 c c c c

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Wear protective eyewear (safety glasses or face shield), protective clothing, and rubber gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse. Avoid contamination of food. Avoid breathing spray mist.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear protective eyewear, long pants and long-sleeved shirt, shoes plus socks and chemical-resistant gloves. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations

Users should:

- Wash hands before drinking, eating, chewing gum, using tobacco or using the toilet.
- Remove PPE clothing immediately if the pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. 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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

WET & FORGET

Active Ingredients:

Alkyl (C₁₄ 50%, C₁₂ 40%, C₁₆ 10%)
 dimethyl benzyl ammonium chloride 9.9%
 Other Ingredients:..... 90.1%
 Total: 100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

See [right] [left] [side] [inside] [back] panel [label] for Precautionary Statements [and First Aid]

FIRST AID

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 ON SKIN OR CLOTHING: Remove contaminated clothing. Rinse skin immediately with plenty of water for 15 – 20 minutes. Call a poison control center or doctor for 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 doctor. Do not give anything by mouth to an unconscious person.

IF INHALED: 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 treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. In case of transport or medical emergency, call CHEMTREC at 1-800-262-8200.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

EPA Reg. No. 84115-1

EPA Est. No. *(insert Est. No. here)*

NET CONTENTS: [Half Gallon] [0.75 Gallons] [1.32 Gallons] [1 Gallon]

[Manufactured by:] [Manufactured for:] [Distributed by:]
 Wet & Forget USA Ltd.
 P. O. Box 100-959
 North Shore Mail Center
 New Zealand

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.

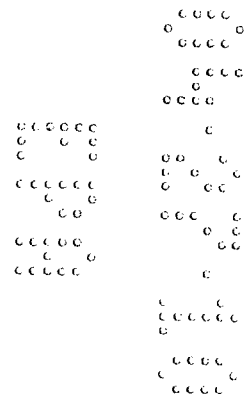
RESIDENTIAL LAWNS/TURF: Use WET & FORGET as a spot treatment on areas affected by moss or algal growth/stains. Spray a solution of 5.1 oz. WET & FORGET per 5 gallons of water until surface is thoroughly saturated. If necessary, repeat spray applications after 10 days. Treatment is not to exceed 25 gallons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



Optional Pesticidal Claims:

- Moss, Mold Mildew & Algae Remover
- Kills Moss, Mold, Mildew & Algae

Optional Non-pesticidal Claims:

- [Removes Moss, Mold Mildew & Algae stains from:] [Exterior Surfaces on which you can use WET & FORGET:] [*][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, glass houses, painted [non-porous] surfaces, siding (vinyl, aluminum), [non-porous] textured finishes, and play equipment (slides, plastic gyms), canvas awnings, yatch dodgers, wood decks, golf tees and greens, and as a spot treatment in residential lawns.
- *Note to Review: This statement will be used on labels that only include instructions for stain cleaning/removal:* [Coverage: (375 – 1125) (550 – 1700) (750 – 2250) sq feet depending on porosity and amount of staining.]
- [Cleans exterior surfaces* with] No pressure-washing or scrubbing required.
- Apply with normal garden sprayer.
- [Non-Caustic] [Non-Acidic] [No Bleach]
- Moss, Mold, Mildew [&] [and] Algae Stain Remover
- [Half Gallon Concentrate] [0.75 Gallons Concentrate] [One gallon concentrate]
- *Note to Review: This statement will be used on labels that only include instructions for stain cleaning/removal:* [Makes 3 Gallons] [Makes 4.5 Gallons] [Makes 6 Gallons]
- *Note to Review: This statement will be used on labels that only include instructions for stain cleaning/removal:* [How it Works: Once treated with WET & FORGET, the surface requires no pressure washing, scrubbing, or rinsing. Just thoroughly wet the dry surface with WET & FORGET and then forget about it. The elements (wind and rain etc) will slowly wash off the stain.]
- Peel Here for Precautions & First Aid
- Visit www.wetandforget.com for more products by Wet & Forget USA Ltd.
- [Product Concentrate is] Made in New Zealand
- Toll Free: 888-727-8524
- www.wetandforget.com
- sales@wetandforget.com

(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. Nonrefillable container. Do not reuse or refill this container. [Wrap and] Discard in trash or offer for recycling, if available.

(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:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available, 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:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available or reconditioning, if appropriate or puncture and dispose of in a sanitary landfill, or dispose of by other procedures approved by state and local authorities.

