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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 14, 2013

Mr. Robert S. Brennis, Agent for Blue Earth Labs
Brennis Consulting Services, LLC
6628 Birchleigh Way
Alexandria, VA 22315

SUBJECT: FQPA Code 302 Label Amendment
PRODUCT NAME: RE-Ox
EPA REGISTRATION NUMBER: 87437-1
APPLICATION DATE: October 11, 2012
APPLICATION RECEIVED DATE: April 19, 2013

Dear Mr. Brennis:

This acknowledges receipt of your Label Amendment application, submitted pursuant to registrant under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 3(c)7(A), as amended.

Pesticide Application:

This is a simple amendment to make changes to the Product Label to reflect the Transfer of the product from Spicer Randolph, LLC to Blue Earth Labs.

General Comments:

References to Spicer Randolph, LLC have been expunged from the Product Label successfully.

Based on the review of the submitted material, the following comments apply. The Label Amendment application is **Acceptable**. An EPA-stamped, **Accepted**, Product Label is enclosed for your Company record. And a copy of the **Accepted** Product Label is attached in the **Regulatory File Jacket 87437-1**.

If you have questions or comments with regard to this Agency Letter, the please contact Killian Swift via email at Swift.Killian@epa.gov or by telephone at **703-308-6346**. When you are submitting information or data in response to this Agency Letter, please send a copy of this Agency Letter with your response in order to facilitate processing.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael L. Mendelsohn".

Michael L. Mendelsohn,
Acting EPA Product Manager 32
Regulatory Management Branch II
Antimicrobials Division 7510P

Enclosure: EPA-stamped, **Accepted**, "RE-Ox" Product Label.

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RE-Ox[®] Scale Deposit Control Disinfectant

Disinfectant, Sanitizer and Cleaner

Active Ingredient:

| | |
|---------------------------|---------------|
| Sodium Hypochlorite | 0.05% |
| Other Ingredients | <u>99.95%</u> |
| Total | 100.00% |

Keep Out of Reach of Children

EPA Reg. No. 87437-1

EPA Est. 87437-KS-001

Net Contents: 1 gal, 5 gal, 15 gal, 30 gal, 55 gal, 275 gal, 300 gal, 330 gal, 5000 gal.

Blue Earth Labs
5055 W Patrick Ln, Suite 101
Las Vegas, NV 89118

ACCEPTED
MAY 14, 2013
Under the Federal Insecticide, Fungicide, and
Rodenticide, Act as amended, for the
pesticide, registered under
EPA Reg. No. 87437-1

No Precautionary Language Is Required On This Label Due To The Fact That All Routes Of Exposure
Have Been Tested At Toxicity Category IV

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Physical or Chemical Hazards

Do not use [product name] with acids or ammonia.

(For product packaged in containers 5 gallons or larger.)

Environmental Hazards

[Product name] is toxic to fish and aquatic organisms. Do not discharge effluent containing [product name] 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 [product name] 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.

DIRECTIONS FOR USE

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

[Product name] is to be added to water to remove and prevent scales, residues and other scale deposits from forming in piping, equipment and condensing loops. [Product name] disinfects precleaned equipment, floors, walls, drains and other hard, non-porous environmental surfaces and is effective as a sanitizing rinse on previously cleaned surfaces. This product disinfects against gram-negative and gram-positive organisms [pathogens] such as *Salmonella enterica* serovar Choleraesuis (ATCC 10708), *Staphylococcus aureus* (ATCC 6538), *Pseudomonas aeruginosa*(ATCC 15442). This product is a sanitizing rinse against *Staphylococcus aureus* (ATCC 6538) and *Salmonella enterica* serovar Choleraesuis (ATCC 10708) or similar.

Free Available Chlorine (FAC) Dilution

| Required FAC (ppm) | Amount of RE-Ox added to 10 gallons of water |
|--------------------|--|
| 20 | 54 ounces |
| 25 | 68 ounces |
| 50 | 1.2 gallon |
| 100 | 2.5 gallons |
| 200 | 6.7 gallons |
| 250 | 10 gallons |

For Use in Non-Potable Process Water

Add [product name] to water to achieve the free available chlorine (FAC) levels as directed above. Verify the FAC levels with a suitable FAC test kit. Clean equipment/surfaces with potable water prior to application of product-water solutions.

Disinfection of Hard, Non-porous Environmental Surfaces:

Use [product name] in homes and other domestic dwelling places, commercial, industrial and institutional establishments such as hospitals and other health-care/medical facilities, schools and other educational facilities, daycare and elder-care facilities, food processing/preparation/storage facilities, airports and other

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transportation facilities and offices. Use this product to disinfect hard, non-porous environmental surfaces such as floors, walls, showers, bathtubs, toilet seats/rims/lids/bases, sinks, fixtures, cabinets, counters, countertops, door knobs, telephones, tables, chairs, etc. which are those made of stainless steel, chrome, glass, vinyl, glazed porcelain, non-porous plastics, enamel and glazed tile.

Prior to disinfection, thoroughly clean all surfaces/objects making sure to remove all gross filth or heavy soil. To disinfect surfaces/objects, use this product as is (no dilution required) and apply by sponge, mop or spray making sure to thoroughly wet all surfaces/objects. Allow this product to remain on surfaces/objects for 5 minutes prior to wiping with a clean cloth or paper towel, or simply allow surfaces/objects to air dry. Alternatively, this product can be diluted 1:2 with water and used in the same manner but with 10 minutes of contact time.

Sanitization of Food-Contact Surfaces

Use [product name] in public eating establishments (such as restaurants, cafeterias, bars, taverns), dairies and food processing plants to sanitize hard, non-porous food contact surfaces as identified below. Use a mop, sponge, cloth, low pressure coarse sprayer or hand-pump trigger sprayer to apply [product name].

Prior to application, remove all gross food particles and soil from surfaces that are to be sanitized, by a pre-flush, pre-soak or pre-scrape and when necessary, pre-soak treatment. Thoroughly wash or flush surfaces with a good detergent followed by a potable water rinse before applying [product name].

To sanitize fixed items such as tanks, finished wood or plastic chopping blocks, food process equipment (grinders, slicers, choppers), food work areas, finished wood or plastic tables, appliances and countertops, thoroughly wet surfaces and allow items to remain wet for at least one minute. Allow surfaces to drain wet and air dry. Do not rinse or wipe treated surfaces/objects.

To sanitize mobile items such as drinking glasses, cookware, dishware and eating utensils, completely immerse items in [product name] for at least one minute or longer if specified by local government sanitary code. Place sanitized items on a rack or drain board to air dry. Do not rinse or wipe.

To sanitize food contact surfaces in public eating establishments, dairy-processing equipment and food-processing equipment and utensils regulated under 40 CFR § 180.940, completely immerse articles in [product name] for at least one minute. Remove immersed items from solution to drain and then let air dry. Thoroughly wet articles too large for immersion by rinsing, spraying or swabbing and allow to drain, then air dry.

Egg Sanitization

Thoroughly clean all eggs. Spray a warm (not over 130°F) 250 ppm FAC solution to thoroughly wet eggs. Allow the eggs to dry before casing or breaking. Do not rinse eggs with potable water. Do not reuse solution to sanitize eggs.

Fruit and Vegetable Washing

Thoroughly clean all fruits and vegetables in a wash tank. In a second recirculating wash tank, prepare a solution of 25 ppm FAC. Submerge fruit and/or vegetables for 2 minutes in the second tank. Spray-rinse vegetables with the sanitizing solution prior to packaging. Rinse fruit with product-treated potable water only prior to packaging.

Sanitization of Non-Porous Food Contact Surfaces:

Rinse Method: Rinse with a 100 ppm FAC (1:4 dilution of product) solution of [product name]. Confirm FAC with on-site chlorine test. Allow solution to contact surfaces for at least one minute. Test, and periodically adjust the FAC content as necessary, to ensure that the FAC does not fall below 50 ppm. Do not soak overnight and do not rinse treated surfaces.

Immersion Method: Immerse equipment with a 100 ppm FAC (1:4 dilution of product) solution of [product name]. Confirm FAC with on-site chlorine test. Allow solution to contact surfaces for at least one minute. Test, and periodically adjust the FAC content as necessary, to ensure that the FAC does not fall below 50 ppm. Do not soak overnight and do not rinse treated surfaces. Do not rinse surfaces; allow solution to drain and air dry.

Flow/Pressure Method: Disassemble, clean and reassemble equipment prior to sanitization. Pump a solution containing 100 ppm FAC (1:4 dilution of product) solution of [product name]. Confirm FAC with on-site chlorine test. Allow solution to contact surfaces for at least one minute. Test, and periodically adjust the FAC content as necessary, to ensure that the FAC does not fall below 50 ppm until full flow is achieved at all extremities, the system is completely filled with sanitizing solution and all air is removed from the system. Close drain valves and hold under pressure for at least one minute to ensure contact with all internal surfaces. Test solution from drain valve; if effluent contains less than 50 ppm, repeat entire cleaning/sanitizing process.

Clean in Place Method: Clean equipment after use and prior to sanitization. Pump a solution containing 100 ppm FAC (1:4 dilution of product) solution of [product name]. Confirm FAC with on-site chlorine test. Allow solution to contact surfaces for at least one minute. Test, and periodically adjust the FAC content as necessary, to ensure that the FAC does not fall below 50 ppm until full flow is achieved at all extremities, the system is completely filled with sanitizing solution and all air is removed from the system. Close drain valves and hold under pressure for at least one minute to ensure contact with all internal surfaces. Test solution from drain valve; if effluent contains less than 50 ppm, repeat entire cleaning/sanitizing process.

Spray/Fog Method: Pre-clean all surfaces after use and prior to sanitization. Thoroughly spray or fog all surfaces until wet with a 100 ppm FAC solution. Allow surfaces to air dry. Prior to using equipment, rinse all surfaces with a 100 ppm FAC solution. Rinse spray/fog equipment with potable water after sanitization operation.

Cooling Tower/Evaporative Condenser Water

Slug Feed Method – Initial Dose: When system is noticeably fouled, apply 100 to 200 gal. of [product name] per 10,000 gallons of water in the system to obtain from 5 to 10 ppm available chlorine. Repeat until control is achieved. **Subsequent Dose:** When microbial control is evident, add 20 gal. of [product name] per 10,000 gallons of water in the system daily, or as needed to maintain control and keep the chlorine residual at 1 ppm. Badly fouled systems must be cleaned before treatment is begun.

Intermittent Feed Method – Initial Dose: When system is noticeably fouled, apply 100 to 200 gal. of [product name] per 10,000 gallons of water in the system to obtain 5 to 10 ppm available chlorine. Apply half (or 1/3, 1/4 or 1/5) of this initial dose when half (or 1/3, 1/4 or 1/5) of the water in the system has been lost by blowdown. **Subsequent Dose:** When microbial control is evident, add 20 gal. of [product name] per 10,000 gallons of water in the system to obtain a 1 ppm residual. Apply half (or 1/3, 1/4 or 1/5) of this initial dose when half (or 1/3, 1/4 or 1/5) of the water in the system has been lost by blowdown. Badly fouled systems must be cleaned before treatment is begun.

Continuous Feed Method – Initial Dose: When system is noticeably fouled, apply 100 to 200 gal. of [product name] per 10,000 gallons of water in the system to obtain 5 to 10 ppm FAC residual. **Subsequent**

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Dose: Maintain this treatment level by starting a continuous feed of 2 gal. of [product name] per 1,000 gallons of water lost by blowdown to maintain a 1 ppm residual. Badly fouled systems must be cleaned before treatment is begun.

Disinfection of Drinking Water (public systems)

Public Systems: Mix a ratio of 1 oz. of [product name] to 51.2 oz. of water. Begin feeding this solution with a hypochlorinator until a free available chlorine residual of at least 0.2 ppm and no more than 0.6 ppm is attained throughout the distribution system. Check water frequently with a chlorine test kit. Bacteriological sampling must be conducted at a frequency no less than that prescribed by the National Interim Primary Drinking Water Regulations. Contact your local Health Department for further details.

For Scale Deposit Control Use

This use does not provide water or surface disinfection

Continuous Feed Method: PRIOR TO USE IN POTABLE WATER SYSTEMS INSURE ADEQUATE DISINFECTION IS PROVIDED FOR. THE USE OF [PRODUCT NAME] FOR SCALE DEPOSIT CONTROL DOES NOT INSURE DISINFECTION OF DRINKING WATER (POTABLE WATER) OR SURFACE DISINFECTION. Record conditions of water and other target areas (piping, fixtures, equipment, surfaces, etc.) to be treated in order to establish a baseline BEFORE using product. (Include total and/or free available chlorine residual, pH, ammonia/chloramines [if applicable], TDS/conductivity, scale deposit quantities or other criteria of incoming water and in water from distal outlets.) Connect injection device capable of proportional feed to product container and verify its accuracy. Chose a conservative initial dose from the suggested ranges: **Municipal Water** (between 4 to 100 gal. of [product name] per 1,000,000 gallons of water), **Facility Water** (between 40 to 1000 gal. of [product name] per 1,000,000 gallons of water). Note and record resultant chlorine, pH and other previously measured criteria in treated water and distal outlets. After 2 to 4 days, and at appropriate intervals throughout treatment, note and record resultant residuals and conditions of water and target areas. Adjust dosing to obtain desired results. If system turbidity increases to unacceptable levels, reduce or discontinue treatment.

Surge Feed Method: PRIOR TO USE IN POTABLE WATER SYSTEMS INSURE ADEQUATE DISINFECTION IS PROVIDED FOR. THE USE OF [PRODUCT NAME] FOR SCALE DEPOSIT CONTROL DOES NOT INSURE DISINFECTION OF DRINKING WATER (POTABLE WATER) OR SURFACE DISINFECTION. Record conditions of water and other target areas (piping, fixtures, equipment, surfaces, etc.) to be treated in order to establish a baseline BEFORE using product. (Include total and/or free available chlorine residual, pH, ammonia/chloramines [if applicable], TDS/conductivity, scale deposit quantities or other criteria of incoming water and in water from distal outlets.) Connect injection device capable of proportional feed to product container and verify its accuracy. Feed 5 to 50 gal. of [product name] per 10,000 gallons of water in the system. If significant scale deposits exist in the system, a program of system flushing may be required during treatment. Note and record resultant chlorine, pH and other previously measured criteria in treated water and distal outlets. After 12 to 24 hours, and at appropriate intervals throughout treatment, note and record resultant residuals and conditions of water and target areas. Adjust dosing to obtain desired results. If system turbidity increases to unacceptable levels, reduce or discontinue treatment.

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{For product packaged solely for homeowner use:}

Storage and Disposal

Storage: Protect from sunlight. Store in areas inaccessible to children or pets. **Pesticide Disposal:** If empty: Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. If partially filled: Call your local solid waste agent for disposal instructions.

{For product packaged in containers of 1 gallon or less and not solely for homeowner use}

Storage and Disposal

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

Storage: Protect from sunlight. **Pesticide Disposal:** If empty: Non-refillable container. Place in trash or offer for recycling if available. If partially filled: Call your local solid waste agent or 1-800-CLEANUP for disposal instructions. **Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. 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.

{For product packaged in containers greater than 1 gallon that are refillable}

Storage and Disposal

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

Pesticide Storage: Protect from sunlight. **Pesticide Disposal:** Wastes resulting from the use of [product name] may be disposed of on site or at an approved waste disposal facility. **Container Disposal:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

{For product packaged in containers greater than 1 gallon that are non-refillable}

Storage and Disposal

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

Pesticide Storage: Protect from sunlight. **Pesticide Disposal:** Wastes resulting from the use of [product name] may be disposed of on site or at an approved waste disposal facility. **Container Disposal:** Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

[] = optional/alternate language

{ } = language that does not appear on the market label