

87508-3

11/28/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

November 28, 2012

OdorStar LLC
c/o Kevin Kutcel
KRK Consulting LLC
5807 Churchill Way
Medina, OH 44256

Subject: Performacide
EPA Registration Number: 87508-3
Letter Date: November 12, 2012
EPA Receipt Date: November 16, 2012

Dear Mr. Kutcel:

This acknowledges receipt of the following notification, submitted in accordance with the provisions of PR Notice 98-10 under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c) 9.

Proposed amendments:

- Correct an error in the Directions for Use that told user to add water to packet instead of adding packet to water.

General comments:

Based on a review of the material submitted, the notification as referenced above is **acceptable**. A copy of the notification has been added to the product's file.

Should you have any questions or comments concerning this letter, please contact Eliza Blair via email at blair.eliza@epa.gov or by telephone at (703) 308-7279.

Sincerely,

Monisha Harris
Product Manager (32)
Regulatory Management Branch II
Antimicrobials Division (7510P)



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number OdorStar LLC / 87508-3		2. EPA Product Manager Monisha Harris		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) OdorStar LLC / Performacide		PM# 32			
5. Name and Address of Applicant (Include ZIP Code) OdorStar LLC 4041 SW 47 Ave. Fort Lauderdale, FL 33314 <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: <input checked="" type="checkbox"/> 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 the change of one sentence in the directions for use which presents the same use directions already approved by EPA in narrative form per PR Notice 98-10. Please see attached cover letter for additional information.

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 checked="" type="checkbox"/> Yes <input 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 0.44 oz	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
0.44 ounces

5. Location of Label Directions
 On Label On Labeling of accompanying product

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 Kevin R Kutcel	Title Agent	Telephone No. (Include Area Code)
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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 or both under applicable law.

2. Signature 	3. Title Agent	6. Date Application Received (Stamped)
4. Typed Name Kevin R Kutcel	5. Date Nov 12, 2012	

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KRK Consulting LLC

5807 Churchill Way

Medina, OH 44256

Tel: 440-263-7305

E-mail: kevinkutcel@gmail.com

November 12, 2012

US EPA (NOTIF)
Office of Pesticide Programs
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: PR Notice 1998-10 Notification for "Performacide" (EPA No. 87508-3)

Please accept the attached three (3) copies of the revised label for Reg. No. 87508-3 with "notification of a clarification of the Directions For Use" per PR Notice 1998-10. Attached is one copy showing the strikeout and addition of the one sentence of the narrative use directions as allowed in PR Notice 1998-10. Also enclosed are three (3) copies of the label with the changes made.

Attached is EPA Form 8570-1 regarding this notification as required in PR Notice 1998-10. This notification is consistent with the guidance in PR Notice 1998-10 and the requirements of EPA's regulations at 40 CFR 156.46, 156.140, 156.144, 156.146 and 156.156 and no other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand this 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 PR Notice 98-10 and 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.

Please note that KRK Consulting LLC is the authorized agent handling all correspondence for OdorStar LLC and therefore all responses should be directed to the contact information on the letterhead above.

Best Regards,



Kevin R. Kutcel,
Agent for OdorStar LLC

Performacide

**DISINFECTANT/SANITIZER/TUBERCULOCIDE/VIRUCIDE
FUNGICIDE/ALGAECIDE/SLIMICIDE/DEODORIZER**

PRODUCES TWO LITERS OF 500 PPM CHLORINE DIOXIDE SOLUTION WHEN ACTIVATED

When used as directed, Performacide, a chlorine dioxide-generating product, is proven effective as: a disinfectant against methicillin-resistant *S. aureus* (MRSA) (ATCC 33592), *Staphylococcus aureus* (ATCC 6538), *Pseudomonas aeruginosa* (ATCC 15442), *Listeria monocytogenes* (ATCC 19111), *Trichophyton mentagrophytes* (athlete's foot) (ATCC 9533), vancomycin-resistant *Enterococcus faecalis* (ATCC 51299), *Salmonella enteric* (ATCC 10708), *Mycobacterium bovis* (TB) (ATCC 35737), and *Candida albicans* (ATCC 10232); a virucide against Human Immunodeficiency Virus Type 1 (HIV-1) (HTLV-III), Hepatitis A (HM-175), Herpes Simplex-2 (ATCC VR-734), Rhinovirus type 37 (ATCC VR-1147), Influenza-A virus (ATCC VR-544), Coronavirus (ATCC VR-740), Poliovirus-1 (ATCC VR-1000), Feline Calicivirus (ATCC VR-782), Rotavirus (WA), Canine Parvovirus (ATCC VR-2017), Adenovirus type 5 (ATCC VR-5), Vaccinia ATCC VR-119, and Norovirus (feline calici used as testing surrogate) (ATCC VR-782); an algaecide (*Phormidium boneri*); a sanitizer against *S. aureus* (ATCC 6538), *Salmonella typhimurium* (MDRS) (ATCC 13311), *Klebsiella pneumonia* (ATCC 4352), *E. coli* (ATCC 11229, *E. coli* O157:H7 (ATCC 43895), and *Listeria monocytogenes* (ATCC 19111); and a fungicide against *Fusarium solani* (ATCC 36031), *Botrytis Sp* and *Penicillium digitatum* (ATCC 201167).

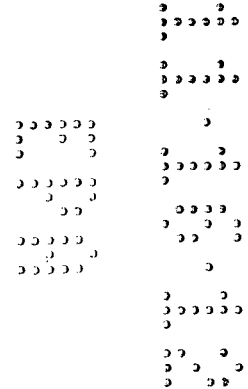
Active Ingredient:	
Sodium Chlorite.....	30.5%
Other Ingredients.....	69.5%
Total.....	100.0%

NOTIFICATION
Date Reviewed: 11/28/12
Reviewed By: E. Blain

DANGER
KEEP OUT OF REACH OF CHILDREN
(See back panel for other cautions)

Amount of Chlorine Dioxide generated = 0.05%

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: 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 Swallowed: 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 Inhaled: Remove victim to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for treatment advice. Get medical attention.
Have the product container or label with you when calling poison control center, doctor or going for treatment. For emergency information concerning this product, call the National Pesticides information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Tim (NPIC). Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.



EPA Registration No. 87508-3 EPA Establishment No. 62788-AL-001
Manufactured by Odorstar, LLC 4041 SW 47 Avenue Fort Lauderdale, FL 33314
www.odorstar.com
Net Weight of contents.....0.44 ounces

Use the following dilution Instructions: All dilutions are based upon a nominal concentration of 500 ppm. Use the following instructions to achieve the use concentration indicated:

To Achieve Use Concentration of:	Use Dilution Device or Sprayer With a Dilution Ratio of:
100 ppm	1:5 (one part 500 ppm solution to 4 parts water)
50 ppm	1:10 (one part 500 ppm solution to 9 parts water)
20 ppm	1:25 (one part 500 ppm solution to 24 parts water)
5 ppm	1:100 (one part 500 ppm solution to 99 parts water)
0.25 ppm	1:2,000 (one part 500 ppm solution to 1,999 parts water)

DISINFECTANT OR VIRUCIDE FOR HARD, NON-POROUS SURFACES: Product must be used with an exposure time of 10 minutes at 100 ppm to disinfect hard surfaces in medical or veterinary facilities to decontaminate *Human Immunodeficiency Virus Type 1 (HIV-1)*, *Herpes Simplex-2*, methicillin-resistant *S. aureus (MRSA)*, vancomycin-resistant *Enterococcus faecalis*, *Staphylococcus aureus*, *Feline Calicivirus*, *Pseudomonas aeruginosa*, *Salmonella enterica*, *Mycobacterium bovis (TB)*, *Trichophyton mentagrophytes (athlete's foot)*, *Candida albicans*, *Listeria monocytogenes*, *Corona virus*, *Hepatitis A*, *Poliovirus-1*, *Rotavirus*, *Influenza-A virus*, *Rhinovirus type 37*, *Canine Parvovirus*, *Adenovirus type 5*, *Vaccinia*, and *Norovirus*. This product must be also used as a virucide or disinfectant on hard, non-permeable, non-porous surfaces. Dilute to 100 ppm as table above specifies.

SANITIZER FOR HARD, NON-POROUS, NON-FOOD-CONTACT SURFACES. Formula may be used to sanitize and disinfect non-food contact surfaces at a dilution ratio of 20 ppm and an exposure time of 5 minutes against *Listeria monocytogenes*, *Staphylococcus aureus* and/or *Klebsiella pneumonia* and. Formulation may be applied to non-food contact surfaces, to include but not be limited to walls, furniture, floors, and equipment. Dilute to 20 ppm as table above specifies.

SANITIZER FOR HARD, NON-POROUS, FOOD-CONTACT SURFACES. Effective food contact surface sanitizer at an exposure time of 1 minute at a dilution of 5 ppm against *E. coli* and *E coli O157:H7*, *Staphylococcus aureu* and *Salmonella typhimurium (MDRS)*. Product may be used on previously cleaned food preparation surfaces; fountain drink and beverage dispensers; glassware, plates and eating utensils and food and beverage processing equipment at a dilution ratio of 5 ppm and an exposure time of 5 minutes.

SPECIAL INSTRUCTIONS FOR CLEANING AND DECONTAMINATING SURFACES AND OBJECTS PREVIOUSLY SOILED WITH BLOOD BODY FLUIDS POTENTIALLY CONTAINING HUMAN IMMUNODEFICIENCY VIRUS TYPE 1 (HIV-1)

- When handling items soiled with blood or body fluids user must wear protective barriers, including gowns, masks, eye protection and latex gloves.
- Blood and other body fluids must be thoroughly cleaned from surfaces and objects before application of formulation.
- Blood, body fluids, bandages and any contaminated items must be autoclaved and disposed of according to local regulations for infectious waste disposal.

ANTIMICROBIAL APPLICATIONS FOR WATER-BASED CUTTING FLUIDS/OILS: This product will help inhibit, control and remove odor-causing bacteria, slimes and other organic growth in water-based cutting oils and attendant systems. The formula can be used for batch treatments, shock treatments or for continuous operation in and for small-volume systems. Use a 500 ppm solution for each 100 gallons of cutting oil in the system, adding between 0.2 and 2 gallons of the 500 ppm solution, subject to the amount of contamination and the desired frequency of treatment.

SANITIZING FINAL RINSE OF PRE-CLEANED OR NEW RETURNABLE OR NON-RETURNABLE CONTAINERS. This product may be used as a final sanitizing rinse for plastic, glass or metal returnable and non-returnable beverage containers, to include bottles, cans, and kegs. Using a device with a 6:100 dilution ratio (six parts solution to 94 parts water), use a 500 ppm solution to produce an end application concentration of 30 ppm. Rinse bottles, cans, or other containers with the use solution, ensuring visible wetness. Allow to drain dry.

To EXTEND SHELF-LIFE OF FRUITS AND VEGETABLES. This product may be used for 1 minute at a dilution of 5 ppm in food processing facilities in order to control spoilage microorganisms on raw agricultural commodities (RACs). Apply via sprayer or dip RACs into formulation, followed by a rinse with potable water or by cooking, blanching or canning. Dilute to 5 ppm as table above specifies.

FRUIT AND VEGETABLE RINSE ANTIMICROBIAL APPLICATIONS / TO CONTROL THE BUILDUP OF MICROBES IN PROCESS WATERS FOR ASSOCIATED LINES, TANKS AND FLUMES. This product will control and inhibit the build-up of microbes in water used to process fruits and vegetables. The recommended residual concentrations of chlorine dioxide are between 0.25 ppm and 5.0 ppm. Dilute to 0.25 ppm or 5 ppm as table above specifies. In order to maintain desired concentration, inject formulation to the sytem either continuously or intermittently as needed. Frequency and volume of replenishment is subject to the severity of contamination of vegetables and fruits being processed, as well as target concentration, and process design.

ANTIMICROBIAL AND GENERAL CLEANING APPLICATIONS FOR POTABLE WATER SYSTEMS: This product is effective as a means of reducing microbial populations in potable water holding tanks and lines of boats or RVs (recreational vehicles), as well as in in the wastewater lines and tanks of boats and RVs. It can also be used in beverage equipment including fountain drink equipment and related storage; transfer and dispensing lines of this equipment. It is also effective when used to clean such equipment to remove organic materials and eliminate/prevent odors. Any such use must be followed by a thorough rinsing with potable water. To achieve a level of 50 ppm, use one activated pouch (2 liters) for each 50 gallons of tank or line capacity, rounding up to the next higher number of pouches (i.e., using two pouches to treat a 100-gallon tank, or four pouches to treat two 80-gallon tanks with a combined capacity of 160 gallons).

DISINFECTANT FOR CLEAN-IN-PLACE APPLICATIONS FOR POTABLE WATER SYSTEMS: This formula is effective as a disinfectant for potable water lines or fountain drink or other beverage preparation, storage, transfer and dispensing equipment that have or may have been contaminated with methicillin-resistant *S. aureus*, vancomycin-resistant *Enterococcus faecalis*, *Salmonella enteric*, *Staphylococcus aureus*, *Pseudomonas aeruginosa* and/or *Candida albicans*). Dilute as table above specifies to either 100 ppm solution for a 10-minute exposure time or to 50 ppm solution for a 20-minute exposure time.

ANTIMICROBIAL TREATMENT FOR POULTRY DRINKING WATER. This product may be used at up to 5 ppm to control microorganisms in drinking water intended for poultry. Dilute to 5 ppm or use directly in system with automatic, on-demand injection system metered to produce an end concentration of 5 ppm. Note: application specifics may vary subject to metering system, frequency of replenishment, and the overall capacity of drinking container.

ANTIMICROBIAL APPLICATIONS FOR NON-POTABLE WATER SYSTEMS IN HORTICULTURAL SETTINGS: This product may be used to control and reduce microbial populations in non-potable water used with cut flowers in order to minimize microbial transfer from water to flower in order to maintain/maximize the freshness of cut flowers and to extend their shelf life. Dilute to 5 ppm as table above specifies.

GENERAL CLEANING AND ANTIMICROBIAL USES: NON-POTABLE WATER APPLICATIONS SUCH AS RECIRCULATING WATER SYSTEMS, TO INCLUDE PAPER MILLS, DECORATIVE FOUNTAINS AND COOLING TOWERS: This product will help control, inhibit or remove algae, fungi, slime, or other organic buildups in recirculating water systems. For initial or remedial treatment in cases of significant build-ups of this organic material, begin with a 500 ppm solution for each 1,000 gallons or cooling or fountain water capacity. Then add 10 gallons of the 500 ppm solution to achieve a residual concentration of chlorine dioxide of approximately 5 ppm. Circulate the treated fluid in normal system operation. Repeat daily until desired results are achieved. For continuous or periodic treatment, begin with a 500 ppm solution for each 1,000 gallons of cooling or fountain water, adding one gallon of the 500 ppm solution to achieve a residual concentration of chlorine dioxide of approximately 0.5 ppm. Circulate water in normal system operation.

STORAGE AND DISPOSAL

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

Pesticide Storage: STORE IN DARK, DRY, PROTECTED, WELL-VENTILATED AREA, AWAY FROM DIRECT SUNLIGHT AND WHERE TEMPERATURE WILL NOT EXCEED 122°F (50°C). KEEP AWAY FROM ALL FOOD FOR HUMAN OR ANIMAL CONSUMPTION. MAKE SURE PRODUCT CANNOT COME INTO CONTACT WITH WATER OR ACID OR ACID-BASED PRODUCTS.

Pesticide Disposal: DO NOT DISPOSE OF WITH FOOD OR WATER. IN THE EVENT OF A SPILL, TAKE STEPS TO AVOID RUNOFF TO COME INTO CONTACT WITH COMBUSTIBLE MATERIALS, ACIDIC SOLUTIONS, SKIN OR CLOTHING.

Container Handling: WASTE MATERIALS MUST BE TREATED AS TOXIC AND MUST BE DISPOSED OF IN ACCORD WITH FEDERAL, STATE AND LOCAL REGULATIONS. CONTACT EPA, STATE OR LOCAL ENVIRONMENTAL AGENCIES FOR CURRENT DISPOSAL INSTRUCTIONS. PRIOR TO DISPOSING OF POUCH, MAKE SURE IT IS COMPLETELY EMPTY BEFORE DISPOSING VIA INCINERATION OR IN SANITARY LANDFILL.

WARRANTY STATEMENT: Manufacturer's liability is limited to the purchase price of the product. Manufacturer makes no warranties, implied or expressed, other than that the product shall be free from defects in material and workmanship. The manufacturer makes no warranty to the merchantability of the product. Manufacturer accepts no liability resulting from misuse of product or for any incidental or consequential damages for any breach of warranty.