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



# United States Environmental Protection Office of Pesticide Programs

The Sherwin-Williams Company 101 West Prospect Avenue Cleveland, OH 44115-1075

OCT 2 5 2011

Attention:

Madelyn K. Harding

Subject:

**HMF Antifouling Paint** 

EPA Registration No: 577-570 Notification Dated: October 4, 2011

This will acknowledge receipt of your Notification to update the container handling statement per PR Notice 2007-4 and make other minor changes to the product label, submitted under the provision of FIFRA Section 3(c)(9).

# **Proposed Notification:**

To add two EPA Establishments to the label

## **General Comments:**

Based on a review of the submitted material, the following comments apply:

The Notification dated October 5, 2011, is acceptable, to add the following Establishment number "577-KS-01", to the label. This information has been added to your file.

If you have any questions concerning this letter, please contact Zebora Johnson at (703) 308-63417.

Sincerely

Marshall Swindell

Product Manger (33)

Regulatory Management Branch I Antimicrobial's Division (7501P)

(A) United States Environment Office of Pesticide Pr			Registration mendment		OOP Identifier Number 20f8		
EPA Washington, Do	, ,	XX	Notification				
Application for		AA	Notification				
Application for	1 concluc.	Section I					
<ol> <li>Company/Product Number 577- 570</li> </ol>			2. EPA Product Manager M. Swindell		3. Proposed Classification		
4. Company/Product (Name) HMF Antifouling Paint		PM# <b>33</b>		X None   Restricted			
5. Name and Address of Applicant (Include ZIF THE SHERWIN-WILLIAMS COMPAN 101 WEST PROSPECT AVENUE CLEVELAND, OH 44115-1075		6. Expedited Review. In accordance with FIFRA Section 3©(3)(b)(I), my product is similar or identical in composition and labeling to:  EPA Reg. No					
☐ Check if this is a new address			Product Name				
		Section I					
Amendment – Explain below		do	Final printed labels	in response	to Agency letter		
☐ Resubmission in response to Agency letter ☐ "Me Too" Application.							
XX Notification – Explain below	v.		Other – explai	in below.			
Explanation: Use additional page(s)		section I and Se					
Add new Establishment number: 8 Combine two label amendments the and August 12, 2011], since the August 20, 2011 and approved May 27, 20	nat were approve ugust 12, 2011 s						
		Section II	I				
1. Material This Product Will Be Pa	ckaged In:						
Child Resistant Packaging	Unit Packaging		Water Soluble Packaging		2. Type of Container		
□ Yes*	□ Yes		□ Yes		□ Metal		
□ No	□ No		□ No	1	□ Plastic		
*Certification must be	If Yes,*	No. per	If Yes,* No.	per	☐ Glass ☐ Paper		
submitted.	Unit Package w	t. Container	Package wgt. Cor	namer	☐ Other (Specify)		
3. Location of Net Contents Informati	on	4. Size(s) of R	Retail Container		n of Label Directions		
G. Contrine							
☐ Label ☐ Container  6. Manner in Which Label Is Affixed	To Decduct	itheconords	□Oth(	□On Labe	ling accompanying product		
6. Manner in which Label is Allixed		ithograph aper glued	□Other (_				
		aper graed tenciled					
		Section IV	V				
1. Contact Point (Complete items directly below for identification)	on of individual to be contact	red, if necessary, to process. Title	s this application.)	Tolombon	No (Include Arts Code)		
Name Madelyn K. Harding					hone No. (Include Area Code) <b>566-2630</b>		
Certification I certify that the statements I have made of acknowledge that any knowingly false or		attachments theret	o are true, accurate and		n under applicable law.		
2. Signature		3. Title			Date Application Received		
Madelyn KHare.		Senior Corporate Manager Regulatory Affairs			(Stamped)		
4. Typed Name		5. Date					
Madelyn K. Harding		October 4, 2011					
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. , O	ffice of Pesticide Pro	grams (H7505C)	XX	Amendment		300		
EPA	Washington	20460		lotification				
	Application for	Pesticide:						
			Section I					
1. Company/Produ <b>577- 570</b>	ct Number			2. EPA Product Manager M. Swindell		3. Proposed Classification		
4. Company/Product (Name) HMF Antifouling Paint				PM# <b>33</b>		X None		
			6. Expedited Review. In accordance with FIFRA Section 3©(3)(b)(I), my product is similar or identical in composition and labeling to:  EPA Reg. No					
☐ Check if this is a new address				Product Name				
			Section I					
XX Amendm	ent – Explain below		do	Final printed labels in response to Agency letter dated				
Resubmission	n in response to Ager	acy letter		"Me Too" Applica	ition.			
	n – Explain below.			Other – explain b	pelow.			
Explanation: Use	e additional page(s) i	f necessary. (For	section I and Se	ection II.)				
Delete the phrases "Refer to product data sheet for additional application and performance characteristics" And "Low VOC to comply with environmental regulations" And add the statement "Complies with VOC regulations."								
			Section I	П				
1. Material This	Product Will Be Pa	ckaged In:						
Child Resistant P	ackaging	Unit Packaging	Water Soluble Pac					
□ Yes* □ No		□ Yes □ No		☐ Yes ☐ No	4	☐ Metal ☐ Plastic		
L 110			N			☐ Glass		
*Certification mi	ust be	If Yes,* Unit Package wt	No. per		. per ntainer	□ Paper		
submitted.		· ·		Tuestage tight		☐ Other (Specify)		
3. Location of Ne	t Contents Informati	on	4. Size(s) of I	Retail Container	5. Locati	on of Label Directions		
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□ Label	□ Container	T- Do-t	:411	TO41(	□On Lab	eling accompanying product		
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Name	tems directly below for identification	on of individual to be contact	ed, if necessary, to proce. Title	ss this application.)	Telephor	ne No. (Include Area Code)		
	yn K. Harding			oorate Manager Affairs		(216) 566-2630		
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3				austa Mananan	(	6. Date Application Received		
Madelipo K Hard.		Senior Corporate Manager Regulatory Affairs			(Stamped)			
4. Typed Name			5. Date			( ( ( (		
Madelyn K. Harding		April 20, 2011						
						eren er		



# SHERWIN-WILLIAMS.

Environmental, Occupational Health & Regulatory Services 101 Prospect Avenue NW Cleveland, Ohio 44115-1075 Facsimile: (216) 566-2730

BY FEDERAL EXPRESS

October 5, 2011

Mr. Marshall Swindell (PM 33)
Document Processing Desk (NOTIFY)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

### **QUALIFIES FOR FAST TRACK**

RE:

EPA Registration Number 577-570, HMF Antifouling Paint

Notification to add a new Establishment number: 577-KY-01 and to consolidate two label

amendments

Dear Mr. Swindell,

This letter and the enclosed application are a Notification to add a new Establishm ent Number, 577-KY-01, to the label. In addition, it has come to our attention that the label amendment submitted on August 12, 2011 and approved on September 12, 2011 omitted the label changes made by amendment in our submission of April 20, 2011 and approved on May 27, 2011. Thus, we are also seeking to consolidate those two label amendments. If it is possible, please approve and stamp this label for our records.

Enclosed please find the following items:

- 1. The April 20, 2011 amendment submission and the May 27, 2011 approval
- 2. The August 12, 2011 submission and the September 12, 2011 approval
- 3. Five copies of the label, one highlighted, showing the label changes made by these two amendments, as well as the addition of EPA Establishment Number 577-KY-01
- 4. Form 8750-1 Application for Amendment

Thank you for your prompt attention to this matter. If you have any questions regarding this submission, please do not hesitate to contact me at 216-566-2630, or by e-mail at <a href="mailto:mkharding@sherwin.com">mkharding@sherwin.com</a> or by facsimile at 216-263-8612. Thank you for your prompt attention to this matter.

Sincerely,

Madelyn K. Harding, Senior Manager

Madelyn KHard

Regulatory Affairs



# SHERWIN-WILLIAMS.

Environmental, Occupational Health & Regulatory Services 101 Prospect Avenue NW Cleveland, Ohio 44115-1075 Facsimile: (216) 566-2730

BY FEDERAL EXPRESS

April 20, 2011

Mr. Marshall Swindell (PM 33) Document Processing Desk (AMEND) Office of Pesticide Programs (7504P) U. S. Environmental Protection Agency One Potomac Yard, Room S-4900 2777 South Crystal Drive Arlington, VA 22202

# MINOR CHANGE TO LABEL QUALIFIES FOR FAST TRACK

RE:

EPA Registration Number 577-570, HMF Antifouling Paint Amendment to Remove Reference to Product Data Sheet

Dear Mr. Swindell,

The purpose of this Amendment is the change the Directions for Use by deleting the phrase "Refer to product data sheet for additional application and performance characteristics." All required application information is found on the label, so the data sheet is not necessary. In addition, we plan to change the statement "Low VOC to comply with environmental regulations" to the statement "Complies with VOC regulations." These changes are highlighted on one copy of the label. In addition there are five "clean" copies of the label.

Enclosed please find the following:

- Form 8750-1 Application for Amendment. 1.
- 2. Six copies of the proposed label: one showing the proposed changes and five "clean" copies

Thank you for your prompt attention to this matter. If you have any questions regarding this submission, please do not hesitate to contact me at 216-566-2630, or by e-mail at mkharding@sherwin.com or by facsimile at 216-263-8612. Thank you for your prompt attention to this matter.

Sincerely,

Madelyn K. Harding, Senior Manager

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Regulatory Affairs

#### Front of Label

# [PRODUCT NAME]

Product Color (optional)

For protecting underwater ship hulls from marine growth

Product Number (optional)

#### **ACTIVE INGREDIENT**

Zinc Pyrithione	6.38%
1H-Pyrrole-3-carbonitrile,4-bromo-2-(4-chlorophenyl)-5-(trifluoromethyl)	
INERT INGREDIENTS	
TOTAL	100.00%

#### **CONTAINS PETROLEUM DISTILLATES**

5 U.S. Gal 18.92 L

EPA Reg. No.

577-570

EPA Est. No. 577-VA-01 577-CA-03 577-GA-01 577-KS-02

KEEP OUT OF REACH OF CHILDREN.
FOR USE ON GOVERNMENT, COMMERCIAL, AND PLEASURE CRAFT ONLY AT COMMERCIAL OR GOVERNMENT SHIPYARDS
WARNING
COMBUSTIBLE! VAPOR HARMFUL. IRRITATES EYES, SKIN AND RESPIRATORY TRACT.
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

## Back or Side of Label

[Product Name] is a solvent-based copper and tin free antifoulant coating, containing a unique blend of biocides to deter both soft and hard fouling.

- Contains unique organic biocide technology to comply with the IMO ban on coatings containing TBT
- Biocides are non-persistent in the environment, with very short half lives
- Low VOC to comply with environmental regulations Complies with VOC regulations

# DIRECTIONS FOR USE

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

Mix thoroughly prior to use.

Application temperature 50-100  $^{\rm o}$ F/ 10-38  $^{\rm o}$ C. Apply by airless spray, conventional spray, brush or roller. Apply at 5 – 10 mils wet per coat. (3.0 – 6.0 dry mils per coat)

Recoat Time: 16 hours Launch Time: 24 hours

Thinning: If needed, do not exceed more than 5% by volume VM&P Naphtha or

High Flash Naphtha 100.

Shelf Life: 24 months, unopened

Note: Refer to product data sheet for additional application and performance characteristics.

FOR MARINE APPLICATIONS ONLY.

[OTHER INFORMATION]

VOC: Unreduced: Less than 330 g/l (2.78 lbs./gal, maximum)

Reduced at 5%: Less than 350 g/l, 2.92 lbs/gal

## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

#### PESTICIDE DISPOSAL

Pesticide that can not be used according to label instructions must be disposed of according to federal, state or local procedures under the Resources Conservation and Recovery Act.

# **CONTAINER DISPOSAL**

Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

## DELAYED EFFECTS FROM LONG TERM OVEREXPOSURE.

Contains solvents which can cause permanent brain and nervous system damage. Intentional misuse by deliberately concentrating and inhaling the contents can be harmful or fatal.

#### **FIRST AID**

*IF SWALLOWED:* Call a Poison Control Center or doctor immediately for treatment advice. Have a 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 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.* 

*IF ON SKIN:* 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:* 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.

HAVE THE PRODUCT CONTAINER OR LABEL WITH YOU WHEN CALLING A POISON CONTROL CENTER OR DOCTOR, OR GOING FOR TREATMENT.

# Note to Physician

Contains petroleum distillate - vomiting may cause aspiration pneumonia.

# PRECAUTIONARY STATEMENTS WARNING: HAZARDS TO HUMAN AND DOMESTIC ANIMALS

Causes substantial, but temporary eye injury. Harmful if swallowed or inhaled. Do not get in eyes or on clothing. Avoid breathing vapor or spray mist. Avoid contact with skin. Wear goggles, face shield, or safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, smoking, chewing gum, using tobacco, or using restroom. Remove and wash contaminated clothing before reuse.

When used in confined areas or while spraying and/or sanding boat surface, wear a mask or a respirator jointly approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health, under the provisions of 30 CFR 11.

#### **ENVIRONMENTAL HAZARDS**

Do not contaminate waters by cleaning of equipment or disposal of wastes. Do not allow chips and dust generated during paint removal to enter waters. Dispose wastes debris in an approved landfill.

#### PHYSICAL OR CHEMICAL HAZARDS

COMBUSTIBLE. FLASH POINT APPROXIMATELY 102°F. Do not use or store near heat or open flame. Pesticide, container or rinse solution that cannot be used according to label instructions must be disposed of according to Federal or approved State procedures under Subtitle C of the Resource Conservation and Recovery Act.

NOTICE: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm.

The Sherwin-Williams Company Cleveland, Ohio 44115

