

2693-226

08-19-2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number:

2693-226

Date of Issuance:

AUG 19 2009

Term of Issuance:

Conditional

Name of Pesticide Product:

Trilux 33 Aerosol
Black

NOTICE OF PESTICIDE:

[x] Registration
Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

International Paint, LLC
2270 Morris Avenue
Union, N. J. 07083

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.

2. Make the labeling changes listed below before you release the product for shipment:

a. Revise the "EPA Registration Number to read, "EPA Reg. No. 2693-226".

Signature of Approving Official:

[Handwritten signature]

Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Date:

AUG 19 2009

b. Under the "If swallowed" heading of the "First Aid" section of the product label, replace "Have person sip a glass of water if able to swallow." to "Do not give any liquid to the person." This statement is necessary because the product contains $\geq 10\%$ petroleum distillates.

c. Under the "Hazard to Humans and Domestic Animals" section of the product label, insert the following statement: "Wear protective eyewear (goggles, safety glasses, or face shield)."

d. Under the "Hazard to Humans and Domestic Animals" section of the product label, change "Mining Enforcement and Safety Administration" to read "Mine Safety and Health Administration (MSHA)."

e. Under the "Hazard to Humans and Domestic Animals" section of the product label, change "National Institute of Occupational Health" to read "National Institute for Occupational Safety and Health (NIOSH)."

f. Under the "Environmental Hazard" section of the product label, change "unless this product is specifically identified and addressed in an NPDES permit" to read "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."

g. Under the "Storage and Disposal" section of the product label, add a "Pesticide Storage" subheading and provide instructions for storing the product. Guidance on developing appropriate pesticide storage instructions can be found at <http://www.epa.gov/oppfead1/labeling/lrm/>, Chapter 13 (Storage and Disposal).

3. Please note that the studies for the storage stability and corrosion characteristics must be submitted to the Agency within one (1) year from the date of this Notice of Registration.

4. Submit two (2) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

5. The Basic and Alternate (white) Confidential Statements of Formulas (CSFs) dated January 28, 2009 are in compliance with PR Notice 91-2, agree with the label and are acceptable.

6. Submit by 09/1/10, data to satisfy the following requirements:

- 875.1100 Dermal exposure - outdoor
- 875.1300 Inhalation exposure – outdoor

7. Submit the following “reserved” studies within 12 months of the date of the Agency’s written request for these data. The need for these reserved data will be based upon the results of one or more of the above studies as determined by the Agency.

- GLN 72-5 Fish Life Cycle
- GLN 72-7 Simulated or actual field testing for aquatic organisms
- GLN 71-4 Avian Reproduction
- GLN 73-3 Acute Pore Water Studies (fish and invertebrates)
- GLN 74-1 Whole Sediment Chronic Study (invertebrates)
- Special Study: Monitoring of Representative U.S. Waters
- GLN 162-1 Aerobic Soil Metabolism
- GLN 162-2 Anaerobic Soil Metabolism
- GLN 164-2 Aquatic Field Study
- GLN 165-5 Accumulation Study (Nontarget organism)
- GLN (Not Assigned) Monitoring of Representative US Waters

This conditional registration will expire automatically on 02/27/2011. If you fail to satisfy the conditions imposed in this registration, EPA may issue a Notice of Intent to Cancel under Section 6(e) of FIFRA. Your release for shipment of the product constitutes acceptance of these conditions.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A copy of the label stamped "accepted with comments" and a copy of the Product Chemistry review are enclosed for your records.

If you have any questions concerning this letter, please contact myself at 703-308-6341, or Martha Terry (703) 308-6217.

Sincerely,



Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Enclosure: (Stamped Label)

**PRECAUTIONARY STATEMENTS
DANGER
HAZARD TO HUMANS AND DOMESTIC ANIMALS**

Causes skin burns. Causes substantial but temporary eye injury. Harmful if absorbed through skin, swallowed or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the restroom. Wear chemical resistant (such as nitrile or butyl) gloves, long-sleeved cotton shirt, long pants, socks, and shoes. For overhead exposure, wear chemical-resistant headgear. While spraying paint or sanding or sandblasting boat surfaces, wear a mask or a respirator jointly approved by the Mining Enforcement and Safety Administration and the National Institute of Occupational Health. Remove and wash contaminated clothing before reuse.

FIRST AID

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 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 inhaled:

- Move person 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 further treatment advice.

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.

Other: Have the product container or label with you when calling a poison control center or doctor or going for treatment.

**ACCEPTED
with COMMENTS
in EPA Letter Dated:**

AUG 19 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No.

2693-224

Note to Physician: Contains petroleum distillates. Vomiting may cause aspiration pneumonia.

PHYSICAL OR CHEMICAL HAZARD

Extremely flammable. Contents under pressure. Keep away from heat, sparks, open fire or heated surfaces. Do not puncture or incinerate container. Exposure to temperatures above 130 degrees F may cause bursting.

ENVIRONMENTAL HAZARD

This material is toxic to fish. Do not apply directly to water by cleaning of equipment or disposal of wastes. Do not allow chips and dust generated during paint removal to enter water. Dispose of paint debris in an approved landfill. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL

Pesticide wastes are toxic. Paint that cannot 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

Do not puncture or incinerate. A completely empty can can be disposed of with household trash. Wrap in paper before disposing.

ACCEPTED
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Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.

2693-226

Trilux 33 Aerosol

Trilux 33 Aerosol antifouling paint is formulated specifically for aluminum outboards, outdrives and aluminum hulls in underwater areas. Trilux 33 Aerosol uses two biocides and Biolux technology for protection from all types of fouling. Biolux Technology is used to control slime growth. Trilux 33 Aerosol is for use in fresh, salt and brackish water.

DIRECTIONS FOR USE

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

This product is intended for use by boat owners in residential or marina settings on pleasure craft or workboats.

FOR ALUMINUM OUTBOARDS, OUTDRIVES AND HULLS

BARE ALUMINUM – Sand with medium grit emery cloth and apply Viny-Lux® Primewash 353/354. Apply 1 full can of Primocon Aerosol YPA985 primer.

PREVIOUSLY PAINTED – with Trilux 33 Aerosol or Trilux Prop & Drive Sand with 80-grit sandpaper then apply Trilux 33 Aerosol as specified below.

PREVIOUSLY PAINTED – with Factory Paint or other Antifouling Paint Sand with 80-grit sandpaper. Wipe clean and apply 1 full can of Primocon Aerosol. Then apply 1 full can of Trilux 33 Aerosol as specified below.

APPLICATION

Apply Trilux 33 Aerosol only after priming with Primocon Aerosol Primer.

1. Shake can, listen for mixing ball & continue shaking for at least 1 minute.
2. Hold container 12-16" from unit.
3. Apply contents of 1 can for each Outdrive/Outboard. It will be touch dry in about 30 minutes. Allow a minimum of 6 hours at 75° F or 12 hours at 50°F dry time between coats.
4. For application to hulls, apply 2-3 coats. Allow proper dry times.
5. Be sure paint is completely dry before immersion. Allow a minimum of 12 hours at 75°F or 16 hours at 50°F prior to launch.

For Clean-up – use Special Thinner 216.

COVERAGE – One can of Trilux 33 Aerosol will cover 22 square feet. For best antifouling protection, use entire can of primer and Trilux 33 Aerosol for each lower unit.

When finished spraying, invert can and spray until the nozzle is cleared. Do not apply primer or Trilux 33 Aerosol above the true waterline.

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