

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 20 1989

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Mr. Lee
1101
Arlington

Attention: Mr. Lee

Dear Mr. Lee:

Subject: Vinyl Antifouling Paints with Lead (39-0-22)
EPA registration No. 8177-42
Vinyl Antifouling Paints with Lead (39-0-15)
EPA registration No. 8177-43
Vinyl Antifouling Paints with Lead (39-0-3)
Label 39-0-3-1
EPA registration No. 8177-44
Your application dated September 2, 1988
EPA Registration No. 8177-44

Removal of Propylene Oxide, a toxic inert ingredient, from the formula is also necessary in the label. The "This product contains no toxic inert ingredients" statement is in compliance with PR Notice 37-6 and is acceptable. Also, all proposed Confidential Statements of Formula agree with their labels and are acceptable.

The labels referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), are acceptable provided that you:

1. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling.
 - a. On the left panel first column, delete the second Physical or Chemical hazard statement "Do not use or store near heat or open flame." because this is in conflict with the correct Physical or Chemical Hazard statement "Flammable, keep away from heat and open flame."
 - b. Delete the words "Contains organic solvent" (and flame logo) because it will, more correctly, be replaced by the words "Contains Petroleum Distillates," which must appear on the front panel immediately below the ingredient statement.

50400:I/C:Lee:LL-20:KENCO:3/30/89:4/11/89:rw:JH:aw

CONCURRENCES

SYMBOL							
SURNAME							
DATE							

- c. Delete the word "Flammable" from the sentence: "Flammable, causes eye irritation"
 - d. Move the sentences "Keep container closed when not in use. In case of spillage, absorb with inert material and dispose of in accordance with applicable regulations" so that they immediately follow the sentence "Do not contaminate water, food, or feed by storage and disposal."
 - e. On the front panel, replace the word "Industrial" with the word "Commercial."
 - f. Refer to the enclosure, "THE LABEL" and make sure that you have complied with the type size requirements and following items: 1, 2, 3, 4, 5, 6a, 6b, 7, 7a, 7b, 7d, 7e, 8, 8a, 8b, 9c, and 10d. Also, refer to the A-79 enclosure in meeting the final printed label submission requirements. In most cases the final label is the label that will be affixed to the container.
2. Submit five (5) copies of your final printed labeling before you release the product for shipment.

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

A stamped copy of the labeling is enclosed for your records.

Since you must make the above change in your label, you may choose to update your labeling to reflect the current concept of "format labeling" (refer to the "The Label" enclosure and our comments below).

- Your "Precautionary Statements," "Hazards to Humans and Domestic Animals," headings and the "Precautionary/Safety, and Practical Treatment" statements should precede the "Environmental Hazards" and "Physical or Chemical Hazards" headings and statements.

NOTE that all these precede the Directions for Use (see the "Preferred" items 8, 8a, 8b, and 8c of "The Label").


For your information, we include:

1. "The Label" enclosure, which deals with the current concept of "format labeling."
2. A DRAFT left panel which reflects many of our label review comments made in (1) above.

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If you have any questions concerning this letter, please call
Mr. Edmund Prominski at (703) 557-7404.

Sincerely yours,



John H. Lee
Product Manager (31)
Antimicrobial Program Branch
Registration Division (H7504C)

Enclosures

[Faint, illegible text or stamp]

Valspar

Vinyl Anti-Fouling Paint Dark Brown 59-D-22

For Industrial Use Only. Do Not Use In or
Around a Household or Dwelling. (FR-11)
Not Sold For Use In Air Pollution Regulation Areas.
Photochemically Reactive Per Rule 102. (FR-21)

KEEP OUT OF REACH OF CHILDREN
WARNING! See Precautions Elsewhere on Label (FR-22)

EPA Reg. No. 8177-42 EPA Est. 8177-TX-51

NET 5 GAL. (18.927 Liters)

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 20 1987

PAINT
UN 1263

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide
registered under EPA Reg. No.
8177-42

VINYL ANTI-FOULING PAINT
DARK BROWN 59-D-22

Active Ingredient:
Cuprous Oxide.....51.8%
Inert Ingredients:.....48.2%
(Copper as Metallic 45.8%)

This product contains the toxic inert
ingredient Tricresyl Phosphate

The VOC of this paint exceeds
420 grams/liter (15.5 lbs./gal)
SR-6 (4-87)



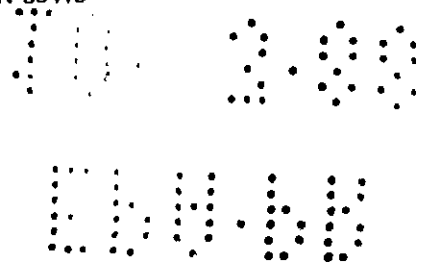
The Valspar Corporation
MAINTENANCE & MARINE COATINGS DEPARTMENT
MINNEAPOLIS, MN 55415

Medical Emergency No.

1-800-228-5635

52-9
(4-88)

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ENVIRONMENTAL HAZARDS: 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.

PHYSICAL OR CHEMICAL HAZARDS: Flammable. Keep away from heat and open flames.

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

ANTI-FOULING PAINT FOR METAL BOTTOMS: To control the attachment of marine fouling, i.e., barnacles, grass, algae, etc., on steel bottoms in salt and brackish water which would sustain such growth. Not recommended for use on aluminum. A minimum of two coats is recommended for best performance.

Surface Preparation: Before application of anti-fouling, all surfaces must be dry and cleaned of dirt, dust, oil, rust, loose paint, salt residues, and other contaminants. Steel must be coated with a suitable primer or anti-corrosive barrier coats.

Mixing: Before use, power mix or box the paint until the product is uniform. Stir the paint at intervals during application to maintain uniformity.

Application: Apply by brush, roller or spray. Do not paint in cold or damp weather. When used over epoxy base coats, the first coat of anti-fouling should be applied while the

epoxy is still in a soft, uncured condition, typically, within 12-16 hours at 75°F (24°C). When this is not practical, apply a tie-coat of 80-R-3 Vinyl Primer, or 83 Series Hi-Build Vinyl within this interval. Anti-fouling may then be applied at any later time.

Thinning: Thin slightly with Thinner 7-T-37 when required for application. Use Thinner 7-T-37 for clean-up.

Coverage: Apply at a rate that will provide a 2 mil dry film per coat, theoretically 350 sq. ft. per gallon. Actual coverage will vary depending upon application technique, job conditions and type of surface.

Dry Time: At 75°F and 50% R.H., allow at least 4 hour dry time between coats, and a minimum of 8 hours before refloating. Where exposed to direct sunlight or high temperatures, launching is recommended no more than 24 hours after application.

STORAGE AND DISPOSAL

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or disposal. Pesticide wastes are toxic. 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 instructions contact your State Pesticide or Environmental Control Agency, or the hazardous waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other approved state and local procedures.

ML-115

6-85 HHS/MTS/72

10920-2501-01

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS (& DOMESTIC ANIMALS)

PHYSICAL OR CHEMICAL HAZARDS:

Do not use or store near heat or open flame.

CONTAINS ORGANIC SOLVENT

WARNING!

FLAMMABLE. CAUSES EYE IRRITATION. HARMFUL IF ABSORBED THROUGH SKIN.

Avoid contact with eyes, skin and clothing. Wear protective clothing such as gloves, long-sleeved cotton shirt, long pants, and hat. May be fatal if swallowed or inhaled. Do not breathe vapors or spray mist. When used in enclosed areas, spraying paint or sanding boat surface, wear appropriate, properly fitted respirator (NIOSH/MSHA approved) during and after application unless air monitoring demonstrates vapor/mist levels are below applicable levels. Follow respirator manufacturer's directions for use. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling. Keep container closed when not in use. In case of spillage, absorb with inert material and dispose



of in accordance with applicable regulations

PRACTICAL TREATMENT: If swallowed: Drink promptly a large quantity of milk, egg whites, gelatin solution or, if these are not available, large quantities of water. Avoid alcohol. Get medical attention. If in eyes: Flush with plenty of water. Get medical attention. If on skin: Wash with plenty of soap and water. Get medical attention. If inhaled: Remove to fresh air. If not breathing give artificial respiration, preferably mouth-to-mouth. Get medical attention.

U.D.T. SHIPPING NAME: PAINT

D.O.T. HAZARD CLASS: FLAMMABLE LIQUID

D.O.T. HAZARD IDENTIFICATION NUMBER: UN 1263

Refer to Product Material Safety Data Bulletin, available upon request for further safety and handling information

BCI-54 (12-6)