

9339-20

05/14/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D C 20460



**Office of Pesticide Programs**

Flexdel Corporation  
1969 Ruthers University Blvd  
Lakewood, NJ  
08701

MAY 14 2010

Attention Hamdi Latif

**Subject Flexgard X / Bottom Gard Antifouling Paint**  
EPA Registration No 9339-20  
Notification Dated April 10, 2010

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**

Revise label per PR Notice 2007-4 and additional minor changes

**General Comments**

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

The Notification dated January 11, 2010 is in compliance with the PR Notice 98-10 and is acceptable This information has been added to your file

If you have any questions concerning this letter, please contact Zebora Johnson at (703) 308-7080

Sincerely

A handwritten signature in black ink that reads "M Swindell".

Marshall Swindell  
Product Manger (33)  
Regulatory Management Branch I  
Antimicrobial's Division (7501P)

Please read instructions on reverse before c

eting form

Form Approv

JMB No 2070-0060

Print Form



United States  
Environmental Protection Agency  
Washington DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

1 Company/Product Number 9339	2 EPA Product Manager MR SWINDEL	3 Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4 Company/Product (Name) BOTTOM GARD ANTIFOULING PAINT	PM# 33	
5 Name and Address of Applicant (Include ZIP Code) FLEXDEL CORPORATION 1969 RUTGERS UNIVERSITY BLVD LAKEWOOD NJ 08701 <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 EPA Reg No 9339 20 Product Name BOTTOM GARD ANTIFOULING PAINT	

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)

CHANGE THE DIRECTIONS ON USE TO BE APPLICABLE FOR THE NEW PRODUCT USE PATTERN

Section - III

1 Material This Product Will Be Packaged In						2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes	Water Soluble Packaging <input checked="" type="checkbox"/> No	If "Yes" Package wgt		No per container	<input checked="" type="checkbox"/> Metal	
* Certification must be submitted		30/24 LBS	2/6			<input type="checkbox"/> Plastic	
3 Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container			4 Size(s) Retail Container QUART/GALLON		5 Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product		
6 Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____			

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)		
Name ANDREW GUGLIELMO	Title VICE PRESIDENT	Telephone No (Include Area Code) 732-901-7771
<b>Certification</b> 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		8 Date Application Received (Stamped)
2 Signature 	3 Title TECHNICAL DIRECTOR	
4 Typed Name HAMDI LATIF	5 Date APRIL 09 2010	

Duplicate



1969 RUTGERS UNIVERSITY BOULEVARD, LAKEWOOD, NJ 08701  
TELEPHONE • 732-901-6500 FAX • 732-901-6504

April 10 2010

Via Email/Reg Mail

**USEPA Headquarters**

Document Processing Desk (RESPIRATOR)  
Office of Pesticide Programs (7504C)  
U S Environmental Protection Agency  
Room 266A Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington VA 22202

Attention Marshall Swindell  
Product Manager 33  
Regulatory Management Branch 1  
Antimicrobial Division (7505-C)

Regarding Flexgard X (9339-20)/Bottom Gard Antifouling Paint (9339-20-70383)

Dear Mr Swindell

Please find enclosed Form 8570-1 for a Notification on the Bottom Gard Antifouling Paint Application to notify you of the changes we made to comply with the State of New York for Approval

Along with Bottom Gard Antifouling label  
Thank you for your assistance If any additional information is needed, please do not hesitate to contact me

Regards

  
**Hamdi Latif** – Technical Director  
hlatif@flexabar.com

Duplicate

**PRECAUTIONARY STATEMENTS**

**WARNING - HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS**  
Avoid breathing vapors or dust, while working. Avoid contact with skin, eyes, nose, mouth, throat, and clothing. Wash thoroughly with soap and water after use. Avoid contact with food, feed, or water. Do not drink. Do not smoke. Do not eat or drink. Do not get on your clothing. Do not use near food, feed, or water. Do not use on children or animals. Do not use in confined spaces. Do not use in the presence of fire or flames. Do not use near electrical equipment. Do not use near swimming pools or hot tubs. Do not use near electrical equipment.

**ENVIRONMENTAL HAZARDS**

This product contains petroleum oil. Do not release into the environment. Do not use near water bodies. Do not use on animals. Do not use in the presence of fire or flames. Do not use near electrical equipment. Do not use near swimming pools or hot tubs. Do not use near electrical equipment.

**ACTIVE INGREDIENTS**

Component 1 24.7%  
Component 2 75.3%  
Component 3 100.00%

**EXPEL Bottom Gard**

**Anti-Fouling Paint**

**EXPEL Bottom Gard**

**Anti-Fouling Paint**

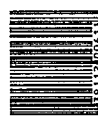
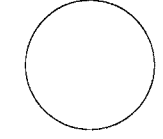
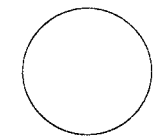
**Color: Black**

**SWANSON**

**1172-0006**

**CAUTION**

Contains petroleum oil. Do not release into the environment. Do not use near water bodies. Do not use on animals. Do not use in the presence of fire or flames. Do not use near electrical equipment. Do not use near swimming pools or hot tubs. Do not use near electrical equipment.



**EXPEL**  
SWANSON  
1172-0006

**LOT NO**

**DIRECTIONS FOR USE**  
Apply to clean, dry surfaces. Do not apply to wet surfaces. Do not use on aluminum or other reactive metals. Do not use on painted surfaces. Do not use on surfaces that are to be painted. Do not use on surfaces that are to be polished. Do not use on surfaces that are to be waxed. Do not use on surfaces that are to be oiled. Do not use on surfaces that are to be greased. Do not use on surfaces that are to be lubricated. Do not use on surfaces that are to be cleaned. Do not use on surfaces that are to be maintained. Do not use on surfaces that are to be repaired. Do not use on surfaces that are to be replaced. Do not use on surfaces that are to be removed. Do not use on surfaces that are to be destroyed.

**DISCLAIMER**  
The performance of this product is dependent upon the surface to which it is applied. Swanson Corporation does not warrant the performance of this product under any conditions. Swanson Corporation is not responsible for any damage, injury, or loss resulting from the use of this product. Swanson Corporation is not responsible for any damage, injury, or loss resulting from the use of this product.

**CAUTION**  
Contains petroleum oil. Do not release into the environment. Do not use near water bodies. Do not use on animals. Do not use in the presence of fire or flames. Do not use near electrical equipment. Do not use near swimming pools or hot tubs. Do not use near electrical equipment.



**DIRECTIONS FOR USE**

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

This is a cuprous oxide pigmented coating formulated especially to prevent the attachment of both plant and animal fouling on vessels immersed in both seawater and brackish water

**1A) Surface preparation New / Bare Fiberglass Hulls**

Wipe down surface with Aquagard 180 Wash & Dewaxer. Change rags frequently to assure complete removal of wax and mold release agent & contaminants. Sand surface thoroughly with 80 or 100 grit sand paper. Wipe down surface again with Aquagard 180 Wash & Dewaxer to remove sanding residue and immediately apply one (1) coats of Aquagard 181 Primer with a roller or brush. Allow Primer to dry for minimum of two (2) hours

**1B) Surface preparation For previously painted surface**

To prepare the surface for coating, remove all loose coating and fouling residue by either washing with high pressure water, scraping or by sanding. Apply a small patch of Flexdel Bottom Gard Anti Fouling Paint to test compatibility with the old paint. If Flexdel Bottom Gard Anti Fouling Paint cracks or lifts, all the old paint will have to be removed. Then follow the Bare Fiberglass Hulls system specified above. If nothing appears to happen when this product is applied, let the test patch dry for several hours and then scrape this product to see if it is adhering to the old paint satisfactorily. If the adhesion looks good, sand the entire surface thoroughly with 80 grit sandpaper.

Previously painted surfaces in poor condition (such as chipping, peeling or flaking) should be stripped to bare fiberglass. Then proceed with the Bare Fiberglass Hulls preparation.

**2) Application** A clean dry surface (free of scale, corrosion, dirt, grease, oil, marine fouling, or other foreign matter) will provide the optimum performance of this coating when used for either complete coating or touch up. Wipe down surface with Aquagard 180 Wash & Dewaxer. Inadequate surface preparation will result in unsatisfactory performance. Mix the coating thoroughly for a minimum of five (5) minutes to insure complete pigment reincorporation. Apply by either brush, roller or spray. Flexdel Bottom Gard Anti Fouling Paint should be applied at or above 50 F. Apply two (2) coats of Flexdel Bottom Gard Anti Fouling Paint. Allow four (4) hours drying time between coats. Let final coat dry eight (8-12) hours before launching the boat. The theoretical coverage of this product is approximately 400 square feet per gallon. Clean up with paint thinner or white spirits when finished.

**DISCLAIMER** The performance of any marine paint or coating depends on many factors outside the control of Flexdel Corp, including environmental conditions. Therefore, Flexdel Corp cannot guarantee this product's suitability for your particular purpose of application. Implied warranties of fitness for particular purpose and of merchantability are excluded. Flexdel Corp shall not under any circumstances be liable for incidental or consequential damages. By purchase or use of this product, buyer agrees that sole and exclusive remedy, if any, is limited to the refund of the purchase price or replacement of the product at Flexdel Corp option.

