
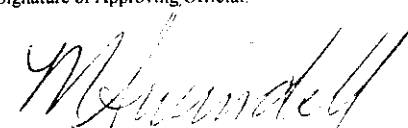


9339-23

12-12-2002

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 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Antimicrobials Division (7510C) 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460</p> <p>NOTICE OF PESTICIDE: <u> X </u> Registration <u> </u> Re-registration</p> <p>(under FIFRA, as amended)</p>	<p>EPA Reg. Number: 9339-23</p>	<p>Date of Issuance: DEC 12 2002</p>
	<p>Term of Issuance: CONDITIONAL</p>	
	<p>Name of Pesticide Product: Aquagard II Spray Waterbase Antifouling Paint for Outboards and Outdrives</p>	
<p>Name and Address of Registrant (include ZIP code): Flexabar Corporation 1969 Rutgers University Blvd. Lakewood, NJ 08701</p>		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Antimicrobials Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>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, as amended.</p> <p>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.</p> <p>This product is conditionally registered in accordance with FIFRA Section 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration of your product under FIFRA Section 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, or as required by registration review under FIFRA Section 3(g). 2. Make the following labeling changes: <ol style="list-style-type: none"> a. Revise the EPA Registration Number to read, "EPA Reg. No. 9339-23". b. Place the appropriate Establishment No. on the product labeling. 		
<p>Signature of Approving Official:  Marshall Swindell, Product Manager, Team 33, Regulatory Management Branch I, Antimicrobials Division</p>	<p>Date: DEC 12 2002</p>	

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3. Submit three copies of a final printed production label.

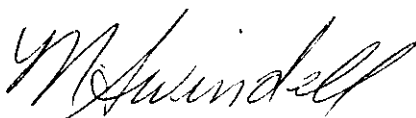
The Confidential Statement of Formula dated November 7th, 2002, is acceptable.

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 constitutes acceptance of these conditions.

A stamped copy of the accepted label is enclosed for your records.

If you have any questions concerning this letter, please contact Karen M. Leavy-Munk at (703)-308-6237.

Sincerely,



Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobial Division(7510C)

Enclosure

AQUAGARD II SPRAY Waterbase Antifouling Paint For Outboards and Outdrives

DEC 12 2002

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

9339-23

DIRECTIONS FOR USE

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

Product may cause skin irritation.

PREPARATION:

To prepare the surface for coating, remove all loose coating and fouling residue by either washing with high pressure water, scraping or by disc sanding. Be sure to use the proper protective equipment to prevent inhalation or ingestion of the paint dust generated.

INSTRUCTIONS FOR USE (Spray or Brush):

Bare Outdrives:

1. Make sure surface is free of grease, wax, oil and loose paint and that the surface is dry.
2. Mask off areas not being sprayed or brushed.
3. Prime prepared surfaces with thin coat of recommended Zinc Chromate Primer. Then, apply two (2) coats of Aquagard 190 Waterbase Primer, allowing two to four (2-4) hours drying time between coats.
4. Apply this product with at least three (3) thin coats, allowing two (2) hours drying time between applications. Hold can 12" to 16" from surface. Spray in short passes to control film thickness and avoid runs.
5. Allow coated unit to air dry overnight before immersion. Maximum adhesion and durability will be achieved by allowing an additional 16 hours before immersion.

NOTE: This spray can contains sufficient coating for two (2) outdrives.

Previously Painted Outdrives:

If the previous antifouling paint is a vinyl type, sand it thoroughly with 80 grit sandpaper. Wipe clean of sanding residue and apply at least two (2) coats of Aquagard II Spray Waterbase Antifouling Paint for Outboards and Outdrives.

Medical Emergencies: 1-800-424-9300

MANUFACTURED by
FLEXABAR CORPORATION

1969 Rutgers University Blvd, Lakewood, N.J. 08701

COMMERCIAL

ACTIVE INGREDIENTS:	
Cuprous Oxide	1.94%
INERT INGREDIENTS:	98.06%
TOTAL	100.00%

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 INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance.

Then, give mouth-to-mouth, if possible. Call a Poison Control Center or doctor for further 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 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.

NOTE TO PHYSICIAN: Probable mucosal damage may contra-indicate the use of gastric lavage.

NOTE: Have the product container or label with you when calling a Poison Control Center or doctor or when going for treatment.

WARNING:

KEEP OUT OF REACH OF CHILDREN

PRECAUTIONARY STATEMENTS, HAZARDS TO HUMANS (& DOMESTIC ANIMALS)

Causes eye irritation. Do not get in eyes, on skin or on clothing. Wear goggles or face shield. Wear protective clothing such as gloves, long-sleeved cotton shirt, long pants and hat. Harmful if inhaled. Avoid breathing spray mist, vapor or dust. While spraying, sanding or blasting, wear a mask or pesticide respirator approved by The National Institute of Occupational Safety and Health. Remove contaminated clothing and wash before re-use.

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

NET CONTENTS:

EPA Registration No. 9339
EPA Est. No.

ENVIRONMENTAL HAZARDS:

This pesticide is toxic to aquatic organisms including fish and shellfish.

"Pesticide wastes are acutely hazardous. 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. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility."

STORAGE & DISPOSAL

STORAGE

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Store in cool dry area away from heat or open flame. Keep from freezing.

PESTICIDE DISPOSAL

Pesticide spray mixture or rinse water, which cannot be used according to label instructions, must be disposed of according to applicable Federal, State or Local procedures.

CONTAINER DISPOSAL

Do not re-use empty container. Replace cap and dispose of in a sanitary landfill or by other approved State, Federal and local procedures. Do not puncture or incinerate.

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