

APR 26 1989

Hempel Coatings U.S.A., Inc.
Foot of Currie Avenue
Wallington, NJ 07057

Attention: Mr. Robert James

Gentlemen:

Subject: Antifouling Nautic 7680-1212 Gray
EPA Registration No. 10250-14
Your Application Dated November 7, 1988
EPA Received Date November 10, 1988

The amendment referred to above, submitted in connection with registration under section 3(c)(7)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable provided that you:

1. Submit/cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants or similar products to submit such data.
2. Before you release the product for shipment bearing the amended labeling, submit an amended Confidential Statement of Formula for your product which demonstrates that your product is within certified limits for TBT release rate which places it within the release rate limit imposed by the Organotin Antifouling Paint Control Act of 1988. Your product was certified as being within the OAPCA limit by the Agency in its letter dated 4/25/89.
3. Submit acceptable prototype specifications and materials for a certification and training program for the use/disposal/and removal of TBT antifouling paints and paint wastes within 180 days from the date of your application to amend this registration. Your application was dated November 7, 1988. The prototype specifications and materials must be submitted by May 7, 1989. The minimum elements to be addressed in the certification and training program are identified in the Agency's Notice at 53 FR 39038.

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CONCURRENCES

SYMBOL							
SURNAME							
DATE							

4. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:

- a. Place a Restricted block on the front panel (see item 9a "The Label") containing the statement:

Restricted Use Pesticide due to toxicity to Aquatic Organisms including shellfish: For sale only to certified commercial applicators and for use only by persons under the direct supervision of an on-site (at the work site) certified commercial applicator. These restrictions become effective on March 1, 1990.

- b. Removal of the above from the right panel would allow you to introduce the below required statement in this vacated space:

During and after paint removal and/or application of new TBT paint, methods must be employed which are designed to prevent release of TBT paints into the aquatic environment. Following removal of old TBT paint and/or application of new TBT paint, all paint chips and spent abrasives, paint containers, unused paint, and any other waste products from paint removal or application must be disposed of in a sanitary landfill.

- c. The correct "Physical and Chemical Hazards" statement for a 79 °F flashpoint is "Flammable. Keep away from heat and open flame." The sentences "Close container tightly after use," "Keep container closed," "Store in a cool dry place away from heat, sunlight, and open flame" should more properly be placed after the last "Prohibitions" sentence. Delete the sentence "Use with adequate ventilation."

5. Submit one (1) copy of your final printed labeling before you release the product for shipment bearing the amended labeling.

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. Any existing stock within your possession or control must be restickered to bear labeling approved as part of your conditional registration; all new production must also bear such a label.

3/4

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A stamped copy of the label is enclosed for your records. In order to be acceptable, your label must bear the changes listed in item 4 above.

Sincerely yours,

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

Enclosure

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER Corrosive. Causes skin burns. Wear protective clothing such as gloves, long-sleeve cotton shirt, long pants, and hat. Causes irreversible eye damage. May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Product may be a dermal sensitizer. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor, mist & dust or chips from sanding. Wash thoroughly with soap and water after handling and before eating or smoking. Use adequate ventilation. While spraying paint or sanding boat surface, wear a respirator jointly approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health. Remove contaminated clothing and wash hands before reuse. Users must comply with all applicable OSHA requirements.

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. During and after removal and/or application of new TBT paint, methods must be employed which are designed to prevent release of TBT paints into aquatic environment. Following removal of old TBT paint and/or application of new TBT paint, all paint chips and spent abrasives, paint containers, unused paint, and any other waste products from paint removal or application must be disposed of in a sanitary landfill.

PHYSICAL CHEMICAL HAZARDS

*** FLAMMABLE ***

Keep container closed. Use with adequate ventilation. Store in a cool, dry place away from heat, sunlight and open flame. Close container tightly after use. Do not use near heat or open flame.

This labeling must be in the possession of the user at the time of pesticide application. While all HEMPEL products are developed and manufactured with the utmost care, we offer these products with the express understanding that the user will determine the suitability for his intended use and assume all risk and liability in connection therewith. If the product is used other than directed herein we expressly disclaim any responsibility for its use, handling, storage, result obtained, injury or indirect or consequential damages of any nature whatsoever however caused. HEMPEL'S only obligation shall be to replace such quantity of product proved to be defective.

THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE FOR THIS PRODUCT.

HEMPSEL

ANTIFOULING NAUTIC

7680-1221 GR

ACTIVE INGREDIENTS:

TRIBUTYL TIN METHACRYLATE (AS A POLYMER)
BIS(TRIBUTYL TIN) OXIDE
TRIPHENYL TIN FLUORIDE

ACCEPTED
ACTIVE INGREDIENTS
in EPA Label Data:

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INERT INGREDIENTS

TOTAL METALLIC TIN 4.30%

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

10250-14
CONTAINS PETROLEUM DISTILLATES

KEEP OUT OF REACH OF CHILDREN

DANGER

PRACTICAL TREATMENT

IF SWALLOWED: Drink promptly a large quantity of milk, egg gelatin solution or, if those are not available, drink large of water. Avoid alcohol. Get medical attention.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate of gastric lavage.

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 victim to fresh air. If not breathing, artificial respiration, preferably mouth-to-mouth. Get medical attention.

*** SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS ***

FOR USE IN COMMERCIAL OR NAVY SHIPYARDS ONLY. NOT FOR SA
USE OR STORAGE BY PRIVATE APPLICATORS OR MARINA PERSONNEL

MADE IN U.S.A. AND SOLD BY
HEMPSEL COATINGS (USA), INC.
Curie Avenue, Wallington, NJ 07704
ESTABLISHMENT NO. 10250 N.J.
EPA REGISTRATION NO. 10250-14
NET CONTENTS: 5 U.S. GALLONS

BEST AVAILABLE COPY