

10250-51

6-4-2002

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Antimicrobials Division (7510C)  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

EPA Reg. Number:  
10250-51

Date of Issuance:  
JUN 04 2002

NOTICE OF PESTICIDE:  
 Registration  
 Reregistration

Term of Issuance:  
Conditional  
**Expires 6/1/2004**

Name of Pesticide Product:  
Hempel's Antifouling  
Combic 7199E RED 51110

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Hempel's Coatings (USA), Inc.  
6901 Cavalcade Road  
Houston, TX 77028

**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 reregistration of your product under FIFRA section 4.

2. Make the following label changes:

a. Revise the EPA Registration Number to read, "EPA Reg. No. 10250-51".

Signature of Approving Official:

Marshall Swindell, Product Manager 33,  
RMBI, AD

Date:

JUN 04 2002

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3. Submit the following protocol and study within 9 months (i.e., by 2/27/03) of the date stamped of this notice of Conditional Registration:

Inhalation Monitoring Testing Protocol  
GLN 875.1700 Product Use Information

4. Submit the following study within 18 months (i.e. by 11/30/03) of the date stamped of this Notice of Conditional Registration:

Inhalation Monitoring Study\*

\*(Intent: Measure airborne concentrations of Sea-Nine 211 during ship painting operations with a representative marine antifoulant (MAF) paint. Prior to initiating the monitoring study submit the study design for Agency review to ensure compliance with Agency methodologies for conducting such studies. Also, note that this study is intended to support only the presence of 3% active ingredient in end-use paint formulations.)

5. Submit the following studies within 18 months (i.e., by 10/31/02) of the date stamped of this notice of Conditional Registration:

GLN 72-4 Aquatic Invertebrate Life Cycle (Freshwater Invertebrate)

GLN 73-1 Whole Sediment Acute, Freshwater Invertebrate (include the fate of the parent compound vs metabolites particularly in aquatic sediment)

Special Leaching Study: Release Rate Study on the Sea-Nine 211 active ingredient for each of your five alternate paint formulations.

6. Submit the following studies within 12 months (i.e., by 6/1/03) of the date stamped of this notice of Conditional Registration:

GLN 72-4 Fish Early Life Stage (Rainbow Trout)

GLN 165-5 Accumulation Studies (Oysters)

GLN 122-1 \*Tier I seedling emergence and

GLN 122-1 \*Tier I vegetative vigor, or

GLN 123-1 \*Tier II seedling emergence, and

GLN 123-1 \*Tier II vegetative vigor

\* For antifoulants use rice (Oryza sativa). In Tier I tests (for pesticides with unknown phytotoxic potential), only the maximum label dosage is used. If the maximum label dosage is not known or if the pesticide is a known phytotoxicant, testing would begin at Tier II. Testing at the Tier II level requires use of a minimum of 5 dosages (dose response testing) in order to establish the EC25, or 25% effect level and the NOAEC (no adverse effect level) or an EC05. TEP testing is required.

GLN 123-1 Tiers I and II floating aquatic macrophyte using Lemna gibba

GLN 123-2 Aquatic Plant Growth\*\* (using all 4 species):  
Pseudokirschneria subcapitata (formerly Selenastrum capricornutum)-freshwater green algae  
Anabaena flos-aquae-freshwater blue green cyanobacteria  
Navicula pelliculosa-freshwater diatom  
Skeletonema costatum-marine diatom

\*\* The TGAI or TEP may be tested, the choice being dependent on the ability of the active ingredient to stay in solution. In the aquatic plant tests, we require determination of the amount needed to adversely affect the plants by 50% (EC50 value). We also require determination of the NOAEC (no adverse effect level) or an ECO value. Scientific Advisory Panels in 1994, 1996, and again in 2001 have recommended that we routinely test all 5 of these aquatic plant species because each one represents many thousands of other plants in their class.

7. Submit the following "reserved" studies within 18 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 164-2 Aquatic Field Study
- GLN 124-2 Tier III Field Study
- GLN 71-4 Avian Reproduction
- GLN 72-6 Aquatic organism bioavailability/bio-magnification/toxicity tests
- GLN 72-5 Fish Life Cycle
- GLN 72-7 simulated or actual field testing for aquatic organisms
- 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

8. The following studies were previously required, submitted, reviewed and are acceptable:

- GLN 73-2 Whole Sediment Acute, Marine Invertebrate
- GLN 163-1 Adsorption/Desorption (Batch Equil)
- GLN 163-1 Soil Column

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9. The following study was submitted but determined to be unacceptable:

GLN 162-1 Aerobic Soil Metabolism  
In order to submit an acceptable study you must use two soil types different from each other and different from the soil types used in the previous study (MRID # 44791101).

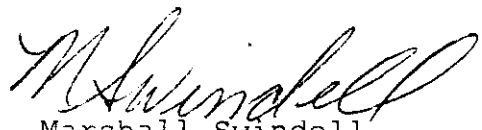
10. This conditional registration will expire on **06/01/04**. If you fail to satisfy the conditions imposed in the registration, EPA may issue a Notice of Registration to Cancel under Section 6(e) of FIFRA.

11. Submit two (2) copies of the revised final printed labeling before you release the product for shipment.

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

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.

Sincerely,



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

Enclosure

# HEMPEL'S ANTIFOULING COMBIC [REDACTED] 7199E

## Red 5110

ACTIVE INGREDIENTS:	
Caproic oxide 3(AH)	48.97 %
4,5-dichloro-2-N-octyl-1-isothiazolin-3-one	1.79 %
INERT INGREDIENTS: A	49.33 %
TOTAL:	100.00%

TOTAL METALLIC COPPER 42.11 % BY WEIGHT  
CONTAINS: PETROLEUM DISTILLATES

### DANGER

KEEP OUT OF REACH OF CHILDREN

#### PRACTICAL TREATMENT

##### 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 5 minutes, then continue rinsing eye. > Call a poison control center or doctor for 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 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.

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

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

FOR USE IN COMMERCIAL OR NAVY SHIPYARDS ONLY. NOT FOR USE BY PRIVATE

APPLICATORS OR MARINAS. NOT FOR USE ON STATIONARY STRUCTURES.

MADE IN USA - Sold by: HEMPEL COATINGS (USA) INC. Conroe, Texas 77303

EPA Est. No. 10250-TX-01 EPA Reg. No. 10250- [REDACTED]

Net Contents ( U.S. Gal.)

Lot Number

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

JUN 04 2002

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

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**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**DANGER Corrosive**

Causes irreversible eye damage. This product is a dermal sensitizer. Harmful if swallowed or absorbed through skin. Unprotected persons should be kept out of the treatment areas within a distance of 100 feet. Do not get in eyes, on skin, or on clothing. Avoid contact with skin. Wear a full face shield. Avoid breathing vapor, mist, dust or chips from painting or sanding. While spraying paint or sanding boat surface, wear a supplied-air or powered air purifying respirator (PAR) approved by NIOSH (National Institute for Occupational Safety and Health) for use with paints and coatings.

Wear a Tyvek hooded coverall or exact equivalent, coveralls beneath the Tyvek hooded coveralls, impervious glove and impervious footwear that protects the lower leg. Remove contaminated clothing and discard after each use, do not reuse. Wash thoroughly with soap and water after handling and before eating or smoking.

**ENVIRONMENTAL HAZARDS**

This material is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters 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. Do not discharge effluent containing this product to sewer system without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. 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. Wear protective clothing and supplied air respirator in accordance with the Precautionary Statements above when handling, painting or removing this paint.

**PHYSICAL CHEMICAL HAZARDS: FLAMMABLE, CORROSIVE**

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.

**WARRANTY**

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 hereon we expressly disclaim any responsibility for its use, handling, storage, result obtained, injury or indirect or consequential damages of any nature whatsoever caused. THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE FOR THIS PRODUCT. Hempel's only obligation shall be to replace such quantity of product proved to be defective.

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

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**HEMPEL'S ANTIFOULING COMBIC TIN FREE 7199E** is an advanced antifouling paint containing cuprous oxide and an organic bioactive material for the prevention of sessile marine fouling organisms. Recommended for the underwater surfaces of steel, fiberglass and wood vessels operated in all navigable waters where tin containing paints are not suitable. May be applied to aluminum hulled vessels painted with proper barrier coating.

**DIRECTIONS FOR USE:** For use in naval and commercial shipyards. It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

**APPLICATION INSTRUCTIONS:**

Stir thoroughly and apply to a clean dry surface with a temperature above the dew point. Apply over previous coating or according to specifications. For aluminum hull vessels, use a high build epoxy coating as barrier coat. Film thickness and number of coats depend upon hull conditions, trading pattern, and extended service life. Allow at least 8 hours dry time between coats of this product at 20C / 68F. Drying time is proportionally longer at lower temperatures. If thinning is required for brush, roller, conventional spray or airless application, use HEMPEL'S THINNER 08080. Equipment should be promptly cleaned with THINNER 08080 after use. The ship may be floated when final coat is dry for 12 hours. Prolonged exposure to the atmosphere may effect the properties of this product.

**STORAGE and DISPOSAL**

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

**PESTICIDE 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 using label instructions, contact your State pesticide or environmental control agency, or hazardous waste representative at the nearest EPA Regional Office.

**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.

**GENERAL:**

Consult Federal, State, or Local disposal authorities for approved alternative procedures.

Meets MACT for Shipbuilding / Repair under NESHAP regulations of the Clean Air Act Amendments of 1990.

VOHAP / VOC content (grams / liter): < 400 VOHAP / VOC content (grams / liter solids): < 765

DOT Class: Marine Pollutant. (Pollutant.)

Marine pollutant substance:  
4,5-dichloro-2-n-octyl-4-  
isothiazolin-3-one

.....  
FLAMMABLE LIQUID, CORROSIVE, N.O.S. 3 UN 2924 PG III  
{Xylene (mixed isomers), 4,5-dichloro-2-n-octyl-4-  
isothiazolin-3-one)  
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