



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

April 26, 2021

Kevin Kutcel
Agent
New Nautical Coatings Inc.
14805 49th Street
Clearwater, FL 33762

Subject: Label Amendment – Add alternate brand names and update precautionary language and other label statements
Product Name: Flexgard II Waterbase Wire Trap/Crab Pot Antifouling Paint
EPA Registration Number: 44891-25
Application Date: April 24, 2020
Action Case Number: 00219137

Dear Mr. Kutcel:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. Pursuant to 40 CFR 156.10(a)(6) you must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. See FIFRA section 2(p)(2). If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process, FIFRA section 12(a)(1)(B). Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Assurance.

The following alternate brand names have been added to the product record:

- Flexgard II Wire Trap Antifouling
- Flexgard II Wire Trap Paint
- Flexgard II Waterbase
- Flexgard II Crab Pot Paint
- Flexgard II Wire Trap Antifouling Paint
- Flexgard II Crab Pot Antifouling Paint
- Flexgard II
- Net Dip
- Flexgard II Net Dip

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, you may contact Joseph Daniels at (703) 347-8669 or via email at Daniels.joseph@epa.gov.

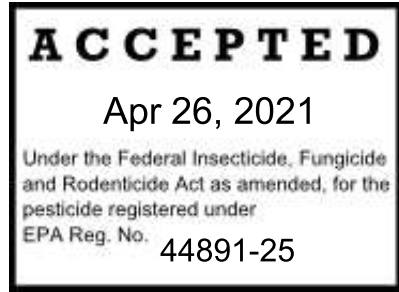
Sincerely,



Aline Heffernan
Acting Product Manager Team 31
Regulatory Management Branch I
Antimicrobials Division (7510P)
Office of Pesticide Programs

Enclosure: Stamped Label

Notes to reviewer are bracketed []
Statements in parenthesis are optional or alternative text ()



[Brand Names]
Flexgard II Waterbase Wire Trap/Crab Pot Antifouling Paint

[Alternative Brand Names]
Flexgard II Wire Trap Antifouling
Flexgard II Wire Trap Paint
Flexgard II Waterbase
Flexgard II Crab Pot Paint
Flexgard II Wire Trap Antifouling Paint
Flexgard II Crab Pot Antifouling Paint
Flexgard II
Net Dip
Flexgard II Net Dip

ACTIVE INGREDIENT	
Cuprous Oxide CAS No. 1317-39-1...	3.69%
OTHER INGREDIENTS.....	96.31%
TOTAL.....	100.00%
Copper expressed as metallic 3.27	

KEEP OUT OF REACH OF CHILDREN
WARNING
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

[OPTIONAL MARKETING STATEMENTS:]

- Antifouling Coating
- Antifouling Paint
- Preserves and Protects Against Rot, Decay and Fungi Molds
- Crab Pot Coating
- Wire Trap Antifouling
- Waterbase Coating
- Commercial Coating
- Wire Trap Coating
- Crab Pot & Lobster Pot Dip
- Mooring Line Paint
- Prohibits growth of algae and other marine fouling organisms
- Waterbase Antifouling Coatings
- Waterbase Wire Trap/Crab Pot Antifouling Paint

For Fiberglass and Wooden Boats
Repels Barnacles and Other Growth

[Optional Graphics]

FLEXDEL

AQUAGARD



8 11577 01595 9

ABOVE BAR CODE WILL APPEAR ON EACH CAN AND THE NUMBERS PROVIDED THE ABOVE WILL CORRESPOND WITH THE BAR CODE ISSUED FOR THAT PRODUCT.

Manufactured By: New Nautical Coatings, Inc.
14805 49th Street North
Clearwater, FL 33762

DISCLAIMER: The performance of any marine paint or coating depends on many factors outside the control of New Nautical Coatings, Inc. including environmental conditions. Therefore, New Nautical Coatings, Inc. cannot guarantee this product's suitability for your particular purpose of application. Implied warranties of fitness for particular purpose and of merchantability are excluded. New Nautical Coatings, Inc. shall not under any circumstances, be liable for incidental or consequential damages, when used contrary to directions for use. 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 New Nautical Coatings, Inc. option.

Net Contents:
5-gallon (3.785 liter)

[Above will be used with contents and manufacturer depending on the size]

[Net Contents:] (5-gallon pail 18.927), (Gallon 3.785 Liters), (Quart 0.9463 Liters)
(55-gallon Drum 207.9 Liters) (275-gallon IBC 1039.5 Liters)

(Batch Code) [to appear on front or back panel of the label or immediate container depending on the container type/size]

SIDE PANEL

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. Causes substantial but temporary eye injury. May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Do not get in eyes or clothing. Do not breathe vapors or spray mist, or dust or chips from sanding. Avoid contact with skin, eyes or clothing. Wear protective eyewear (goggles, face shield, or safety glasses). While spraying paint or sanding boat surface, wear a minimum of a NIOSH-approved particulate filtering facepiece respirator with any N1, R, or P filter; OR a NIOSH-approved elastomeric particulate respirator with any N1, R, or P filter; OR a NIOSH-approved powered air purifying respirator with HE filters. Wear protective clothing (long-sleeved cotton shirt, long pants and hat) and waterproof gloves. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash before reuse.

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 artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
IF SWALLOWED	Call 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.
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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-222-1222 for emergency medical treatment information. NOTE TO PHYSICIAN: Probable mucosal damage may contra-indicate, the use of gastric lavage.	
For Hazardous Materials [or Dangerous Goods] Incident Spill, Leak, Fire, Exposure, or Accident Call CHEMTREC Day or Night. Within USA and Canada 1-800-424-9300. Outside USA and Canada +1-703-741-5970 CHEMTREC. Account #15570. IN CASE OF SPILL OR LEAK: Ventilate area. Absorb with an inert material and dispose of in accordance with applicable local regulations.	

ENVIRONMENTAL HAZARDS

This material is toxic to fish and aquatic invertebrates. 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. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans and other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH LABELING.

DILUTION: Dilute ten (10) gallons of this product with (1) gallon of water (10: 1)

APPLICATION:

1. Flexgard II Waterbase Wire Trap/Crab Pot Antifouling Paint (This product) is for use in salt water on wood, galvanized wire and vinyl coated wire crab, lobster and bass pots. It retards the growth of toredo worms, barnacles, algae and the hydroid stage of the hydrozoa (commonly called "hair").
2. Repeat application on traps and lobster pots (if or when mildew appears).
3. The surface should be cleaned and dry before application.
4. Stir contents of container before each use.
5. Apply liberally by brush or dipping. Thoroughly cover cut ends and joints.
6. If applied by brush, use two (2) coats.
7. If applied by dipping, allow article to remain in solution for three (3) minutes.
8. Allow six to eight (6-8) hours drying time between coats. Longer drying time will not cause any adverse effects on the performance of this product.
9. Allow overnight drying before use.
10. Clean tools, protective gloves and clothing with water when finished.
11. Do not apply at or below freezing temperatures.

COVERAGE: Estimated coverage for diluted product, 275 square feet or less per gallon depending on application.

USE WITH ADEQUATE VENTILATION:

May cause injury if adequate ventilation is not ensured. Do not use this product indoors or in any other confined area where vapors may concentrate and cause injury to plant or animal life. Keep container closed when not in use.

STORAGE AND DISPOSAL

Do not contaminate food, feed or water by storage or disposal.

Storage: Keep container closed when not in use. Keep container tight and upright to prevent leakage. Do not store near heat or open flame. Store below 100°F/38°C. Store in well-ventilated area.

Pesticide Disposal: 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.

Container Disposal: Non-refillable container. Do not reuse or refill this container. Prior to container disposal, allow any remaining paint residue in the container to air dry. Dispose of the container in accordance with Federal, State or local disposal regulations.