



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 27, 2021

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

Subject: Label Amendment – Revise label and add alternate brand names
Product Name: Aquagard II Waterbase Antifouling Paint for Aluminum Hulls
EPA Admin Number: 44891-26
Application Date: June 15, 2020
Case Number: 00218572

Dear Mr. Kutcel:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, 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. 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 the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. 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) list 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. 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 Compliance.

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.

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

- Aquagard II
- Alumi-Koat
- Aquagard Waterbase Antifouling Paint
- Aquagard II Alumi-Koat

If you have any questions, please contact Mohammad Alavi by phone at (703) 347-0522, or via email at Alavi.mohammad@epa.gov.



Eric Miederhoff
Product Manager 31
Regulatory Management Branch I
Antimicrobials Division (7510P)
Office of Pesticide Programs

Enclosure

ACCEPTED

10/27/2021

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 44891-26

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

[Brand Names]

Aquagard II Waterbase Antifouling Paint for Aluminum Hulls

[Alternative Brand Names]

[ADD AS ALTERNATIVE NAME]

Aquagard II

Alumi-Koat

Aquagard Waterbase Antifouling Paint

**AQUAGARD II WATERBASE
ANTIFOULING PAINT FOR
ALUMINUM HULLS**

ACTIVE INGREDIENT

Cuprous Oxide CAS No. 1317-39-1.....	3.88%
Other Ingredients	96.12%
TOTAL.....	100.00%
Copper as metallic	3.88%

**KEEP OUT OF REACH OF CHILDREN
WARNING**

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

[OPTIONAL MARKETING STATEMENTS:]

Creates invisible barrier to stop slime build-up barnacle & marine growth

Easy application, requires less prep work

For use on aluminum & other non-ferrous materials

Antifouling Coating

Self Polishing

Antifouling Paint

Ablative

Antifouling Bottom Paint

Hand Crafted in America

American Owned and Operated

Multi Season
Water-Based Coating
California Compliant

[Optional Graphics]

FLEXDEL

AQUAGARD®



[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 33756

EPA Reg. No. 44891-26
EPA Establishment. No. 44891-FL-1

[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)

(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

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 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:	Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
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 contraindicate 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.	

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.

SIDE PANEL

DIRECTIONS FOR USE

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

1A) Surface Preparation: Bare Aluminum Hulls: Abrade to BRIGHT metal by sandblasting, sanding, or wire brushing. Wipe clean of all sanding residue with Aquagard 180 Wash and Dewaxer. Then, apply two (2) coats of Aquagard 190 Primer or Aquagard 181 Primer, allowing two to four (2-4) hours drying time between coats. Allow six to eight (6-8) hours of final drying time before launching boat.

1B) Surface Preparation: For Previously Painted Surfaces: 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 coatings or for touch-up. Inadequate surface preparation will result in unsatisfactory performance. Be sure to remove all dust, debris and other surface contaminants that are generated by the cleaning process prior to painting. If the old paint type is unknown, apply a small patch of Aquagard II (this product) to test compatibility with the old paint. If Aquagard II (this product) cracks or lifts, all the old paint will have to be removed. Then follow the "Bare Aluminum" system specified above.

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 coatings or for 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. Aquagard II (this product) should be applied at or above 50°F. Apply two (2) coats of Aquagard II (this product). Allow four (4) hours drying time between coats. Let the final coat dry eight to twelve (8-12) hours before launching the boat. The theoretical coverage of this product is approximately 400 square feet per gallon. Clean up with water when finished.

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. Keep from freezing.

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.

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. 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.

E.P.A. Reg. No. 44891-26 / E.P.A. Est. No. 44891-FL-1