



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: ULTRA GARD
EPA Registration Number: 44891-30
Application Date: April 24, 2020
Action Case Number: 00219121

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:

- Ultra Gard Premium Antifouling Paint
- Ultra Gard Antifouling Paint
- Coastal Copper 450

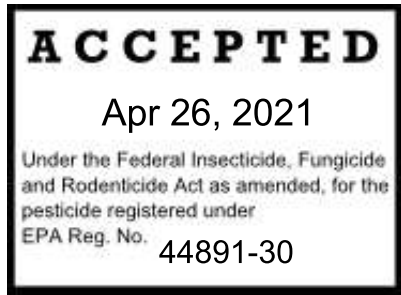
Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, you may contact Joseph Daniels at (703) 347-8669 or via email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

Ultra Gard

[Alternative Brand Names]

Ultra Gard Premium Antifouling Paint

Ultra Gard Antifouling Paint

Coastal Copper 450

ULTRA GARD

Antifouling Paint

ACTIVE INGREDIENTS:

CUPROUS OXIDE CAS NO. 1317-39-1.....	37.5%
OTHER INGREDIENTS	62.5%
TOTAL	100.00%

Copper as Metallic 33.3%

Keep Out Of Reach Of Children

Warning

See Side Panel for Precautionary Statement and First Aid

[OPTIONAL MARKETING STATEMENTS:]

For Fiberglass & Wooden Boats

High Load Ablative Action Repels Barnacles & Other Growth

Outstanding Performance

Premium Quality

Antifouling Coating

Self Polishing

Antifouling Paint

Ablative

Antifouling Bottom Paint

Hand Crafted in the USA

American Owned and Operated

USA Hand Crafted

Multi Season
Single Season Protection
Grams Liter
Exceptional Value Multi-Season Coating
Consistent Viscosity

[Optional Graphics]

AQUAGARD®

FLEXDEL



[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

1US 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}

{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). 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.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers loaders, applicators and other handlers must wear protective clothing (long-sleeved cotton shirt, long pants, shoes plus socks, and hat) and chemical resistant gloves. Some materials that are chemical-resistant to this product are nitrile and butyl. While spraying paint or sanding surface, wear protective eyewear such as goggles, face shield or safety glasses. Wear a NIOSH-approved respirator with an organic vapor (OV) cartridge with a combination N, R, or P filter with NIOSH approval number prefix 84A; or NIOSH approved gas mask with an organic vapor canister with NIOSH approval number prefix TC-14G; or a NIOSH approved powered air purifying respirator with organic vapor (OV) cartridge and combination HE filter with NIOSH approval number prefix TC 23C.

User safety requirements: Follow manufacturer's instructions for cleaning / maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Wash the outside of gloves before removing. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Remove clothing / PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

FIRST AID	
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.
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 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
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.	
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. NOTE TO PHYSICIAN: Contains petroleum distillate, vomiting may cause aspiration pneumonia.	

ENVIRONMENTAL HAZARDS

This material is toxic 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. 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.

PHYSICAL AND CHEMICAL HAZARDS

Combustible. Do not use or store near open flame.

SIDE PANEL

DIRECTIONS FOR USE

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

Ultra Gard (this product) is a cuprous oxide pigmented coating, formulated especially to prevent the attachment of both plant and animal fouling on vessels immersed in both seawater and "brackish" water.

1A) Surface preparation: New / Bare Fiberglass Hulls: Wipe down surface with Aquagard 180 Wash & Dewaxer. Change rags frequently to assure complete removal of wax and mold release agent & contaminants. Sand surface thoroughly with 80 or 100 grit sand paper. Wipe down surface again with Aquagard 180 Wash & Dewaxer to remove sanding residue and immediately apply one (1) coat of Aquagard Primer with a roller or brush. Allow Primer to dry for a minimum of two (2) hours.

1B) Surface preparation: For previously painted surface: To prepare the surface for coating, remove all loose coating and fouling residue by either washing with high pressure water, scraping or by sanding. Apply a small patch of Flexdel Ultra Gard (this product) to test compatibility with the old paint. If Flexdel Ultra Gard (this product) cracks or lifts, all the old paint will have to be removed. Then follow the "Bare Fiberglass Hulls" system specified above. If nothing appears to happen when this product is applied, let the test patch dry for several hours and then scrape this product to see if it is adhering to the old paint satisfactorily. If the adhesion looks good, sand the entire surface thoroughly with 80 grit sandpaper. Previously painted surfaces in poor condition (such as chipping, peeling or flaking) should be stripped to bare fiberglass. Then proceed with the "Bare Fiberglass Hulls" preparation.

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 coating or 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 or roller. Flexdel Ultra Gard (this product) should be applied at or above 50°F. Apply two (2) coats of Flexdel Ultra Gard (this product). Allow four (4) hours drying time between coats. Let final coat dry eight - twelve (8-12) hours before launching the boat. The theoretical coverage of this product is approximately 400 square feet per gallon. Clean up with paint thinner or white spirits when finished.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Keep container closed when not in use. In case of spillage, absorb with inert material and dispose of in accordance with applicable regulations.

STORAGE: Do not store near heat or flame. Store in well-ventilated area.

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 the 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. **Commercial Users:** Triple rinse container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer the container for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other approved state and local procedures.

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 the 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.

E.P.A. Registration No. 44891-30 / E.P.A. Establishment No. 44891-FL-1