

64684-4

12-04-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 04 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Kimberly A. Fontaine
Operations Manager for,
E Paint Company
25 Research Road
East Falmouth, MA 02536

Subject: E Paint-ZO
EPA Registration Number 64684-4
Your Amendment Dated October 20th, 2003
EPA Received Date October 23rd, 2003

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act(FIFRA), as amended, to update the product labeling, is acceptable under the following conditions.

Submit within 30 days from the expiration date of **June 30th, 2005**, the information that satisfies the two data requirements listed below. This information is required for conducting exposure risk assessments and for assuring appropriate labeling.

875.2700 Product Use Information (new requirement)

875.2800 Description of Human Activity (new requirement)

Prior to submitting this information, it is recommended that you contact the Agency by a pre-arranged telephone conference so that the correct and comprehensive information is submitted. Some products listed below which are not owned by you are shown only as examples of information which may/may not apply to your products):

Typical and maximum number of gallons expected to be applied by an individual worker;

Which products are intended only for each product; which application methods apply to which products (eg, EPA Reg. No. 2693-194/-200 and 64684-6 are intended for recreational boats);

Expected vessel size ranges for each product; which application methods apply to which products (eg., EPA Reg. No. 64684-4 does not prohibit spraying, etc.)

Which products get applied only by professionals and/or homeowners (eg., clarify whether EPA Reg. No. 64684-6 is intended to be applied by professionals);

Correct PPE for each product (eg., clarify why EPA Reg. No. 2693-194 requires eyewear and not other PPE; clarify whether the listed PPE is both hull preparation and/or paint application);

Application rates in gallons/ft²; minimum number of applications/coats; type of spray equipment (eg., psi, etc.); characterization of the residential and commercial activities (eg., commercial ship hull painters typically paint for X hours per day using airless spraying, homeowners with boats less than X feet generally use brushes while X percent of homeowners are believed to use airless sprayers, etc.)

By 12/31, 2003, submit/cite acceptable data or data waivers for the following five data requirements.

- 73-1 Whole sediment acute freshwater invertebrate (existing unsatisfied requirement)**
- 73-2 Whole sediment acute marine invertebrate (existing unsatisfied requirement)**
- 850.5400 Marine diatom Skeketonema costatum (new requirement)**
- 850.4225 Seedling emergence in rice (formerly reserved in prior notice, new required, study submitted 12/30/02 is under review)**

Submit by **January 1st, 2005**, data to satisfy the following four requirements. The proposed outdoor exposure study protocol submitted 2/9/2003 by Arch Chemicals on your behalf must be found acceptable by EPA prior to initiating these data. The Agency will make every attempt to provide a quick decision/feedback on this protocol. If the protocol is found to be acceptable, data generated using the protocol can be used to satisfy all four of the following requirements.

- 875.1200 Dermal exposure- indoor**
- 875.1400 Inhalation exposure-indoor**
- 875.1100 Dermal exposure- outdoor**
- 875.1300 Inhalation exposure-outdoor**

Submit the following "reserved" studies within 12 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 72-5 Fish Life Cycle**
- GLN 72-7 Simulated or actual field testing for aquatic organisms**
- GLN 71-4 Avian Reproduction**
- 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**
- GLN 162-1 Aerobic Soil Metabolism**
- GLN 162-2 Anaerobic Soil Metabolism**
- GLN 164-2 Aquatic Field Study**
- GLN 165-5 Accumulation Study (Nontarget organism)**
- GLN (Not Assigned) Monitoring of Representative US Waters**

This conditional registration will expire automatically on **June 30th, 2005**. If you fail to satisfy the conditions imposed in this registration, EPA may issue a Notice of Intent to Cancel under Section 6 (e) of FIFRA. Your release for shipment of the product constitutes acceptance of these conditions.

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For detailed explanations of outstanding and fulfilled time-limited data requirements, see the EPA letter sent to Arch Chemicals, dated March 14th, 2003.

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

If you have any questions concerning this letter, please contact Karen M. Leavy-Munk at (703)-308-6237.

Sincerely,



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

ACCELERATED
with COMMENTS
in EPA Letter Dated:

DEC 04 2003

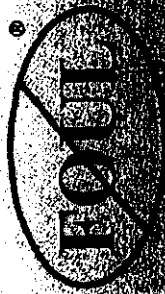
Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No.

64684-7

epaint[®]

Paint 20

FP-20



DISCLAIMER: The performance of any material used or coating depends on many factors outside the control of E Paint Company including surface preparation, proper application, and environmental conditions. Therefore, E Paint Company cannot guarantee the product's suitability for your particular purpose or application. **IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND OF MERCHANTABILITY ARE EXCLUDED. E PAINT COMPANY SHALL NOT BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.** By purchase or use of this product, buyer agrees that the sole and exclusive remedy, if any, is limited to refund of the purchase price, or replacement of the product at E Paint Company's option.

DANGER: KEEP OUT OF REACH OF CHILDREN
SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS
AND STATEMENT OF PRACTICAL TREATMENT.

**NET CONTENTS:
ONE U.S. GALLON (3.8 LITERS)**

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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner that is inconsistent with its labeling. May be used in fresh or salt water, use on the bottom of vessels is recommended.

This paint is intended for use on commercial and recreational vessels.

Directions for mixing: Mix contents of container. Stir until thoroughly mixed before using. Use immediately.

Preparation of Surface: The surface to be painted should be dry, clean and oil free. It should be properly prepared by solvent cleaning and/or sanding before any primers or paints are applied. Follow the recommended systems below. Bare metal surfaces should be primed prior to application. When sanding old antifouling paint, use a face mask to prevent inhalation of sanding dust.

Application and Temperature: E Paint ZO can be applied by brush or roller. The work should be done under good drying conditions in the temperature range of 50 to 90°F. Three coats are recommended for best antifouling protection.

Thinner: Thinning not recommended. Clean up with EP-13.

Drying Times: Let the first coat dry for four hours before applying next coat. After application of the third coat allow at least 15 hours drying time before launching. Under adverse drying conditions allow paint to dry overnight to be sure that all of the solvent has evaporated.

FIRST AID

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

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- 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 first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for further treatment advice.

If swallowed

- Call a poison control center or doctor immediately for treatment advice.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give any liquid to the person.
- Do not give anything by mouth to an unconscious person.

IN CASE OF EMERGENCY CALL: 800-424-9300

Note to Physician • Probable mucosal damage may contraindicate the use of gastric lavage.

PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS KEEP OUT OF REACH OF CHILDREN

CORROSIVE: Causes irreversible eye damage. Harmful if swallowed or absorbed through the skin. May be fatal if inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes, on skin, or on clothing. Do not breathe vapor or spray mist. While spraying, sanding or blasting the paint, wear protective eye wear (goggles, face shield, or safety glasses), protective clothing and rubber gloves. Wear a mask or pesticide respirator jointly approved by Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Wash thoroughly after handling with soap and water, and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse.

STORAGE & DISPOSAL

Do not store near heat source or open flames. Containers are hazardous when empty. Emptied containers retain product residue (vapors and/or liquid). Residual vapors may explode or ignite; do not cut, drill, grind, or weld on or near this container. Do not contaminate water, food or feed by storage, disposal, or cleaning of equipment.

Pesticide Disposal: Pesticide wastes are hazardous. Improper disposal of excess pesticide 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: For metal containers, triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

ENVIRONMENTAL HAZARDS

This pesticide 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 systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Offices 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.

This Product is Intended for Commercial and Recreational Use.

Active Ingredients:

Zinc Ethoxycarbonyl

Inert Ingredients

*Certain active ingredients

EPA Reg. No. 100-100-01

EPA Est. No. 100-100-01

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