

64684-4

10/23/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



United States
Environmental Protection
Agency

Office of Pesticide Programs

**E Paint Company
25 Research Road
East Falmouth, MA 02536**

OCT 23 2008

Attention: Kimberly Fontaine-Goodwin

**Subject: E Paint ZO
EPA Registration No. 64684-4
Amendment Dated October 6, 2008**

This will acknowledge receipt of your notification for a change in package size and Net Contents (pint and 55 gallon Drum), submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification dated October 6, 2008 is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Martha L. Terry at (703) 308-6217.

Sincerely

A handwritten signature in black ink, appearing to read "Marshall Swindell".

**Marshall Swindell
Product Manager (33)
Regulatory Management Branch 1
Antimicrobials Division (7510P)**

Print Form

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060, Approval expires 2-2



United States Environmental Protection Agency Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 64684-4	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restrict
4. Company/Product (Name) E Paint ZO	PM# 33	
5. Name and Address of Applicant (Include ZIP Code) E Paint Company 25 Research Road East Falmouth, MA 02536 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. 64684-4 Product Name E Paint ZO	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This form is to notify the EPA that ePaint Company would like to add to Section III Box 4. on EPA Form 8570-1, Pint and 55 Gallon Drum to our current Retail Container sizes.

Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Pint, Quart, Gallon, 5Gallon, 55Gallon Drum		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Kimberly Fontaine-Goodwin	Title Operations Manager	Telephone No. (Include Area Code)
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Operations Manager	
4. Typed Name Kimberly Fontaine-Goodwin	5. Date 10/6/08	



October 6, 2008

PM #33
US EPA, OPP Antimicrobials Division
Mr. Marshall Swindell
7510 P One Potomac Yard/2777 South Crystal Drive
Arlington, VA 22202

In support of Notification dated 10/6/2008 for EPA# 64684-4.

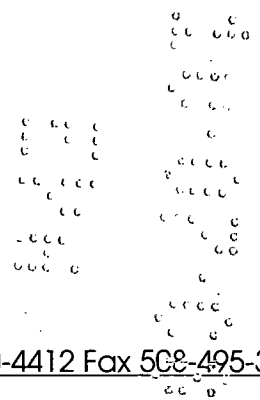
Notification per PR Notice 98-10 Changes in Package Size and Net Contents

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Sincerely,

Kimberly Fontaine Goodwin

Kimberly Fontaine-Goodwin



Manufactured by:
E Paint Company
25 Research Road
E. Falmouth, MA
02536

Patents #5,916,947
#5,063,849

DISCLAIMER: The performance of any marine paint 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 ARE DISCLAIMED.

**E P A I N T
Z O**

e paint[®]

E Paint ZO

Antifouling Paint for Boat Bottoms
With Zinc Oxadine[®]

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

Application and Temperature: E Paint ZO can be applied by spray, 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.

For application by residential (non-commercial) users: Do not apply by aerosol sprayer. Do not apply more than one coat of this product within 24 hours. Apply only in outdoor, non-enclosed spaces.

Drying Times: Let the first coat dry for four hours at 70 degrees before applying next coat. After application of the third coat allow at least 15 hours drying time at 70 degrees before launching. Under adverse drying conditions allow paint to dry overnight to be sure that all of the solvent has evaporated. See technical data sheets for additional details.

FIRST AID

If inhaled	<ul style="list-style-type: none">• 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	<ul style="list-style-type: none">• 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	<ul style="list-style-type: none">• 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	<ul style="list-style-type: none">• 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. Wash thoroughly after handling with soap and water, and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse. When mixing and loading, or cleaning equipment, wear a chemical resistant apron.

Residential PPE: Residential (non-commercial) users are advised to wear chemical resistant gloves, protective eyewear (goggles, safety glasses or face shield), long-sleeved shirt and long pants, socks, and shoes. While removing existing paint by sanding or blasting, or applying new paint by brush or roller, it is advised to wear a respirator with an organic vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number TC-14G), or a NIOSH approved full face respirator with an organic vapor removing cartridge with a P-100 prefilter.

Commercial PPE: Users must wear a disposable coverall with hood, chemical resistant gloves, protective eyewear (goggles, safety glasses or face shield), long-sleeved shirt and long pants, socks, and chemical resistant footwear. While removing existing paint by sanding or blasting, or applying new paint, user must wear a respirator with an organic vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number TC-14G), or a NIOSH approved full face respirator with an organic vapor removing cartridge with a P-100 prefilter.

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:** If empty, do not reuse this container. Place in trash or offer for recycling if available. If partly filled, call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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 respirator in accordance with the Precautionary Statements above when handling, painting or removing this paint.