

64684-4

12/9/2010

1095



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Antimicrobials Division (7510P)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

EPA Reg. Number: 64684-4

Date of Issuance: DEC 09 2010

Term of Issuance:

Conditional Expires 12/31/2012

Name of Pesticide Product:

E Paint ZO

NOTICE OF PESTICIDE:

x Registration
Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

E. Paint, Inc.
25 Research Road
E. Falmouth, MA 02536

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(a) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the labeling changes listed below before you release the product for shipment:
a. Revise the "EPA Registration Number to read, "EPA Reg. No. 64684-4".

Signature of Approving Official:

Handwritten signature of Marshall Swindell

Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Date:

DEC 09 2010

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- b. Under the "Directions for Use" section (just before the "Preparation instructions) indicate that this paint is intended for use on commercial and recreational boats.
- c. Submit the following required studies within 18 months (i.e. by 9/17/2001) of the date stamped of this notice of Conditional Registration
 - a. Studies on the Zinc Omadine Technical Grade Active
 - i. Ecological Effects:
 1. GLN 72-4 Fish Early Life Stage (Estuarine Fish Study)
 2. GLN 73-1 Whole Sediment Acute, Freshwater Invertebrates
 3. GLN 73-2 Whole Sediment Acute, Marine Invertebrates
 4. GLN 123-2 Aquatic Paint Growth (4 Species: Navicula, Anabaena, Lemma, Scenedesmus)
 5. GLN 163-1 Soil Column
 6. 162-3 Anaerobic Aquatic Metabolism
 - ii. Toxicology Effects
 1. GLN 81-7 Acute Neurotoxicity – Hen
 2. GLN 82-5 Subchronic 90 Day Neurotoxicity
 - iii. Exposure Effects
 1. GLN 875.1100 Dermal Exposure (Outdoor)
 2. GLN 875.1600 Inhalation Exposure (Outdoor)
 3. GLN 875.1300 Dermal Exposure (Indoor)
 4. GLN 875.1400 Inhalation Exposure (Indoor)
 - d. Submit the following study within two and a half years (i.e. 9/17/2002) of the sate stamped on this Notice of Conditional Registration.
 - a. GLN 83-4 Two Generation Reproduction for Residential Uses
 - e. Submit the following "reserved" studies within 18 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.
 - a. GLN 72-5 Fish Life Cycle
 - b. GLN 72-6 Aquatic organism bioavailability / biomagnifications / toxicity tests
 - c. GLN 72-7 Simulated or actual field testing for aquatic organisms
 - d. GLN 71-4 Avian Reproductions
 - e. GLN 73-3 Acute Pore Water Studies (fish and invertebrates)
 - f. GLN 74-1 Whole Sediment Chronic Study (invertebrates)
 - g. GLN 123-1 Seeding Emergence – Dose Response Test, Special Study: Monitoring or Representative US Water
 - h. GLN 162-2 Anaerobic Soil Metabolism
 - i. GLN 164-2 Aquatic Field Study

- j. GLN 165-4 Bioaccumulation (fish)
- k. GLN 165-5 Accumulation Study (nontarget organisms)
- l. GLN (Not Assigned) Monitoring of Representative US Water

This conditional registration will expire automatically on 12/31/2012. If you fail to satisfy the conditions imposed in the registration, EPA may issue a Notice of Cancellation. Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Submit one (1) copy of your final printed labeling prior to release of this product for shipment. If you have any questions concerning this letter, please contact Abigail Downs at 703-307-5259.

Sincerely,



Marshall Swindell
Product Manager Team-33
Regulatory Management Branch I
Antimicrobials Division (7510P)

Enclosure: (Stamped Label)

ACCEPTED
with COMMENTS
in EPA Letter Dated:
DEC 09 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act as
amended, for the pesticide,
registered under EPA Reg. No
04684-9

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

U.S. Patents #5,916,947 #6,083,849

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
stability for your particular purpose or application.
**IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR
PURPOSE AND OF MERCHANTABILITY ARE
EXCLUDED. E PAINT COMPANY SHALL NOT,
UNDER ANY CIRCUMSTANCES, 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.

**ON
E
E**

*e*paint[®]

E Paint Z0

**Antifouling Paint for Boat Bottoms
With Zinc Omadine[®]**

**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)**

4025

ACCEPTED
with COMMENTS
in EPA Letter Dated:

DEC 09 2010

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

64684-4

Active Ingredients

Inc. Pyrethrin 4.8%

ert Ingredients 95.2%

100.0%

Contains Petroleum Distillates

PA Reg. No. 64684-4

PA Establishment No. 64684-MA-001

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 ZD 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 airless 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

- 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. 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 pre-filter 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.

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