



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

64684-5

NOV 24 1999

NOTICE OF PESTICIDE:

- Registration
- Reregistration

Term of Issuance: Conditional

(under FIFRA, as amended)

Name of Pesticide Product:

No Foul SN-1

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/ reregistration 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 reregistration of your product under FIFRA section 4.
2. Make the following label changes:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. "64684-5".

Signature of Approving Official:

Marshall Swindell, PM 33
Regulatory Management Branch 1
Antimicrobial Division (7510C)

Date:

NOV 24 1999

3. Submit the following studies within two (2) years (i.e., January 1, 2002) of the date stamped of this notice of Conditional Registration:

Studies on the No Foul SN-1 End-Use Product

Special Leaching Study: Release Rate Study on the C9211 active ingredient for each of your five alternate paint formulations.
GLN 81-6 Dermal Sensitization

Studies on the C9-211 Technical Grade Active

Ecological Effects:

- GLN 72-4 Fish Early Life Stage (Estuarine Fish Study)
- GLN 72-4 Aquatic Invertebrate Life Cycle (Freshwater Invertebrate)
- GLN 73-1 Whole Sediment Acute, Freshwater Invertebrates
- GLN 73-2 Whole Sediment Acute, Marine Invertebrates
- GLN 123-2 Aquatic Plant Growth (2 species: Navicula Pelliculosa, and Skeletonema costatum)

Environmental Fate:

- GLN 163-1 Adsorption/Desorption (Batch Equil)
- GLN 163-1 Soil Column

4. 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.

- GLN 72-5 Fish Life Cycle
- GLN 72-6 Aquatic organism bioavailability/biomagnification/toxicity tests
- 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)
- GLN 123-1 Seedling Emergence-Dose Response Test
- Special Study: Monitoring of Representative U.S. Waters
- GLN 162-1 Aerobic Soil Metabolism
- GLN 164-2 Aquatic Field Study
- GLN 165-5 Accumulation Study (Nontarget organism)
- GLN (Not Assigned) Monitoring of Representative US Waters

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EPA Registration No. 64684-5

5. This conditional registration will expire automatically on January 1, 2002. If you fail to satisfy the conditions imposed in the registration, EPA may issue a Notice of Registration to Cancel under Section 6(e) of FIFRA.

6. The technical review of the Leaching study for the basic formulation fulfills all of the guidelines specified by the ASTM Standard Test Method D 5108-90 and is acceptable. The average leaching rate is 1.75 ug/cm²/day. The 14-day cumulative leach rate of the tested material is 92.0 ug/cm².

7. Submit two (2) copies of the revised final printed labeling before you release the product for shipment.

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

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

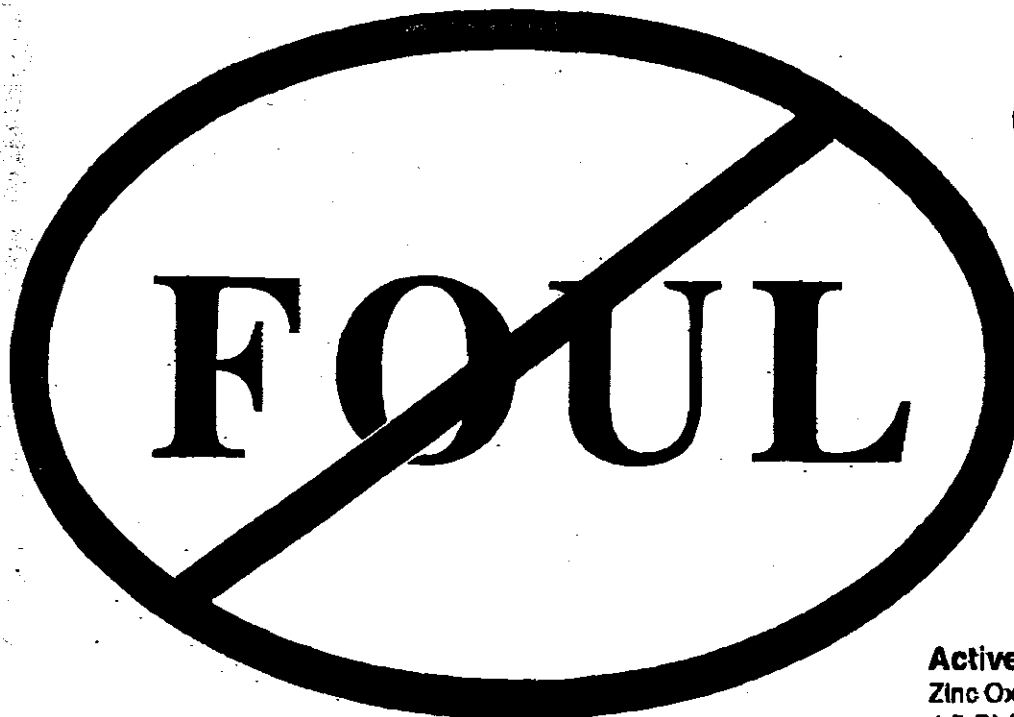
If you have any questions concerning this letter, please contact Martha Terry at (703) 308-6217.

Sincerely,



Marshall Swindell
Product Manager 33
Regulatory Management Branch 1
Antimicrobial Division (7510C)

Enclosure



ACCEPTED
with COMMENT
in EPA Letter I

NOV 2

Under the Federal Insecticide, Fungicide, and Rodenticide Act, amended, for the pest control products registered under EPA

64684

DISCLAIMER: The performance of this paint or coating depends on many factors outside the control of the Paint Company including surface preparation, proper application, and environmental conditions. Therefore, the Paint Company cannot guarantee the performance or durability of this paint or coating for any particular purpose and no warranty of fitness for any particular purpose shall be made. THE PAINT COMPANY SHALL NOT BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES. By purchase of this product, buyer agrees to hold the Paint Company harmless and to defend the Paint Company in the event of any claim or lawsuit against the Paint Company arising out of the use of this product.

U.S. Patent #5,916,947

NO FOUL SN-1

Manufactured by:
E Paint Company
25 Research Rd.
E. Falmouth, MA 02538

***Antifouling Paint for Aluminum Boat Bottoms**

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)

Active Ingredients

Zinc Oxide.....	35.0%
4,5-Dichloro-2-n-octyl-3(2H)- Isothiazolone.....	3.0%
Inert Ingredients.....	60.2%
	100.0%

Equivalent to 28.9% metallic zinc
Contains Petroleum Distillates
EPA Registration #64684-5
EPA Establishment No. 64684-RI-001

*Registered For use, and only for sale to the following agencies:

- Department of Defense
- US Navy
- US Coast Guard
- US Army Corps of Engineers
- US EPA Research Vessels
- National Park Service Vessels
- Woods Hole Oceanographic Institution

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

DANGER. CORROSIVE: Causes irreversible eye damage. This product is a dermal sensitizer. Harmful if swallowed or absorbed through skin. Unprotected persons should be kept out of treatment areas within a distance of 25 feet. Do not get in eyes, on skin or on clothing. Avoid contact with skin. Wear a Tyvek hooded coverall (Grainger catalog 4T832) or the exact equivalent, coveralls of a contrasting color to the product being applied (underneath the Tyvek coverall with hood), impervious gloves (Grainger catalog 4T451) or the exact equivalent and impervious footwear (Grainger catalog 4T060) that protects the lower leg. May be fatal if swallowed or inhaled. Do not breathe sanding dust or vapor. Wear respiratory protection with a MSHA/NIOSH approval number prefix of TC-23C or TC-14G. Wear a full mask face piece air purifying respirator with organic vapor cartridge (Wilson Premier 6000 series, Grainger catalog 5T376 & 5T377) or the exact equivalent. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Dispose of protective clothing immediately after use and dispose of any contaminated clothing. See accompanying "Product Information Sheet" for further recommendations.

STATEMENT OF PRACTICAL TREATMENT

If Swallowed: Call a physician or Poison Control Center. Do not induce vomiting. Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol.

If On Skin: Wash with plenty of soap and water. Get medical attention.

If In Eyes: Hold eyelids open and flush with steady, gentle stream of water for 15 minutes. Get medical attention.

If Inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

Note To Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

ACCEPTED
with COMMENTS
in EPA Letter Dated:

NOV 24 1999

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

64684-5

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 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.

This Product is intended for use only by agencies listed on product label.

5077

ACCEPTED
with COMMENTS
in EPA Letter Dated:

NOV 24 1999

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

64684-5

FROM : NO FOUL BOTTOM PAINT

PHONE NO. : 508 495 3210

Nov. 24 1999 01:43PM P3

609-7

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner that is inconsistent with its labeling. Only for sale to and use by the following agencies/organizations: Department of Defense, US Navy, US Coast Guard, US Army Corps of Engineers, US EPA Research Vessels, National Park Service Vessels, Woods Hole Oceanographic Institution.

May be used in fresh or salt water, use on the bottom of vessels is recommended. Use of protective equipment is required during mixing and applying No Foul SN-1. Refer to the "Precautionary Statement" section for specified protective clothing.

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

Preparation of Surface: For use on aluminum boats only. 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: Apply by roller or brush ONLY. DO NOT apply this product using spray painting techniques or equipment. 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

Drying Times: Let the first coat dry for four hours before applying second coat. After application of the second and third coats allow at least ten hours drying time before launching. Under adverse drying conditions let the boat dry overnight to be sure that all of the solvent has evaporated from the paint film.

7077

ACCEPTED
with COMMENTS
in EPA Letter Dated:

Product Information Sheet

NOV 24 1999

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

64684-5

Application equipment

Use of protective equipment is required during mixing and applying No Foul SN-1. See Protective Clothing section below for specific instructions. Apply by roller or brush ONLY. DO NOT apply this product using spray-painting techniques or equipment. When rolling No Foul SN-1, it is critical to use a roller that is resistant to industrial solvents such as MEK, acetone and xylene. A polyester roller with heavy-duty core is recommended. Use a heavy-duty painting tray, preferably made of aluminum or solvent resistant plastic is recommended.

Protective Clothing

No Foul SN-1 may cause chemical burns. Protective equipment must be worn by applicators. Unprotected persons should be kept out of treatment areas within a distance of 25 feet.

Wear a Tyvek hooded coverall (Grainger catalog 4T832) or the exact equivalent, coveralls of a contrasting color to the product being applied (underneath the Tyvek coverall with hood), Impervious gloves (Grainger catalog 4T451) or the exact equivalent and impervious footwear (Grainger catalog 4T060) that protects the lower leg.

Respiratory protection

No Foul SN-1 is a solvent-based antifouling paint. As With all solvent-based antifoulants, May be fatal if swallowed or inhaled. Do not breath sanding dust or vapor. Wear respiratory protection with a MSHA/NIOSH approval number prefix of Tc-23C or TC-14G. Wear a full mask face piece air-purifying respirator with organic vapor cartridge. The Wilson Premier 6000 series (Grainger catalog No. 5T376) with organic vapor cartridge (Grainger catalog 5T377) or the exact equivalent. The full mask face piece prevents roller splatter from coming in contact with the face.

When sanding No Foul SN-1, a prefilter (Grainger catalog 5T381 with 5T387) must be used with the air-purifying respirator.