



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Antimicrobials Division (7510C)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

EPA Reg. Number:
64684-5

Date of Issuance:
MAY 17 2002

NOTICE OF PESTICIDE:
 X Registration
 Re-registration

Term of Issuance:
CONDITIONAL
Expires 6/1/2004

Name of Pesticide Product:
No Foul-SN-1
Antifouling Paint

(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 Antimicrobials 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, as amended.

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 Section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA Section 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, or as required by registration review under FIFRA Section 3(g).

2. Make the following labeling changes:

a. Revise the EPA Registration Number to read, "EPA Reg. No. 64684-5".

Signature of Approving Official:

Marshall Swindell, Product Manager, Team 33,
Regulatory Management Branch I, Antimicrobials Division

Date:

MAY 17 2002

3. Submit the following protocol and study within 9 months(i.e., by 2/27/03) of the date stamped of this Conditional Registration:

Inhalation Monitoring Protocol
GLN 875.1700 Product Use Information

4. Submit the following study within 18months (i.e., by 11/30/03) of the date stamped of this Notice of Conditional Registration:

Inhalation Monitoring Study*

*(Intent: Measure airborne concentrations of Sea-Nine 211 during ship painting operations with a representative marine antifoulant (MAF) paint. Prior to initiating the monitoring study submit the study design for Agency review to ensure compliance with Agency methodologies for conducting such studies. Also note that this study is intended to support only the presence of 3% active ingredient in end-use paint formulations.)

5. Submit the following studies within 5 months (i.e., by 10/31/02) of the date stamped of this notice of Conditional Registration:

GLN 72-4 Aquatic Invertebrate Life Cycle (freshwater Invertebrate)
GLN 73-1 Whole Sediment Acute, Freshwater Invertebrate (include the fate of the parent compound vs metabolites particularly in aquatic sediment)
Special Leaching Study: Release Rate Study on the Sea-Nine 211 active ingredient for your five alternate paint formulations.

6. Submit the following studies within 12 months (i.e., by 6/1/03) of the date stamped of this Conditional Registration:

GLN 72-4 Fish Early Life Stage (Rainbow Trout)
GLN 165-5 Accumulation Studies (Oysters)
GLN 122-1 *Tier I seedling emergence and
GLN 122-1 *Tier I vegetative vigor, or
GLN 123-1 *Tier II seedling emergence, and
GLN 123-1 *Tier II vegetative vigor

*For antifoulants use rice (*Oryza sativa*): In Tier I tests (for pesticides with unknown phytotoxic potential), only the maximum label dosage is used. If the maximum label dosage is not known or if the pesticide is a known phytotoxiant, testing would begin at Tier II. Testing at the Tier II level requires use of a minimum of 5 dosages (dose response testing) in order to establish the EC25, or 25% effect level and the NOAEC (no adverse effect level) or an EC05. TEP testing is required.

GLN 123-1 Tiers I and II floating aquatic macrophyte using *Lemna gibba*

GLN 123-2 Aquatic Plant Growth** (using all 4 species):
Pseudokirschneria subcapitata (formerly Selenastrum capricornutum)-freshwater green algae
Anabaena flos-aquae-freshwater green algae cyanobacteria
Navicula pelliculosa-freshwater diatom
Skeletonema costatum-marine diatom

** The TGAI or TEP may be treated, the choice being dependent on the ability of the active ingredient to stay in solution. In the aquatic plant tests, we require determination of the amount needed for adversely affect the plants by 50% (EC50 value). We also require determination of the NOAEC (no adverse effect level) or an EC0 value. Scientific Advisory Panels in 1994, 1996, and again in 2001 have recommended that we routinely test all 5 of these aquatic plant species because each one represents many thousands of other plants in their class.

7. 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 164-2 Aquatic Field Study
GLN 124-2 Tier III Field Study
GLN 71-4 Avian Reproduction
GLN 72-6 Aquatic organism bioavailability/biomagnification/toxicity tests
GLN 72-5 Fish Life Cycle
GLN 72-7 Simulated or actual field testing for aquatic organisms
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

8. The following studies were previously required, submitted, reviewed and are acceptable:

GLN 73-2 Whole Sediment Acute, Marine Invertebrate
GLN 163-1 Adsorption/Desorption (Batch Equil)
GLN 163-1 Soil Column

9. The following study was submitted but determined to be unacceptable: GLN 162-1 Aerobic soil Metabolism. In order to submit an acceptable study you must use two soil types different from each other and different from the soil types used in the previous study (MRID # 44791101).

10. This conditional registration will expire automatically on 06/01/2004. 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.

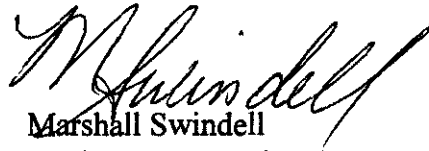
11. Submit two (2) copies of the revised final printed labeling before you release the product for shipment.

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

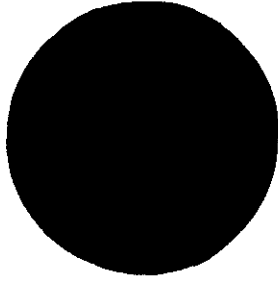
If these conditions are not complied with the registration will be subject to cancellation in accordance with FIFRA sec.6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

Sincerely,



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



E Paint SN-1

With SEA-NINE 211®



Antifouling Paint for Boat Bottoms

Active Ingredient

4,5-Dichloro-2-n-octyl-3(2H)-

Isothiazolone.....2.91%

Inert Ingredients.....97.09%

100.0%

Not Use Restrictions: For use by private app structures.

Contains Petroleum
EPA Reg. No. 6468-
EPA Establishment

DANGER:

KEEP OUT OF REACH OF CHILDREN

See back panel for additional precautionary statements.

NET CONTENTS:

ONE U.S. GALLON (3.8 LITERS)

VOC <400g/Liter

ACCEPTED
with COMMENTS
in EPA Letter Dated:

MAY 17 2002

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

64684-15

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

U.S. Patent s #5,916,947 #6,063,849

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 this 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, 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.

DIRECTIONS FOR USE

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

This product may be used in fresh or salt water, and is intended for use on the bottom of boats and ships.

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: Apply by brush, roller, or spray. 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.

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

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 100 feet. Do not get in eyes, on skin or on clothing. Avoid contact with skin. Wear a full face shield. Avoid breathing vapor, mist, dust or chips from painting and sanding. While spraying paint or sanding boat surface, wear a supplied-air or powered air purifying respirator (PAPR) approved by NIOSH for use with paints and coatings.

Wear a Tyvek hooded coverall or the exact equivalent, coveralls beneath the Tyvek hooded coveralls, impervious gloves, and impervious footwear that protects the lower leg. Remove contaminated clothing and discard after each use, do not reuse. Wash thoroughly with soap and water after handling and before eating or smoking.

STORAGE & DISPOSAL

Do not store near heat source or open flames. Containers are hazardous when empty. Empty 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 use only on Commercial or Government Boats or Vessels

ACCEPTED
with COMMENTS
in EPA Letter Dated:

MAY 17 2002

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

64684-5

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