

12/08/2003



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

DEC - 8 2003

Subject: EP-SN1
EPA Registration Number 64684-5
Your Amendment Dated November 18th, 2003
EPA Received Date November 20th, 2003

The Agency is conditionally approving your amendment to the registration of the product referenced above under the authority of FIFRA section 3(c)(7)(B). This amendment allows the product labeling revised to comply with PR Notice 2001-1, is acceptable under the following conditions.

This amendment will expire automatically on June 1st, 2004. In addition, during the 2.5 year period that this amendment is effective, it will be subject to the conditions listed below. posure risk assessments and for assuring appropriate labeling.

2. The following data must be submitted, and found to be acceptable by June 1st, 2004. If you have studies that you believe satisfy these data requirements, you must satisfy the data requirements by June 1st, 2004.

Failure to satisfy the data requirements listed below may result in EPA issuing a notice to cancel this amendment under FIFRA section 6(e).

- A. Submit the following studies within 18 months(i.e., by June 1st, 2004) 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 antifouling 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 pesticides is a known phytotoxiant, testing would begin at Tier II. Testing at the Tier II level requires use of a minimum of 5 dosages (dosage response testing) in order to establish the EC25, or 25% effect level and the NOAEC(no adverse effect level) or an EC50. TEP testing is required.

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

The registration file has been changed to reflect the following:

Old Name: No Foul SN-1

New Name: EP-SN1

B. Submit tow (2) copies of the revised final printed labeling before your 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)



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

U.S. Patents #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.

E P A I N T S N - 1

ACCEPTED
with COMMENTS
in EPA Letter Dated:

DEC 08 2003

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

64684-5[®]

*e*paint[®]

E Paint SN-1 **Antifouling Paint for Boat Bottoms** **With Sea-nine 211[®]**

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

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.

Active Ingredient

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

2.91%

Inert Ingredients

97.09%

100.0%

Use Restrictions: For use in Commercial or Navy shipyards only. Not for use by private applicators or marinas. Not for use on stationary structures.

Contains Petroleum Distillates
EPA Reg. No. 64684-5
EPA Establishment No. 71223-OH-1

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. 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 use only on Commercial or Government Boats or Vessels

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