

64684-5

05/05/2004

1/4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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 05 2004

Term of Issuance:

CONDITIONAL

Expires on June 1, 2005

NOTICE OF PESTICIDE:

- Registration
- Re-registration

(under FIFRA, as amended)

Name of Pesticide Product:

EP-SN1

Name and Address of Registrant (include ZIP code):

E Paint Company
25 Research Road
East 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 all 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."
 - b. Place the appropriate EPA Establishment No. on the product labeling.

Signature of Approving Official:

Date:

MAY 05 2004

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

EPA Form 8570-6

CONCURRENCES

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DATE							

2/4

3. Submit the protocol and study by **June 1st, 2005**, 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 insure 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.)

The data being required as a condition of the registration must be submitted, reviewed, and found to be acceptable by **June 1st, 2005**. As you are aware, the manufacturer of the active is generating the data to support all end-use formulations.

This conditional registration will expire on **June 1st, 2005**. If you fail to satisfy the conditions imposed on the registration, EPA may issue a Notice of Registration to cancel under Section 6(e) of FIFRA.

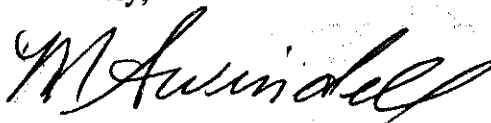
4. Submit two copies of the revised final printed labeling before you release the product for shipment.

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

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

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

Sincerely,

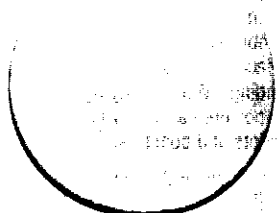


Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobial Division(7510C)

Enclosure

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DATE								



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

U.S. Patents #5,818,947 #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:

MAY 0 5 2004

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act as
 amended, for the pesticide,
 registered under 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.

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

Active Ingredient

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

isothiazolone

2.91%

Other Ingredients

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

4/4